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SL NO. 183... 26

BEFORE THE NOTARY PUBLIC  
AT BHDHANNAGAR  
DIST NORTH 24 PARBANAS

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN ZONE

BENCH AT KOLKATA

O.A. 141 of 2025 /EZ

In the matter of :

Anil Kumar Arya

..... Applicant

-Versus-

State Of West Bengal & Ors

..... Respondents



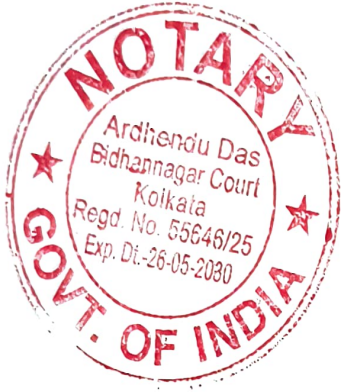
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**Paushali Banerjee**  
**Advocate**  
**7A Kiron Shankar Roy Road,**  
**Kolkata-700001**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN ZONE**

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Affidavit on behalf of the Bidhannagar Municipal Corporation ,

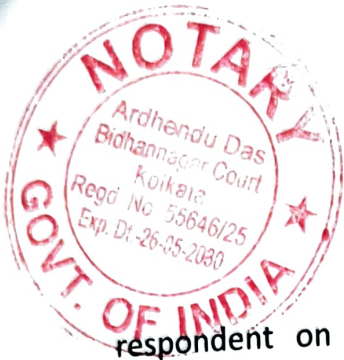
Respondent no.9

I, Sujay Sarkar, son of Shri Phanindranath Sarkar, aged about 57 years, by religion Hindu, by occupation-Service, working for gain as the Commissioner, Bidhannagar Municipal Corporation, having office at the 'Poura Bhawan', Office of the Bidhannagar Municipal Corporation, FD-415A, Sector-III, Kolkata – 700106 do hereby solemnly affirm and say as follows: -

A. I know the facts and circumstances of the case. I have been duly authorised by the Bidhannagar Municipal Corporation to affirm this affidavit on its behalf. I do solemnly affirm and say as follows:

- 1) That vide orders dated 22.08.2025 and 24/11/25, the Hon'ble Tribunal was pleased to direct the respondents in this instant Original Application to file affidavits.
- 2) I say that in compliance of the directions of this Hon'ble Tribunal, an inspection was carried out by the answering

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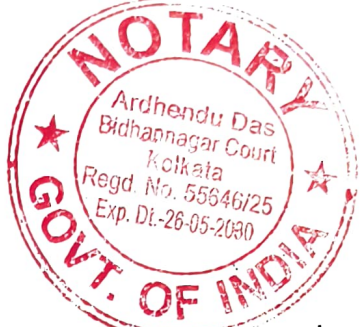


respondent on 21/11/25 at Dag no. 2242, Mouza-Gopalpur,  
Borough No.1, Ward No.04 .

3) I say that during the inspection it was found that construction work was in progress beside the pond. On 28/11/25, another inspection was carried out , it was observed by the officials of the BL&LRO, Rajarhat that:

- I) As per LR ROR, it is found that LR plot no 2242 of Mouza-Gopalpur, J.L No 02 is classified as 'PUKUR' with area 0.30 acre.
- II) From enquiry it is found that about 0.15 acres out of total 0.30 acres of land remained as 'PUKUR' & the rest 0.15 acres land is occupied by the raiyats by constructing residential house and under construction building.
- III) The observations at the time of physical inspection by the officials of the Bidhannagar Municipal Corporation are that: It

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is also to be mentioned that, the said rayats failed to produce any conversion certificate for such conversion in this regard.

The observations at the time of physical inspection by the officials of the Bidhannagar Municipal Corporation are that:

- a) An old tin shaded brick structure is existing & the owners are living there and
- b) An old tile shaded brick structure is existing & the owners are living there, and One partly construction of a residential house building up to lintel height is existing were noticed.
- 4) The Bidhannagar Municipal Corporation conducted an hearing on 13/12/25 when the owners and occupiers of the subject plot were represented by Sri Susanta Dey and Sri Tanmoy Mondal S/o-Sunita Mondal who submitted some documents relating to photocopies of receipt of Panchayat tax, Completion Certificate vide no-CC/1037/04/05 dated-15. 12.2004, Property tax of Bidhannagar Municipal Corporation, three copies of Parcha of Dag

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No-2242 recorded as "PUKUR" and an Electric Bill. The submitted documents( at the time of hearing) have been verified and it has been found that the R.S Dag no-2242 is recorded as PUKUR' and owners/occupiers of the subject plot in question have erected the alleged unauthorized construction illegally filling up a portion of a pond.

5) The Bidhannagar Municipal Corporation upon hearing the parties directed as follows:

i) STOP ORDER' against your construction at the subject plot of Dag No-2242, J.L No 02, Mouza-Gopalpur, Block-Rajarhat Gopalpur, P.S-Narayanpur, Kolkata-700136 and Ward No-04 under Bidhannagar Municipal Corporation.

ii) TO DEMOLISH the unauthorized structure erected on the subject plot of Dag No 2242, J.L No-02, Mouza-Gopalpur, Block-Rajarhat Gopalpur, P.S-Narayanpur, Kolkata-700 136, Ward No-04 under Bidhannagar Municipal Corporation without any prior

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approval from the Corporation and without any sanctioned building plan within 4 (four) weeks from the receipt of this order failing which this Corporation will be compelled to take appropriate steps without any further reference as per provisions of relevant rules and Acts to demolish the unauthorized structure and recover the expenses of such demolition from the occupiers/owners as per provisions of West Bengal Municipal Corporation Act, 2006

iii) TO RESTORE the plot of Dag No-2242 to its original character, of PUKUR' after such demolition within a subsequent period of 4(four) weeks thereafter failing which this Corporation will be compelled to take appropriate steps without any further reference as per provisions of the West Bengal Inland Fisheries Act, 1984.

iv) Failing to restore the site in question to its original character, the Corporation will be compelled to take appropriate steps and

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recover the expenses of such restoration from the occupiers/owners under the prevalent laws.

- v) The Executive Engineer (Illegal Construction) is hereby requested to do the needful to lodge an FIR against unauthorized construction being carried out at the time of the site in question without any sanctioned building plan and prior approval from this authority as per provision under West Bengal Municipal Corporation Act, 2006
- vi) Since this unauthorized construction has been erected on the 'PUKUR' is in clear violation of the provisions as contained under section 17A of the West Bengal Inland Fisheries Act, 1984 and relevant provisions of West Bengal Land Reforms Act, 1955: all charges(s) be specifically incorporated in the same FIR. The copy of the order dated 29/12/25 is annexed herewith and marked as Annexure A.

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That the statements made in foregoing paragraphs are true to my information derived from records which I verily believe to be true and rest are my respectful submissions before this Learned Tribunal.

Prepared in my office

Advocate

**DEPONENT**  
**Commissioner**  
Bidhannagar Municipal Corporation

**ARDHENDU DAS**  
★ NOTARY ★  
GOVT. OF INDIA  
Regd. No. 5564/25  
Bidhannagar Court  
Dist. - North 24 Pgs

07 JAN 2026



Home no - A

Tel: 2334-0314  
Fax: 2358-4235

8.

# Bidhannagar Municipal Corporation

Poura Bhawan, FD-415A, Sector III, Salt Lake, Kolkata - 700106

Memo No. 5209 /BMC/GS/2025

Date: 31.12.2025

To,  
1. All Owner(s), Occupier(s) & Developer(s) of  
Dag No-2242, J.N. No-2, Mouza-Gopalpur,  
Block-Rajarhat, P.S.-Narayanpur,  
Kolkata-700136, Ward No-04.  
2. Susanta Dey,  
3. Sumanta Dey,  
4. Sunita Mondal,  
Tarak Boral Lane, Udayachal,  
P.O. Gopalpur, P.S.- Narayanpur,  
Kolkata-700136.  
Mobile No-8420603815.



**Ref:-** Unauthorized construction & Illegal filling up of Waterbody carried out at the location in Plot No- Dag No-2242, J.L. No-2, Mouza-Gopalpur, Block-Rajarhat, P.S.-Narayanpur, Kolkata-700136, Ward No-04 under Bidhannagar Municipal Corporation.

**Sub:-** Reasoned Order Vide No-632/BMC/LAW/NGT/POND/2025 dated-29/12/2025 on the basis of complaint and hearing was conducted on -13/12/2025.

On the basis of complaint received at Bidhannagar Municipal Corporation, hearing was held on-13/12/2025 in the chamber of the Commissioner, Bidhannagar Municipal Corporation, Poura Bhawan, 4<sup>th</sup> Floor, FD-415A, Sector-III, Salt lake City, Kolkata-700106; a copy of the Reasoned Order Vide No-632/BMC/LAW/NGT/POND/2025 dated-29/12/2025 passed, is enclosed herewith.

You are requested to take necessary action from your end.

  
Senior Law Officer 31/12/25  
Bidhannagar Municipal Corporation

Encl: As stated above.

Memo No-5209 /110/ BMC/GS/2025

Date: 31.12.2025

Copy forwarded for information to:

1. MMIC (LAW), Bidhannagar Municipal Corporation.
2. Joint Municipal Commissioner, Bidhannagar Municipal Corporation.
3. Chief Engineer, Bidhannagar Municipal Corporation.
4. The Block Land & Land Reforms Officer, Rajarhat Block, Noth 24 Parganas.
5. Executive Engineer (B/P), Bidhannagar Municipal Corporation.
6. Executive Engineer (Illegal Construction), Bidhannagar Municipal Corporation.
7. PA to Hon'ble Mayor, Bidhannagar Municipal Corporation.
8. PA to Commissioner, Bidhannagar Municipal Corporation.
9. Anil Kumar Arya, 48/1, Hari Mohan Dutta Road, Dum Dum, Kolkata-700028.
10. Goutam Majumder, Kali Park, Udyachal, P.O-Rajarhat Gopalpur, P.S.-Narayanpur, Kolkata-700136.

  
Senior Law Officer 31/12/25  
Bidhannagar Municipal Corporation

07 JAN 2026



Bidhannagar Municipal Corporation  
Poura Bhawan, FD-415A, Sector III, Salt Lake, Kolkata - 700106



8

Order No- 632/BMC/LAW/NGT/POND/2025

Date- 27/12/2025

### ORDER

The instant proceeding is drawn upon receipt of several complaints of illegal filling up of water body at Dag No-2242, J.L No-02, Mouza-Gopalpur, Block-Rajarhat Gopalpur, P.S-Narayanpur, Kolkata-700136, Ward No-04 under Bidhannagar Municipal Corporation received from the Ld Advocate Mr Anil Kumar Arya.

On the basis of the complaints, one physical inspection on 21.11.2025 by the officials of the Corporation was done at Dag No-2242, J.L No-02, Mouza-Gopalpur, Block-Rajarhat Gopalpur, P.S-Narayanpur, Kolkata-700136 and Ward No-04 under Bidhannagar Municipal Corporation. At the time of inspection, it was observed- **"a house building is under construction along the side of the pond."**

Thereafter, another joint physical inspection with the officials of the BL&LRO, Rajarhat was arranged on 28.11.2025 at the time of the physical inspection, it was observed by the officials of the BL&LRO, Rajarhat that:-

- i) **As per LR ROR, it is found that LR plot no 2242 of Mouza-Gopalpur, J.L No-02 is classified as 'PUKUR' with area 0.30 acre.**
- ii) **From enquiry it is found that about 0.15 acres out of total 0.30 acres of land remained as 'PUKUR' & the rest 0.15 acres land occupied by the raiyats by constructing residential house and under construction building.**
- iii) **It is also to be mentioned that, the said rayats failed to produce any conversion certificate for such conversion in this regard.**

The observations at the time of physical inspection by the officials of the Bidhannagar Municipal Corporation are that:-

- i) **An old tile shaded brick structure is existing & the owners are living there, and**
- ii) **One partly construction of a residential house building up to lintel height is existing were noticed.**

Prior to that, a Stop Work notice vide Memo No-BMC/BPN/2025/IC/994 Dated- 22.11.2025 had been issued to the owners/occupiers of the alleged unauthorized structure situated at the subject plot of land. Thereafter, a notice of hearing vide Memo No-4880/BMC/GS/2025 Dated-04.12.2025 was issued to the occupiers/owners of the subject plot.

At the time of hearing on 13.12.2025, the owners/occupiers of the subject plot were represented by Sri Susanta Dey and Sri Tanmoy Mondal S/o- Sunita Mondal who submitted some documents relating to photocopies of receipt of Panchayat tax,

TRUE COPY  
ATTESTED BY ME  
ARDHENDU DAS  
GOVT. OF INDIA  
Regd. No. 25648/2019  
Bidhannagar Municipal Corporation  
Dist.- North 24 Pgs.

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**Bidhannagar Municipal Corporation**  
Poura Bhawan, FD-415A, Sector III, Salt Lake, Kolkata – 700106



Completion Certificate vide no-CC/1037/04/05 dated-15.12.2004, Property tax of Bidhannagar Municipal Corporation, three copies of Parcha of Dag No-2242 recorded as “PUKUR” and an Electric Bill.

On being questioned at the time of hearing, with respect to the structure which is being erected at the site in question, any sanctioned building plan has been obtained from any appropriate authority or not, the attendees could not give any satisfactory reply. The structure at the site in question has been erected without any sanctioned building plan issued by any authority and the site in question is recorded as “**PUKUR**”.

The submitted documents( at the time of hearing) have been verified and it has been found that the R.S Dag no-2242 is recorded as ‘PUKUR’ and owners/occupiers of the subject plot in question have erected the alleged unauthorized construction illegally filling up a portion of a pond.

Under the above facts and circumstances, it appears that an unauthorized structure has been erected by the owners/occupiers in a water-body as also revealed in the joint physical inspection conducted by the officials of the BL&LRO and this Corporation.

It also appears that the erection of such structure without obtaining any valid sanctioned building plan from the Corporation is a gross violation of the provisions of the West Bengal Municipal Corporation Act-2006 as well as West Bengal Municipal Building Rules, 2007.

It also appears that the plot of land on which the structure was erected is recorded as “PUKUR” for which no conversion from any appropriate authority was obtained prior to such construction. It is a settled principle of law that without any conversion of the character/classification of land from ‘PUKUR’ to ‘BASTU’ from appropriate authority, no one can carry out any construction work.

The undersigned being the Competent Authority under the West Bengal Inland Fisheries Act, 1984 and Municipal Commissioner of the Bidhannagar Municipal Corporation, governed under the West Bengal Municipal Corporation Act, 2006, hereby directs the occupiers/owners of the site in question as follows:-

(1) ‘**STOP ORDER**’ against your construction at the subject plot of Dag No-2242, J.L No-02, Mouza-Gopalpur, Block-Rajarhat Gopalpur, P.S-Narayanpur, Kolkata-700136 and Ward No-04 under Bidhannagar Municipal Corporation.

(2) ‘**TO DEMOLISH**’ the unauthorized structure erected on the subject plot of Dag No-2242, J.L No-02, Mouza-Gopalpur, Block-Rajarhat Gopalpur, P.S-Narayanpur, Kolkata-700136, Ward No-04 under Bidhannagar Municipal Corporation without any prior approval from the Corporation and without any sanctioned building plan within 4 (four) weeks from the receipt of this order failing which this Corporation will be compelled to take appropriate steps without any further reference as per provisions

TRUE COPY  
ATTESTED BY ME

ARDHENDU DAS  
\* NOTARY  
GOVT. OF WEST BENGAL  
Regn. No. 55646/25  
Bidhannagar Court  
Dist.- North 24 Pgs.

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**Bidhannagar Municipal Corporation**  
Poura Bhawan, FD-415A, Sector III, Salt Lake, Kolkata 700106



of relevant rules and Acts to demolish the unauthorized structure and recover the expenses of such demolition from the occupiers/owners as per provisions of West Bengal Municipal Corporation Act, 2006.

- (3) **'TO RESTORE'** the plot of Dag No-2242 to its original character, of 'PUKUR' after such demolition within a subsequent period of 4(four) weeks thereafter failing which this Corporation will be compelled to take appropriate steps without any further reference as per provisions of the West Bengal Inland Fisheries Act, 1984.
- (4) Failing to restore the site in question to its original character, the Corporation will be compelled to take appropriate steps and recover the expenses of such restoration from the occupiers/owners under the prevalent laws.
- (5) The Executive Engineer (Illegal Construction) is hereby requested to do the needful to lodge an FIR against unauthorized construction being carried out at the time of the site in question without any sanctioned building plan and prior approval from this authority as per provision under West Bengal Municipal Corporation Act, 2006.
- (6) Since this unauthorized construction has been erected on the 'PUKUR' is in clear violation of the provisions as contained under section 17A of the West Bengal Inland Fisheries Act, 1984 and relevant provisions of West Bengal Land Reforms Act, 1955; all charges(s) be specifically incorporated in the same FIR.

All concerned are to be informed accordingly.

*[Signature]* 29.12.2025.

Commissioner  
Bidhannagar Municipal Corporation

**TRUE COPY  
ATTESTED BY ME**

*[Signature]*  
**ARDHENDU DAS  
\* NOTARY \*  
GOVT. OF INDIA  
Regn. No. 56046/25  
Bidhannagar Court  
Dist.- North 24 Pgs.**

**07 JAN 2026**

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