

102
Rajib Ray
Advocate

Before The National Green Tribunal, Eastern Zone Bench, Kolkata
Original Application No. 16 of 2024/EZ

Md. Humayun Abbas ...Applicant

Versus

State of West Bengal and others.

....Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 3, COMMISSIONER,
PRESIDENCY DIVISION, KOLKATA.

INDEX

Sl. No.	PARTICULARS	Annexure No.	PAGE No.
1.	Affidavit		1 - 2
2.	Photocopy of the said Notification dated 19.12.2016	R1	3 - 4

Rajib Ray

Advocate

Bar Association Room No. 13,

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Mob-9830132729

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Email: rajib.ray23@gmail.com,

- 1 -

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**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 3, COMMISSIONER,
PRESIDENCY DIVISION, KOLKATA.**

I, Debashis Nandi, son of Late Sunil Baran Nandi, aged 56 years, by occupation- Government Service, now posted as Assistant Commissioner, in the Office of the Commissioner, Presidency Division at 11, N.S.Road, Kolkata, Pin No.-700001, do hereby solemnly verify and say as follows:-

1. That I am the Assistant Commissioner currently posted in the Office of the Commissioner, Presidency Division, Kolkata. I have made myself acquainted with the facts and circumstances of this case and competent to affirm this affidavit.
2. That by an order dated 25.01.2024 the Hon'ble National Green Tribunal, Eastern Zone, Kolkata, was pleased to direct the respondents to file counter-affidavit on behalf of the respondent no.3 herein.
3. That this affidavit is being affirmed in pursuant to the solemn order passed by the Hon'ble Tribunal on 25.01.2024.
4. That the instant application is filed alleging illegal construction of unauthorized building at Premises No.7, 7A, 7B, 7C, 7D, Tiljala Place now numbered as 7A Tiljala Place, P.S.- Karaya, Kolkata - 700017, by (1) Rehan Javed, (2) Irfan Javed and (3) Javed Akhtar, who are residing at Premises No.44D, Shamsul Huda Road, P.S.-Karaya, Kolkata - 700017 and it is also



12 MAR 2024

alleged that the aforesaid persons have encroached and converted 17 cottahs water tank/pond into low land by filling debri, mud, rags etc.

5. That in pursuance to the solemn direction dated 25.01.2024 of the Hon'ble Tribunal, the authorized representative of the Commissioner, Presidency Division was part of the fact finding Committee which carried out the inspection of the instant site on 16.02.2024.

6. That by Notification No. 954-PAR(AR)/309/Pr. Secy. (P&AR) dated 19.12.2016 issued by the Personnel & Administrative Reforms Department, Govt. of West Bengal, delineates the districts of Howrah, North 24- Parganas, South 24 Parganas, Nadia within the territorial jurisdiction of the Commissioner, Presidency Division.

The photocopy of the said Notification dated 19.12.2016 is annexed and marked as Annexure-"R-1".

7. That the instant case site located at 7A, Tiljala Road, Police Station: Karaya, under Kolkata Municipal Corporation Ward No.65, Kolkata-700017 is beyond the area comprised within the Presidency Division and this deponent does not have regulatory control over the said area. It is therefore prayed that the Hon'ble Tribunal may pass necessary order or further orders as it deem fit and proper in the interest of justice.

8. The statements made in paragraph 1 to 6 are based on information derived from the record which are usually kept and maintained by the answering respondents in the ordinary course of business and which I belief to be true and rest thereof are my humble submission before this Hon'ble Tribunal.

Prepared in my office

Advocate



N. DASGUPTA
Notary
Regn. No. 0C6/2022
3, Bankshal Street
Calcutta-700001

Deponent 11.03.24

SOLEMNLY AFFIRMED
&
Declared Before me
on Identification Adv.
NOTARY
N. DAS GUPTA
C.M.M. Court
Govt W.B.
12 MAR 2024

By Secy
to CF (HR)
make over a copy to MS
21/12

AO(G)
Planning &
comulat to all
S&T - R 21/09/17

GOVERNMENT OF WEST BENGAL

PERSONNEL & ADMINISTRATIVE REFORMS DEPARTMENT

ADMINISTRATIVE REFORMS CELL

NOTIFICATION

No. 954 -PAR (AR)/ 309/Pr. Secy. (P &AR)

Dated 19/12/2016

In exercise of power conferred by sub-section (2) of section 7 of the Code of Criminal Procedure, 1973 (2 of 1974) (hereinafter referred to as the said Code) and in supersession of all previous notifications on the subject, the Governor is pleased hereby to create 2(two) new Divisions by reorganising the existing 3(three) Divisions with effect from the 19th day of December, 2016. Territorial jurisdiction of the Divisions will now be as follows:

Sl. No.	Name of the Division(s)	Head Quarter	Districts under the Division(s)
1.	Presidency Division	Kolkata (Existing)	North 24 Parganas, South 24 Parganas, Howrah, Nadia.
2.	Burdwan Division	Chinsurah (Existing)	Burdwan, Hooghly, Birbhum.
3.	Midnapore Division	Medinipur	Parba Medinipur, Paschim Medinipur, Bankura, Purulia.
4.	Malda Division	Malda	Murshidabad, Malda, Uttar Dinajpur, Dakshin Dinajpur.
5.	Jalpaiguri Division	Jalpaiguri (Existing)	Darjeeling, Alipurduar, Jalpaiguri, Coochbehar.

By Order of the Governor,

Sd/-

Chief Secretary to the Government of West Bengal

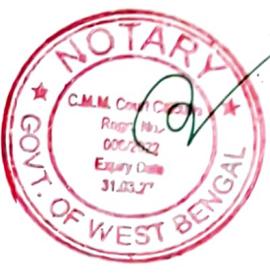
P & AR Department

Dated 19/12/2016

No. 954 -PAR (AR)/ 309/Pr. Secy. (P &AR)

Copy forwarded for kind information to :

1. The Additional Chief Secretary, Home Department, Government of West Bengal.
2. The Addl. Chief Secretary/ Principal Secretary/ Secretary (All), P. H. E. Department, Government of West Bengal.
3. The Director General of Police - Government of West Bengal. He may kindly get this Department, Government of West Bengal.
4. The Divisional Commissioner (All), Division.
5. The District Magistrate (All), District.



Public Health Engineering Department Govt. of West Bengal RECEIVED Contents Not Verified

Principal Secretary to the Government of West Bengal P & AR Department

P. T. M. - 1

GOVERNMENT OF WEST BENGAL
PERSONNEL & ADMINISTRATIVE REFORMS DEPARTMENT
ADMINISTRATIVE REFORMS CELL

NOTIFICATION

NO.954-PAR(AR)/309/Pr.Secy.(P&AR)

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5	Jalpaiguri Division	Jalpaiguri(Existing)	Darjeeling,Alipurduar,Jalpaiguri,Coochbehar

By Order of the Governor

Sd/-

Chief Secretary to the
Government of West Bengal
P&AR Department.

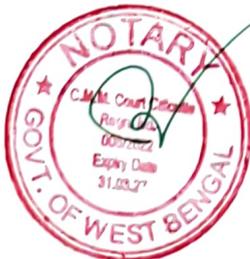
NO.954-PAR(AR)/309/Pr.Secy.(P&AR)

Dated 19/12/2016

Copy forwarded for kind information to:

1. The Additional Chief Secretary, Home Department, Government of West Bengal
2. The Addl. Chief Secretary /Principal Secretary/Secretary(All).....
Department ,Government of West Bengal.
3. The Director General of Police, Government of West Bengal. He may kindly get this notification circulated among all the concerned field /HQ Level Police Officials
4. The Divisional Commissioner(All) ,.....Division.
5. The District Magistrate (All)District.

Principal Secretary to the
Government of West Bengal
P&AR Department.



Before The National Green Tribunal,
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O.A No. 16 of 2024

In the matter of:

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Affidavit on behalf of the Respondent No.3
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