

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

M.A. No. 30 of 2023/ EZ

In

(O.A. No. 108/2021/EZ)

In the matter of:

Rasulpur Dana Welfare Society

....Applicant

Versus

West Bengal Pollution Control
Board & Ors.

....Respondent(s)

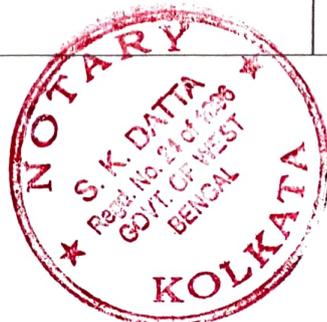


AFFIDAVIT OF COMPLIANCE BY THE DISTRICT MAGISTRATE &
COLLECTOR, PURBA BARDHMAN

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Filed by

Sibojyoti Chakrabarti

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

(M): 9007035534.





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

M.A.No. 30 of 2023/ EZ

In

(O.A. No. 108/2021/EZ)



In the matter of:

Rasulpur Dana Welfare Society

....Applicant

Versus

West Bengal Pollution Control
Board & Ors.

....Respondent(s)

AFFIDAVIT OF COMPLIANCE BY THE DISTRICT MAGISTRATE &
COLLECTOR, PURBA BARDHAMAN

I, Purnendu Kumar Maji, presently posted as District Magistrate, Purba Bardhaman, do hereby solemnly affirm as follow:

1. That this compliance report in the form of Affidavit is been submitted before the Hon'ble Tribunal in obedience to the Judgement dated 01.08.2022, passed in the above referred matter in O. A. No. 108/2021/EZ by this Hon'ble Tribunal.
2. That in the Judgement dated 01.08.2022 passed in respect to O.A. No. 108 of 2021/EZ wherein the Hon'ble Tribunal has been interalia pleased to direct the District Magistrate, Purba Burdwan for taking all steps for removal of encroachments from plot no. 463 and plot no 25, JL No. 135, Mouja- Baidyadanga, under Memari- I, Block, Rasulpur, Purba Burdwan, within one month and restore the area of 0.61 acres of the Plot No. 463 and area 0.44 acres of the Plat- 25, JL- 135, under Memari-

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I, block, Rasulpur, Purba Burdwan to its original form as water body and take steps for removal of water hyacinths and file affidavit of compliance.

3. That in compliance with the said Judgement, the District Magistrate, Purba Burdwan vide letter dated 26.08.2022 had directed the Sub Divisional Officer Sadar (South), Purba Burdwan, to comply the Order of the Hon'ble Tribunal.

Photocopy of the letter dated 26.08.2022 by District Magistrate, Purba Burdwan to the Sub Divisional Officer Sadar (South), Purba Burdwan, annexed hereto and marked with the letter 'R-1'.

4. That subsequently the Sub Divisional Officer, Sadar (South), Purba Burdwan had directed the BL & LRO, Memari- I to take necessary action in this regard and according the BL & LRO Memari- I, issued notice on 30.08.2022 to all the parties concern to remove the constructions and restore the water bodies within 7 days. It is further stated that the BL and LRO Memari-I vide letter dated 08.09.2022 has reported that the concern parties have failed to remove the unauthorised construction and restore the water bodies.

Photocopies of the Notices issued 30.08.2022 to all the parties concern and the letter dated 08.09.2022 are collectively annexed herewith and marked with the letter 'R-2'.

5. That the Sub Divisional Officer, Sadar (South), Purba Burdwan vide letter dated 13.09.2022 had informed the District Magistrate, Purba Burdwan, that the B.L & L.R.O, (Block Land & Land Reforms Officer), had served Notice to all the parties on 30.08.2022.



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Photocopy of the letter dated 13.09.2022 issued by the Sub Divisional Officer Sadar (South), Purba Burdwan to District Magistrate, Purba Burdwan is annexed herewith and marked with the letter 'R-3'.

6. That subsequently vide letter dated 16.09.2022 issued by the District Magistrate, Purba Burdwan to all the encroachers interrealia directing them to remove and demolish the illegal construction within 23.09.2022 and failing which they said demolition take place as per law and also requested the encroachers to vacate the premises of the said unauthorised building prior to the process of demolition and also to remove their personal belongings if any lying in the said building.

Photocopy of the all the Notices to all the encroachers issued by the District Magistrate, Purba Burdwan dated 16.09.2022 is annexed herewith and marked with the letter 'R-4'.

7. That vide letter dated 16.09.2022 B.L & L.R.O, (Block Land & Land Reforms Officer), Purba Burdwan has been directed to complete the service of Notice on the same date.
8. That the District Magistrate & Collector, Purba Bardman vide letter dated 28.11.2022 written to the Executive Engineer-II, PWD Burdwan Division interalia requested to furnish comprehensive plan of action for the demolition of the illegal construction mentioning the procedure of execution and requirement of man power and machineries along with estimated cost of such demolition.

Photocopy of the letter dated 28.11.2022 written by the District Magistrate & Collector, Purba Bardhman to the Executive Engineer-II, PWD Burdwan Division is annexed herewith and marked with the letter 'R-5'.



7

9. That the Executive Engineer-II, PWD Burdwan Division vide letter dated 16.01.2023 informed the District Magistrate & Collector, Purba Bardhman, the estimated cost involved in the work of demolition and the precautionary measures which may be followed during the process of demolition.

Photocopy of the letter dated 16.01.2023 written by the Executive Engineer-II, PWD Burdwan Division to the District Magistrate & Collector, Purba Bardhman is annexed herewith and marked with the letter 'R-6'.

10. That in the meanwhile the District Magistrate & Collector, Purba Bardhman had also requested the Superintendent of Police, Purba Bardhman to provide sufficient police force for executing the removal of encroachers with respect to the plots of land in question, vide letter dated 28.11.2022 and had requested a confidential report from the office of the Superintendent of Police, Purba Bardhman, for executing the Solemn Order passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata from the law and Order point of view during the time of demolition.

Photocopy of the letter dated 28.11.2022 written by the District Magistrate & Collector, Purba Bardhman to the Superintendent of Police; Purba Bardhman is annexed herewith and marked with the letter 'R-7'.

11. That the Superintendent of Police, Purba Bardhman vide letter dated 16.01.2023 replied to the above mentioned letter stating that as per report sent by the Sub Divisional Police Officer (S.D.P.O), Sadar, South, Purba Bardhman that Memari P.S Case 511/2016 dated 13.08.2016 U/s 4D of the West Bengal Land Reforms Act, 1955 had been started against the illegal encroachers, for violating section 4C of the West



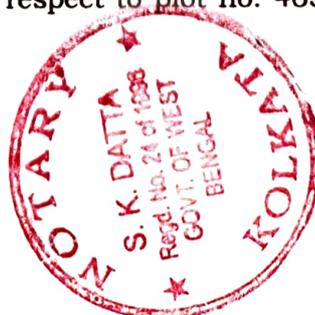
Bengal Land Reforms Act, 1955. During course of investigation it had learnt that Haru Ghosh, Samaresh Ghosh and Parboti Ghosh were arrested on 14.08.2016 and the rest of the accused persons obtained bail on 16.08.2015 by surrendering before the Learned Court. The Charge Sheet being Memari P.S C.S NO. 668/2016 Dated 31.12.2016 had been submitted U/s 4D of West Bengal Land Reforms Act, 1955 and the case is presently pending for adjudication before the Learned Judicial Magistrate, 2nd Court at bardhman. It has also been interalia stated in the report of the Sub Divisional Police Officer (S.D.P.O), Sadar, South, Purba Bardhman and there is chance of law and order in the locality during the time of demolition.

Photocopy of the letter dated 16.01.2023 written by the Superintendent of Police, Purba Bardhman to the District Magistrate & Collector, Purba Bardhman is annexed herewith and marked with the letter 'R-8'.

12. That the private respondents subsequently have filed an application dated 11.01.2024 Under section 4C of the West Bengal Land Reforms Act, 1955 along with certain documents before the Office of the District Magistrate & Collector, Purba Bardhman and also before the District Land & Land Reforms Officer, Purba Bardhman, for conversion of the plots of land in question.

Photocopies of the Application dated 11.01.2024, along with the documents are collectively annexed herewith and marked with the letter 'R-9'.

13. That the private respondents have informed the office of the District Magistrate & Collector, Purba Bardhman vide letter dated 19.01.2024 that the private respondents have filed an Original Application being O. A. NO. 216/2024 before the Hon'ble West Bengal Land Reforms & Tenancy Tribunal, Kolkata with respect to plot no. 463 and plot no 25,



JL No. 135, Mouja- Baidyadanga, under Memari- I, Block, Rasulpur, Purba Burdwan, and the same is pending for adjudication before the Hon'ble 1st Bench, and the next date of the matter is fixed on 05.03.2024.

Photocopy of the letter dated 19.01.2024 written by the private respondents to the District Magistrate & Collector, Purba Bardhaman along with photocopy of original application and its enclosures are collectively annexed herewith and marked with the letter 'R-10'

14. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary Order/Orders as is deemed fit for the ends of justice.

Identified by me

Purkendu Kumar Maji

Sibajyoti Chakrabarti

Deponent

Advocate

22.01.2024

District Magistrate
Purba Bardhaman

For The State of West Bengal

VERIFICATION

Verified at Kolkata by the deponent above named on this the 22nd Day of January, 2024 and say that the contents of this affidavit made in paragraph are true to my knowledge and true to my information derived from records and rest are my respectful submissions before this Hon'ble Tribunal.

Identified by me

Purkendu Kumar Maji

Sibajyoti Chakrabarti

Deponent

Advocate

22.01.2024

District Magistrate
Purba Bardhaman

For The State of West Bengal

Solemnly Affirmed
&

Declared before me
on Identification of Advocate

SANTOSH KUMAR DATTA
NOTARY
50/1A, Hari Ghosh Street
Kolkata-700006
Regn. No.- 24 of 1996

S. K. DATTA
NOTARY

22.01.2024



Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
(civilsuitpurbabardhaman@gmail.com)

Memo No.... 809 /C.S.

Dated, 26/08 /2022

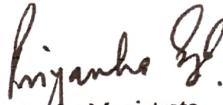
To
The Sub Divisional Officer,
Sadar (South),
Purba Bardhaman.

Sub:- Judgement of National Green Tribunal in connection with OA No. 108/2021/EZ in the matter of Rasulpur Dana Welfare Society -Vs- West Bengal Pollution Control Board & Ors.

Enclosed please find herewith the copy of order dated 01.08.2022 passed by Hon'ble Justice B. Amit Sthalekar, JM and Hon'ble Mr. Saibal Dasgupta EM of National Green Tribunal Eastern Zone brach, Kolkata in connection with O.A. No. 108/2021/EZ arising in the matter of Rasulpur Dana Welfare Society -Vs- West Bengal Pollution Control Board & Ors. which will speak for itself.

In this regard you are directed to comply the Hon'ble Court Order as stated above.

Encl: As stated above.


District Magistrate,
Purba Bardhaman.

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Amexro-R-2



GOVERNMENT OF WEST BENGAL
OFFICE OF THE SUB-DIVISIONAL OFFICER
BARDHAMAN SADAR (SOUTH)
COURT COMPOUND, BURDWAN-713101.
E-mail ID:sdobwns@gmail.com

Memo No: 724 /SDS/PBDN/ 2022

Date: 30 /08/2022

To
The Block Land & Land Reforms Officer,
Memari-I.

Sub: Judgement of National Green Tribunal in connection with OA No. 108/2021/EZ in the matter of Rasulpur Dana Welfare Society – Vs- West Bengal Pollution Control Board & Ors.

Enclosed please find herewith the copy of order dated 01.08.2022 passed by Hon'ble Justice B. Amit Sthalekar, JM and Hon'ble Justice Mr. Saibal Dasgupta EM of National Green Tribunal Eastern Zone branch, Kolkata in connection with O.A. No. 108/2021/EZ arising in the matter of Rasulpur Dana Welfare Society – Vs- West Bengal Pollution Control Board & Ors. Which will speak for itself.

In this regard you are directed to comply the Hon'ble Court Order as stated above.

Enclosed: - As stated above


Sub-Divisional Officer,
Bardhaman Sadar (South)
Purba Bardhaman

Memo No: 724/1(6) /SDS/PBDN/ 2022

Date: 30/08/2022

Copy forwarded to :-

1. The Additional District Magistrate (LR), Purba Bardhaman for kind perusal.
2. The Sub-Divisional Police Officer, Bardhaman Sadar South for information.
3. The Sub-Divisional Land & Land Reforms Officer, Bardhaman Sadar South.
4. The Block Development Officer, Memari-I Development Block is requested to provide necessary logistic support to the Block Land & Land Reforms Officer, Memari - I.
5. The Officer-in-Charge, Memari Police Station to provide necessary security support.
6. C.A to the District Magistrate, Purba Bardhaman for kind appraisal of the authority.


30/08/22
Sub-Divisional Officer
Bardhaman Sadar (South)
Purba Bardhaman

No. - 7A8/22

dt. - 13/09/22

NO - 108/2021/E7A.

12

BIDHAN CHANDRA SAMANTA

Advocate

Burdwan Judges Court Burdwan

Residence & Chamber

5 No- Ichlabad Sdally,

Purba Bardhaman-713103

M-7001449370 / 9734784622

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ef.....

received

Collection

Date

08/9/22

Bardhaman District
Purba Bardhaman District

Date 8/9/22

To

The Hon'ble District Magistrate,

Purba Bardhaman.

Burdwan Sadar, Dt. Purba BWN 713101

Sir,

Enclose please find herewith a copy of the letter dated 06.09.2022 written by the Learned Advocate of the Hon'ble Supreme Court of India which will speak for itself.

This is for your perusal and necessary action.

You are therefore requested not to take any action pursuant to the order dated 01.08.2022 passed by the National Green Tribunal, Eastern Zone Bench, Kolkata in Original application no. 108/2021/ E 3 until and unless the matter is being heard by the Hon'ble Supreme Court of India.

Thanking you,

Copy to :

S.D.O. South, Purba Bardhaman

Yours faithfully,

Bidhan Chandra Samanta

(BIDHAN CHANDRA SAMANTA) ADV.

8/9/22

Bidhan Chandra Samanta
Advocate
Judge's Court, Burdwan

OC S.
District Magistrate
Burdwan

Officer-in-charge
Civil Suit Section
Purba Bardhaman

Pijush Kanti Roy

Advocate

SUPREME COURT OF INDIA
B.A., LL.B. (University of Calcutta)
LL.M. (University of Helsinki, Finland)

Court : Supreme Court Bar Library No. 2
1, Tilak Marg, New Delhi-110001
Ph.: 011-23381762, 011-23384150

Residence Cum Office : 111-F, Pocket-4,
Mayur Vihar Phase-I, Delhi-110091
Ph. & Fax : 011- 2279-3382, 2275-5351
Mobile : 9810158653
E-mail : pijush_kakali@rediffmail.com

06.09.2022

To

1. Sri Parbati Ghosh,
son of Nitya Gopal Ghosh,
Vill: Baidya Danga ,
Rasulpur, Dist: Purba Bardhaman.
Pin: 713151
WEST BENGAL.
2. Sri Uttam Dasgupta
Son of late Dijendralal Dasgupta
Vill: Baidya Danga ,
Rasulpur, Dist: Purba Bardhaman.
Pin: 713151
WEST BENGAL.

Dear Sir,

Ref: **CIVIL APPEAL (C) NO. OF 2022**

IN THE MATTER OF:

PARBATI GHOSH & ANR

...APPELLANTS

-VERSUS-

**RASULPUR DANA WELFARE SOCIETY
& ORS.**

...RESPONDENTS

This is to inform you that I have received the relevant documents including Vakalatnama for the purpose of filing of the captioned Civil Appeal against the Judgment and final Order dated 01.08.2022 passed by the National Green Tribunal, Eastern Zone Bench, Kolkata in Original Application No.108/2021/EZ.

Pijush Kanti Roy

Residence cum Chamber : AA-179, Salt Lake City, Sector-1, Kolkata-700064 Mob.: 8777614618
210, Kabi Nabin Sen Road, Dum Dum Nagerbazar, Kolkata-700 028 Ph. : 033-25591010

Pijush Kanti Roy
ADVOCATE
SUPREME COURT OF INDIA
111-F, Pocket-4, Mayur Vihar Ph-I, Delhi-110091
Mobile : 09810158653

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Pijush Kanti Roy**Advocate**

SUPREME COURT OF INDIA
B.A., LL.B. (University of Calcutta)
LL.M. (University of Helsinki, Finland)

Court : Supreme Court Bar Library No. 2
1, Tilak Marg, New Delhi-110001
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Mayur Vihar Phase-I, Delhi-110091
Ph. & Fax : 011- 2279-3382, 2275-5351
Mobile : 9810158653
E-mail : pijush_kakali@rediffmail.com

-2-

That the matter is on process and preparation of Appeal will take some time. However I will be filing the same at the earliest and further progress in the matter will be communicated to you in due course.

You are therefore requested to kindly intimate the competent authority of such development in the case to protect your interest.

Thanking You.

Yours faithfully



(MR. PIJUSH K. ROY)

ADVOCATE

SUPREME COURT OF INDIA

Pijush Kanti Roy

ADVOCATE

SUPREME COURT OF INDIA

111-F, Pocket-4, Mayur Vihar Ph-I, Delhi-110 091
Mobile : 09810158653

#4

135



Government of West Bengal
Office of the Block Land & Land Reforms Officer
Memari-I, Memari, Purba Bardhaman.

Near new bus stand, Memari. Ph no 0342 2263 693, email- bllromemari1@gmail.com

MEMO NO :- 920 / BL&LRO/M-I / 2021 DATED, Memari, 21 / 07 / 2022.

The District Magistrate,
 Purba Bardhaman.

Sub :- Report regarding of plot no. 25 of mouza Baidyadanga, J.L.No. 135
Related with O.A.No.108/2021/EZ of the Hon'ble NGT.

Ref :- As per order of the Hon'ble Tribunal dtd. 19.07.2022.

Respected Madam,

With reference to the above subject this is to state that as per your kind instruction four restoration notices have been issued to the recorded raiyat of plot no. 25 of mouza Baidyadanga, J.L.No. 135. After getting verbal information that they have transferred the plot, three another restoration notices have been issued to pratima Biswas W/O Anukul Biswas, pankaj Gayen S/O Nirmol Gayen and Sujit Ghosh S/O Subhash Ghosh. On 23.05.2022 two persons namely Sri Sujit Ghosh and Sri Anukul Biswas on behalf Smt. Pratima Biswas and Pankaj Gayen submitted a time seeking letter with a prayer of restoration of plot no 25 with in seven days. But due to delay of work from their end the undersigned sent a letter vide this office memo.no. 752 dated 14.06.2022 to the Block Development Officer Memari - I with a request for providing necessary support for restoration of plot no. 25. The R.I, Nimo- I. has been instructed to keep vigilance and report to the undersigned after restoration of plot no. 25 to its actual classification. Accordingly the the R.I, Nimo.-I Submitted an enquiry report on 27.06.2022 with copy of photographs of plot no. 25 from which it appears that at present plot no. 25 has been restored to its actual classification i.e. 'Pukur'.

This is for your kind information and taking necessary action.

Encl: As stated

[Signature]
 21.07.22
 Block Land & Land Reforms Officer,
 Memari - I, Purba Bardhaman.

MEMO NO :- 920/2/ BL&LRO/M-I / 2021 DATED, Memari, 21 / 07 / 2022.

Copy forwarded to :

1. The Additional District Magistrate and District Land & Land Reforms Officer, Purba Bardhaman for his kind information and taking necessary action.
2. The Block Development Officer, Memari - I for his information & taking necessary action.

[Signature]
 21.07.22
 Block Land & Land Reforms Officer,
 Memari - I, Memari Purba Bardhaman.

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16/07/22

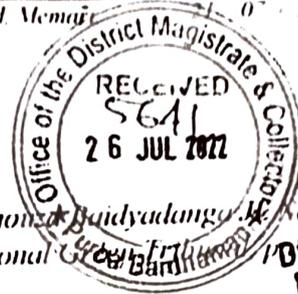
Government of West Bengal
Office of the Block Land & Land Reforms Officer
Memari-I, Memari, Purba Bardhaman.

Officer-in-charge
Civil Suit Section
Purba Bardhaman

Near new bus stand, Memari. Ph no 0342 2263 - 693, email- bllromemari1@gmail.com

MEMO NO. - 919 BL&LRO, M-I 2022 Dated, Memari 07.07.2022

To
The District Magistrate
Purba Bardhaman



OC, Civil Suit

Sub.: Enquiry report on plot no. 463 of mouza Baidyadanga, No. 135
as per direction of the Hon'ble National Green Tribunal
O.A 108/2021/EZ.
Ref.- As per order of the Hon'ble Tribunal Dtd. 19.07.2022.

District Magistrate
Purba Bardhaman

Respected Madam.,

Reference to the above subject this is to state that an enquiry conducted by the RI Nimo-I along with Aminbabu of this office on 19.05.2022. It appears from the enquiry report that total area of plot no. 463 is 0.61 acre, out of which 0.21 acre has been filled up and found six pucca constructions. Recorded raiyat of khatian no. 539 of said plot Bani Chandra w/o Sujit Chandra has pucca house over 1000 sq. ft. it area. Recorded raiyat of khatian no. 756 uttam Dasgupta s/o Dwijendralal has one pucca house over 858 sq. ft. area. A two storied building found over 2659 sq.ft. area made by one Monojit Ghosh but he is not a recorded raiyat. Gouranga Ghosh, Biplob Bairagya and Dibakar Ghosh S/O Haru Ghosh. who are also not recorded raiyat made pucca houses over the area 1365 sq. ft., 1159 sq. ft. & 858 sq. ft. respectively. In north-eastern side there is also a road encroachment over 342 sq. ft. area and some garbages found over 858 sq. ft. area. Remaining 0.40 acre area found water with small height water hyacinth. The sketch map which has been done by Amins is enclosed herewith.

From Previous office records it appears that after getting complaint of illegal filling of said water body an enquiry conducted by the RI on 12.08.2016 over said plot and as per report of RI a notice for restoration of water body was issued to eight persons namely Dibakar Ghosh s/o Haradhan, Uttam Das Gupta, Bani Chandra w/o Sujit Chandra, Parbati Ghosh s/o Nityagopal, Ramesh Ghosh, Gouranga Ghosh, Shyamali Bairagya w/o Biplob Bairagi, vide this office memo no. 752 dtd. 17.08.2016 and as per provision of Sec 4D of WBLR Act, 55. FIRs have been lodged to the office of OC Memari PS vide this office memo no. 808-814 dtd. 30.08.2016 against those persons except Dibakar Ghosh.

After communicating with Memari PS it came to know FIRs have been lodged against said persons along with Monojit Ghosh and Haru Ghosh, who is father of Dibakar Ghosh and prosecution has been started by memari PS

This is for your kind information and taking necessary action.

Duis
21.07.22

Block Land & Land Reforms Officer
Memari I, Memari, Purba Bardhaman
Dated Memari 07.07.2022

MEMO NO. - 919/12 BL&LRO M-I 2022

Copy forwarded to the Block Development Officer, Memari-I, Memari, Purba Bardhaman for his kind information & taking necessary action

Duis
21.07.22
Block Land & Land Reforms Officer
Memari I, Memari, Purba Bardhaman



Government of West Bengal
Office of the Block Land & Land Reforms Officer
Memari-I, Memari, Purba Bardhaman.

Near new bus stand, Memari. Ph no 0342 2263 693, email- blromemari1@gmail.com

MEMO NO :- 808 / BL&LRO/M-I / 2021 DATED, Memari, 27 / 06 / 2022.

To
 The District Magistrate,
 Purba Bardhaman.

Sub :- Report regarding of plot no. 25 of mouza Baidyadanga, J.L.No. 135
Related with O.A.No.108/2021/EZ of the Hon'ble NGT.

Ref :- Memo.No. 568/149/21/C.S, Dated 14.06.2022.

Respected Madam,

With reference to the above subject this is to state that as per your kind instruction four restoration notices have been issued to the recorded raiyat of plot no. 25 of mouza Baidyadanga , J.L.No. 135 . After getting verbal information that they have transferred the plot, three another restoration notices have been issued to pratima Biswas W/O Anukul Biswas , pankaj Gayen S/O Nirmol Gayen and Sujit Ghosh S/O Subhash Ghosh. On 23.05.2022 two persons namely Sri Sujit Ghosh and Sri Anukul Biswas on behalf Smt. Pratima Biswas and Pankaj Gayen submitted a time seeking letter with a prayer of restoration of plot no 25 with in seven days . But due to delay of work from their end the undersigned sent a letter vide this office memo.no. 752 dated 14.06.2022 to the Block Development Officer Memari - I with a request for providing necessary support for restoration of plot no. 25. The R.I, Nimo- I. has been instructed to keep vigilance and report to the undersigned after restoration of plot no. 25 to its actual classification . Accordingly the the R.I, Nimo-I Submitted an enquiry report on 27.06.2022 with copy of photographs of plot no. 25 from which it appears that at present plot no. 25 has been restored to its actual classification i.e. 'Pukur' .

This is for your kind information and taking necessary action.

Encl : As stated

Anis
27.06.22
 Block Land & Land Reforms Officer,
 Memari – I, Purba Bardhaman.

MEMO NO :- 808 (2) / BL&LRO/M-I / 2021 DATED, Memari, 27 / 06 / 2022.

Copy forwarded to :

1. The Additional District Magistrate and District Land & Land Reforms Officer, Purba Bardhaman for his kind information and taking necessary action.
2. The Block Development Officer, Memari – I for his information & taking necessary action.

Anis
27.06.22
 Block Land & Land Reforms Officer,



18

Government of West Bengal
Office of the Block Land & Land Reforms Officer
Memari-I, Memari, Purba Bardhaman.

Near new bus stand, Memari. Ph no 0342 2263 - 693, email- bllromemari1@gmail.com
MEMO NO:- 675 / BL&LRO/M-I / 2022 Dated, Memari. 23 / 05 / 2022

To
The Additional District Magistrate
and
District Land & Land Reforms Officer
Purba Bardhaman

Sub.: Report regarding on plot no. 25 of mouza Baidyadanga JL No. 135
Related with O.A. 108/2021/EZ of the Hon'ble NGT.

Sir,

Reference to the above subject this is to state that it appears from previous office records that after getting complaint of illegal water body filling on plot no. 25 of mouza Baidyadanga JL. No. 135 an enquiry conducted by the revenue Inspector dated 27.06.2016 and as per enquiry report a notice was issued to one Anukul Biswas to stop such work. Again an enquiry was conducted on 31.03.2022 by the Amins and it appears from the enquiry report and sketch map that total area of said plot is 0.44 acre. water existed on 0.36 acre. 0.06 acre area at eastern side of the pond filled up by earth and used as pukur par and road and 0.02 acre area of the western side has been filled up and used as kachha road. The recorded raiyat of said plot Amit kumar ganguli, Ashis Kumar Ganguli, Asit Kumar Ganguli and Ashim Kumar Ganguli has issued notice U/S 4C(5) of WBLR Act, 55 vide this office memo no. 643-646 dtd 17.05.2022 for restoration of the water body. The RI was informed that the recorded raiyats sold the plot already. so a letter sent to the ADSR Memari from the office of the undersigned regarding transfer of plot no. 25 in last 10 years. Three certified copy of registered deeds being no 4618/14, 4619/14 & 2159/17 received from the ADSR Memari and accordingly purchaser of those three deeds mamely Sujit Ghosh S/o Subhash Ghosh, Pankaj Gayen s/o Nirmal Gayen and Pratima Biswas w/o Anukul Biswas were issued notices u/s 4C(5) of WBLR ACT, 55, vide this office memo no. 649-651 dtd. 18.05.2022 for restoration of the water body within 2 (two) days. One Anukul Biswas on behalf of his wife late Pratima Biswas and Pankaj Gayen & One Sujit Ghosh appeared before the undersigned on 23.05.2022 and submitted a deposition that they will restore the actual character of land within seven(7) days. Accordingly the undersigned directed them to fulfill their commitment within stipulated time, otherwise action will be taken as per provision of Law.

This is for your kind information and taking necessary action.

Anis
23.05.22

MEMO NO:- 675/1 / BL&LRO/M-I / 2022

Copy forwarded to the Block Development Officer, Memari-I, Memari, Purba Bardhaman for his kind information & taking necessary action.

Block Land & Land Reforms Officer
Memari-I, Memari, Purba Bardhaman
Dated, Memari. 23 / 05 / 2022

Anis
23.05.22

Block Land & Land Reforms Officer
Memari-I, Memari, Purba Bardhaman

19



Ambar - 2-3

Government of West Bengal
Office of the Sub-Divisional Officer
Bardhaman Sadar (South)

Ph. No. - (0342) 2663322 ■ Email ID - sdobwns@gmail.com

Dated-13/09/2022

MemoNo.1116...../SDS/PBDN

To
The District Magistrate,
Purba Bardhaman.

Sub:- Judgement of National Green Tribunal in connection with OA No. 108/2021/EZ in the matter of Rasulpur Dana Welfare Society-Vs-West Bengal Pollution Control Board & Ors.

Respected Madam,

As per your direction vide memo No. 809/C.S dated 26.08.2022 & for compliance of the order of Hon'ble NGT regarding the subject mentioned above BL & LRO Memari -I was directed to take necessary action. Accordingly BL & LRO Memari -I had issued notices on 30.08.2022 to all the parties concerned to remove the construction & restoration of the water body within 7 days. BL & LRO Memari -I further vide his memo No. 1175/BL & LRO/M-I/2022 dated 08.09.2022 has reported that the concerned parties have failed to remove the unauthorized construction & restore the water body.

This is for your kind perusal & necessary action.

Thanking you.

Yours faithfully,


13/09/22
Sub-Divisional Officer,
Bardhaman Sadar South
Purba Bardhaman,

14 20

Amexre - 2-4

Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
 (civilsuitpurbabardhaman@gmail.com)

Memo No. 911 /C.S

Date: ... 16/09/2022

To
 Sri Uttam Dasgupta,
 S/O Dijendralal Dasgupta
 Vill – Baidyadanga, P.O – Rasulpur, PS – Memari
 District - Purba Bardhaman.

NOTICE

Whereas the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, by an order dated 01.08.2022 passed in Original Application No. 108/2021/EZ in the matter of Rasulpur Dana Welfare Society Ors. Vs. West Bengal Pollution Control Board & Ors., has been pleased to direct the undersigned respondent No. 3 being the District Magistrate, Purba Bardhaman " to take all steps for removal of encroachments from Plot No. 463 and Plot No. 25, JL No. 135 Mouza Baidyadanga under Memari - I Block, Rasulpur, Purba Bardhaman within one month and restore the area of 0.61 acres of the Plot No. 463 and area 0.44 acres of the Plot No. 25, JL No. 135 under Memari - I Block, Rasulpur, Purba Bardhaman to its original form as water body and take steps for removal of water hyacinths and file Affidavit of compliance within three months by 31st October 2022 ."

Therefore, to comply with the said solemn order dated 01.08.2022 passed by the Hon'ble NGT, the BL & LRO Memari - I, vide his Memo No. 1155/BL&LRO/M-I/2022 dated 30.08.2022 directed you to remove or demolish your construction from Plot No. 463 and restore it to its actual classification. But it is noticed that you have failed to do so.

Therefore, you are hereby again directed to remove or demolish your illegal construction from Plot No. 463 and restore it to its actual classification from your own end, within 23.09.2022 positively. Failure to do so, the undersigned shall be compelled to demolish the unauthorized construction and the cost of such demolition and restoration shall be recovered from your end as per Law.

Hence, you are hereby requested to vacate the premises of the said unauthorized building prior to the process of demolition to be commenced from this end and to remove your personal belongings, if any, lying in the said unauthorized building thereof, failing which you shall be solely liable to and shall not have any claim to the loss and damage of your belongings by the said process of demolition of the said building and restoration of the said water body.

A website copy of the solemn order dated 01.08.2022 passed by the Hon'ble NGT is attached herewith for your ready reference.

Prijanku G.
 District Magistrate
 Purba Bardhaman.



Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
 (civilsuitpurbabardhaman@gmail.com)

Memo No. 910 /C.S

Date: 16/09/2022

To
 Sri Monojit Ghosh,
 S/O Parboti Ghosh
 Vill – Baidyadanga, P.O – Rasulpur, PS – Memari
 District - Purba Bardhaman.

NOTICE

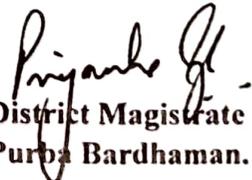
Whereas the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, by an order dated 01.08.2022 passed in Original Application No. 108/2021/EZ in the matter of Rasulpur Dana Welfare Society Ors. Vs. West Bengal Pollution Control Board & Ors., has been pleased to direct the undersigned respondent No. 3 being the District Magistrate, Purba Bardhaman " to take all steps for removal of encroachments from Plot No. 463 and Plot No. 25, JL No. 135 Mouza Baidyadanga under Memari - I Block, Rasulpur, Purba Bardhaman within one month and restore the area of 0.61 acres of the Plot No. 463 and area 0.44 acres of the Plot No. 25, JL No. 135 under Memari - I Block, Rasulpur, Purba Bardhaman to its original form as water body and take steps for removal of water hyacinths and file Affidavit of compliance within three months by 31st October 2022 ."

Therefore, to comply with the said solemn order dated 01.08.2022 passed by the Hon'ble NGT, the BL & LRO Memari - I, vide his Memo No. 1157/BL&LRO/M-I/2022 dated 30.08.2022 directed you to remove or demolish your construction from Plot No. 463 and restore it to its actual classification. But it is noticed that you have failed to do so.

Therefore, you are hereby again directed to remove or demolish your illegal construction from Plot No. 463 and restore it to its actual classification from your own end, within 23.09.2022 positively. Failure to do so, the undersigned shall be compelled to demolish the unauthorized construction and the cost of such demolition and restoration shall be recovered from your end as per Law.

Hence, you are hereby requested to vacate the premises of the said unauthorized building prior to the process of demolition to be commenced from this end and to remove your personal belongings, if any, lying in the said unauthorized building thereof, failing which you shall be solely liable to and shall not have any claim to the loss and damage of your belongings by the said process of demolition of the said building and restoration of the said water body.

A website copy of the solemn order dated 01.08.2022 passed by the Hon'ble NGT is attached herewith for your ready reference.


 District Magistrate
 Purba Bardhaman.



Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
 (civilsuitpurbabardhaman@gmail.com)

29

Memo No. 909 /C.S

Date: 16/09/2022

To
 Smt. Bani Chandra,
 W/O Sujit Chandra
 Vill – Baidyadanga, P.O – Rasulpur, PS – Memari
 District - Purba Bardhaman.

NOTICE

Whereas the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, by an order dated 01.08.2022 passed in Original Application No. 108/2021/EZ in the matter of Rasulpur Dana Welfare Society Ors. Vs. West Bengal Pollution Control Board & Ors., has been pleased to direct the undersigned respondent No. 3 being the District Magistrate, Purba Bardhaman " to take all steps for removal of encroachments from Plot No. 463 and Plot No. 25, JL No. 135 Mouza Baidyadanga under Memari - I Block, Rasulpur, Purba Bardhaman within one month and restore the area of 0.61 acres of the Plot No. 463 and area 0.44 acres of the Plot No. 25, JL No. 135 under Memari - I Block, Rasulpur, Purba Bardhaman to its original form as water body and take steps for removal of water hyacinths and file Affidavit of compliance within three months by 31st October 2022 ."

Therefore, to comply with the said solemn order dated 01.08.2022 passed by the Hon'ble NGT, the BL & LRO Memari - I, vide his Memo No. 1154/BL&LRO/M-I/2022 dated 30.08.2022 directed you to remove or demolish your construction from Plot No. 463 and restore it to its actual classification. But it is noticed that you have failed to do so.

Therefore, you are hereby again directed to remove or demolish your illegal construction from Plot No. 463 and restore it to its actual classification from your own end, within 23.09.2022 positively. Failure to do so, the undersigned shall be compelled to demolish the unauthorized construction and the cost of such demolition and restoration shall be recovered from your end as per Law.

Hence, you are hereby requested to vacate the premises of the said unauthorized building prior to the process of demolition to be commenced from this end and to remove your personal belongings, if any, lying in the said unauthorized building thereof, failing which you shall be solely liable to and shall not have any claim to the loss and damage of your belongings by the said process of demolition of the said building and restoration of the said water body.

A website copy of the solemn order dated 01.08.2022 passed by the Hon'ble NGT is attached herewith for your ready reference.

Prijanku Ghosh
 District Magistrate
 Purba Bardhaman.



23

Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
 (civilsuitpurbabardhaman@gmail.com)

Memo No.908...../C.S

Date:16/09/2022

To
 Sri Dibakar Ghosh,
 S/O Haradhan Ghosh
 Vill - Baidyadanga, P.O - Rasulpur, PS - Memari
 District - Purba Bardhaman.

NOTICE

Whereas the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, by an order dated 01.08.2022 passed in Original Application No. 108/2021/EZ in the matter of Rasulpur Dana Welfare Society Ors. Vs. West Bengal Pollution Control Board & Ors.. has been pleased to direct the undersigned respondent No. 3 being the District Magistrate, Purba Bardhaman " to take all steps for removal of encroachments from Plot No. 463 and Plot No. 25, JL No. 135 Mouza Baidyadanga under Memari - I Block, Rasulpur, Purba Bardhaman within one month and restore the area of 0.61 acres of the Plot No. 463 and area 0.44 acres of the Plot No. 25, JL No. 135 under Memari - I Block, Rasulpur, Purba Bardhaman to its original form as water body and take steps for removal of water hyacinths and file Affidavit of compliance within three months by 31st October 2022 ."

Therefore, to comply with the said solemn order dated 01.08.2022 passed by the Hon'ble NGT, the BL & LRO Memari - I, vide his Memo No. 1153/BL&LRO/M-I/2022 dated 30.08.2022 directed you to remove or demolish your construction from Plot No. 463 and restore it to its actual classification. But it is noticed that you have failed to do so.

Therefore, you are hereby again directed to remove or demolish your illegal construction from Plot No. 463 and restore it to its actual classification from your own end, within 23.09.2022 positively. Failure to do so, the undersigned shall be compelled to demolish the unauthorized construction and the cost of such demolition and restoration shall be recovered from your end as per Law.

Hence, you are hereby requested to vacate the premises of the said unauthorized building prior to the process of demolition to be commenced from this end and to remove your personal belongings, if any, lying in the said unauthorized building thereof, failing which you shall be solely liable to and shall not have any claim to the loss and damage of your belongings by the said process of demolition of the said building and restoration of the said water body.

A website copy of the solemn order dated 01.08.2022 passed by the Hon'ble NGT is attached herewith for your ready reference.

Rijanto Ghosh
 District Magistrate
 Purba Bardhaman.



Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
 (civilsuitpurbabardhaman@gmail.com)

Memo No.907...../C.S

Date:16/09/2022

To
 Biplab Bairaggya,
 Vill – Baidyadanga, P.O – Rasulpur, PS – Memari
 District - Purba Bardhaman.

NOTICE

Whereas the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, by an order dated 01.08.2022 passed in Original Application No. 108/2021/EZ in the matter of Rasulpur Dana Welfare Society Ors. Vs. West Bengal Pollution Control Board & Ors., has been pleased to direct the undersigned respondent No. 3 being the District Magistrate, Purba Bardhaman " to take all steps for removal of encroachments from Plot No. 463 and Plot No. 25, JL No. 135 Mouza Baidyadanga under Memari - I Block, Rasulpur, Purba Bardhaman within one month and restore the area of 0.61 acres of the Plot No. 463 and area 0.44 acres of the Plot No. 25, JL No. 135 under Memari - I Block, Rasulpur, Purba Bardhaman to its original form as water body and take steps for removal of water hyacinths and file Affidavit of compliance within three months by 31st October 2022 ."

Therefore, to comply with the said solemn order dated 01.08.2022 passed by the Hon'ble NGT, the BL & LRO Memari - I, vide his Memo No. 1152/A/BL&LRO/M-I/2022 dated 30.08.2022 directed you to remove or demolish your construction from Plot No. 463 and restore it to its actual classification. But it is noticed that you have failed to do so.

Therefore, you are hereby again directed to remove or demolish your illegal construction from Plot No. 463 and restore it to its actual classification from your own end, within 23.09.2022 positively. Failure to do so, the undersigned shall be compelled to demolish the unauthorized construction and the cost of such demolition and restoration shall be recovered from your end as per Law.

Hence, you are hereby requested to vacate the premises of the said unauthorized building prior to the process of demolition to be commenced from this end and to remove your personal belongings, if any, lying in the said unauthorized building thereof, failing which you shall be solely liable to and shall not have any claim to the loss and damage of your belongings by the said process of demolition of the said building and restoration of the said water body.

A website copy of the solemn order dated 01.08.2022 passed by the Hon'ble NGT is attached herewith for your ready reference.

Prijantra Ghosh
 District Magistrate
 Purba Bardhaman.



24 25

Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
 (civilsuitpurbabardhaman@gmail.com)

Memo No.906...../C.S

Date:16/09/2022

To
 Shyamali Bairaggya,
 W/O Biplab Bairaggya
 Vill – Baidyadanga, P.O – Rasulpur, PS – Memari
 District - Purba Bardhaman.

NOTICE

Whereas the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, by an order dated 01.08.2022 passed in Original Application No. 108/2021/EZ in the matter of Rasulpur Dana Welfare Society Ors. Vs. West Bengal Pollution Control Board & Ors., has been pleased to direct the undersigned respondent No. 3 being the District Magistrate, Purba Bardhaman " to take all steps for removal of encroachments from Plot No. 463 and Plot No. 25, JL No. 135 Mouza Baidyadanga under Memari - I Block, Rasulpur, Purba Bardhaman within one month and restore the area of 0.61 acres of the Plot No. 463 and area 0.44 acres of the Plot No. 25, JL No. 135 under Memari - I Block, Rasulpur, Purba Bardhaman to its original form as water body and take steps for removal of water hyacinths and file Affidavit of compliance within three months by 31st October 2022 ."

Therefore, to comply with the said solemn order dated 01.08.2022 passed by the Hon'ble NGT, the BL & LRO Memari - I, vide his Memo No. 1152/BL&LRO/M-I/2022 dated 30.08.2022 directed you to remove or demolish your construction from Plot No. 463 and restore it to its actual classification. But it is noticed that you have failed to do so.

Therefore, you are hereby again directed to remove or demolish your illegal construction from Plot No. 463 and restore it to its actual classification from your own end, within 23.09.2022 positively. Failure to do so, the undersigned shall be compelled to demolish the unauthorized construction and the cost of such demolition and restoration shall be recovered from your end as per Law.

Hence, you are hereby requested to vacate the premises of the said unauthorized building prior to the process of demolition to be commenced from this end and to remove your personal belongings, if any, lying in the said unauthorized building thereof, failing which you shall be solely liable to and shall not have any claim to the loss and damage of your belongings by the said process of demolition of the said building and restoration of the said water body.

A website copy of the solemn order dated 01.08.2022 passed by the Hon'ble NGT is attached herewith for your ready reference.

Priyanka Gh.
 District Magistrate
 Purba Bardhaman.

27 26



Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
 (civilsuitpurbabardhaman@gmail.com)

Memo No. 912/C.S

Date: 16/09/2022

To
 Gouranga Ghosh,
 Vill – Baidyadanga, P.O – Rasulpur, PS – Memari
 District - Purba Bardhaman.

NOTICE

Whereas the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, by an order dated 01.08.2022 passed in Original Application No. 108/2021/EZ in the matter of Rasulpur Dana Welfare Society Ors. Vs. West Bengal Pollution Control Board & Ors., has been pleased to direct the undersigned respondent No. 3 being the District Magistrate, Purba Bardhaman " to take all steps for removal of encroachments from Plot No. 463 and Plot No. 25, JL No. 135 Mouza Baidyadanga under Memari - I Block, Rasulpur, Purba Bardhaman within one month and restore the area of 0.61 acres of the Plot No. 463 and area 0.44 acres of the Plot No. 25, JL No. 135 under Memari - I Block, Rasulpur, Purba Bardhaman to its original form as water body and take steps for removal of water hyacinths and file Affidavit of compliance within three months by 31st October 2022 ."

Therefore, to comply with the said solemn order dated 01.08.2022 passed by the Hon'ble NGT, the BL & LRO Memari - I, vide his Memo No. 1156/BL&LRO/M-I/2022 dated 30.08.2022 directed you to remove or demolish your construction from Plot No. 463 and restore it to its actual classification. But it is noticed that you have failed to do so.

Therefore, you are hereby again directed to remove or demolish your illegal construction from Plot No. 463 and restore it to its actual classification from your own end, within 23.09.2022 positively. Failure to do so, the undersigned shall be compelled to demolish the unauthorized construction and the cost of such demolition and restoration shall be recovered from your end as per Law.

Hence, you are hereby requested to vacate the premises of the said unauthorized building prior to the process of demolition to be commenced from this end and to remove your personal belongings, if any, lying in the said unauthorized building thereof, failing which you shall be solely liable to and shall not have any claim to the loss and damage of your belongings by the said process of demolition of the said building and restoration of the said water body.

A website copy of the solemn order dated 01.08.2022 passed by the Hon'ble NGT is attached herewith for your ready reference.


 District Magistrate
 Purba Bardhaman.

27



Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
(civilsuitpurbabardhaman@gmail.com)

Memo No. 918 /C.S.

Dated, 16/09/2022

To
The Block Development Officer,
Memari-I Block
Purba Bardhaman

Sub:- Service of Notice in connection with O.A No. 108/2021/EZ Rasulpur
Dana Welfare Society – Vs- West Bengal Pollution Control Board &
Ors.

Enclosed, please find herewith seven (7) No. of Notice signed by District Magistrate, Purba Bardhaman which will speak for itself.

In this regard you are directed to serve those notices among the Private Respondents by today and send the service return to this end forthwith.

This must be treated as Most Urgent

Yours Faithfully,

[Signature]
For District Magistrate,
Purba Bardhaman.

Dated, 16/09/2022

Memo No. 918/1(4) /C.S.

Copy forwarded to :-

- 1) Addl. District Magistrate and District Land & Land Reforms Officer, Purba Bardhaman.
- 2) Sub Divisional Officer Sadar (South), Purba Bardhaman.
- 3) C.A to District Magistrate Purba Bardhaman for kind appraisal of the authority.
- 4) C.A to Addl. District Magistrate (Gen) Purba Bardhaman for kind appraisal.

[Signature]
For District Magistrate,
Purba Bardhaman.



28

Annexure - (2-5)

Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
 (civilsuitpurbabardhaman@gmail.com)

Memo No :- 1125 /C.S

Dated. 28 /11/2022

To
The Executive Engineer - II,
PWD Burdwan Division,
Purba Bardhaman.

Sub. :- in connection with OA-108/2021/EZ.

Enclosed, please find herewith copy of order dated 01/08/2022 passed by the Hon'ble National Green Tribunal Eastern Zone Bench Kolkata in connection with OA-108/2021/EZ arising in the matter of Rasulpur Dana Welfare Society & Ors. -Vs- The West Bengal Pollution Control Board & Ors. which will speak for itself.

It is to be mentioned here that, the Hon'ble NGT has been pleased to direct the undersigned, respondent No. 3 being the District Magistrate, Purba Bardhaman, "to take all steps for removal of encroachments from Plot No- 463 and Plot No- 25, J.L. No- 135, Mouza- Baidya danga, under Memari-I Block, Rasulpur, Purba Bardhaman and restore the area of 0.61 acres of the Plot 463 and area 0.44 acres of the Plot No-25, JL No- 135, under Memari -I Block, Rasulpur, Purba Bardhaman, to its original form as water body...."

This office has come to know from the report of BL & LRO Memari - I that, there are some pucca constructions, pucca residential houses, Panchayet Pucca Road which comes under the above mentioned plot Nos. which are liable to be demolished and restore to its original form i.e. water body to comply the solemn order as passed by the Hon'ble NGT.

In this regard you are requested to furnish a comprehensive plan of action for the demolition of the illegal construction mentioning the procedure of execution and requirement of proposed man power and machineries along with estimated cost for such demolition.

Enclosure: - As stated above.

Prijanku Ghosh
District Magistrate
Purba Bardhaman

11:45 PM

oe/cs

29 28 & Annexure - (2-6)

পশ্চিমবঙ্গ সরকার
পূর্ব বিভাগ
বর্ধমান জুজি, পূর্ব বর্ধমান

19/01

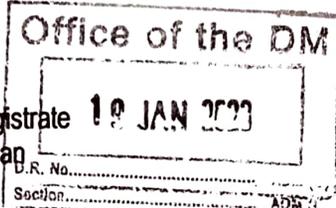


Phone & Fax : (0342) 2662497
Email : eepwdburdwandivision@gmail.com

GOVERNMENT OF WEST BENGAL
OFFICE OF THE EXECUTIVE ENGINEER,
BURDWAN DIVISION, PURBA BARDHAMAN
Pin Code No.-713101

Memo No. 179

To
The District Magistrate
Purba Bardhaman



Order No. 343
Collection No. 17/01/23
Date 17/01/23
Sent to Department
Purba Bardhaman Collectorate

Date: 16.01.2023.

ADM (4)
District Magistrate
Purba Bardhaman

Sub : In connection with OA-108/2021/EZ
Ref : Memo No. 1125/CS dtd 28.11.2022(copy enclosed)

Madam,

Persuant to your Memo referred above, this is my humble submission before your goodself that a detailed enquiry was done by this office in order to comply the solemn order as passed by the Hon'ble NGT in connection with the OA-108/2021/EZ and an exhaustive list of the permanent structures thus found illegal and to be dismantled are furnished below for your kind persusal. At the same time, a detailed estimate for demolition of all the 7 nos. permanent structures have been framed amounting to Rs. 12,34,326/- (excluding GST, Cess etc) and enclosed hereunder for favour of your kind consideration . It is pertinent to mention here that due to non availability of specific sanctioned drawings of the structures and based on physical verification externally at the site, the exact estimate could not be ascertained but it is felt that the above Estimated Cost for demolition may vary within (+/-) 10% of the assessed Amount as submitted above.

Name of the Plot owner	Plinth area (L x B)	Plot No.	No. of Floors	Permanent / Temporary	Estimated Cost for Demolition (Without GST & Cess)
Dibakar Ghosh S/O Haru Ghosh	97.60 Sqm. (8.00 x 12.20)	463	Single Storied	Permanent	Rs. 1,67,622/-
Gouranga Ghosh	36.00 Sqm. (6.00 x 6.00)	463	Single Storied (Partly Tin Shed at one side)	Permanent	Rs. 1,27,154/-
Bani Chandra W/O Surojit Chandra	42.00 Sqm. (7.00 x 6.00)	463	Single Storied (tin shed masonry structure at roof)	Permanent	Rs. 49,078/-
Bani Chandra W/O Surojit Chandra	51.62 Sqm. (5.80 x 8.90)	463	Three Storied	Permanent	Rs. 2,01,355/-
Uttam Dasgupta	121.50 Sqm. (13.50 x 9.00)	463	Two Storied	Permanent	Rs. 2,94,346/-
Manojit Ghosh	128.00 Sqm. (16.00 x 8.00)	463	Two Storied	Permanent	Rs. 3,11,885/-
Unidentified Person	49.84 Sqm. (5.60 x 8.90)	464	Single Storied	Permanent	Rs. 82,886/-
Total Estimated Cost for Demolition of the 7 nos. Permanent Structures					Rs.12,34,326/-

Also the following mode of operations during the demolition process are required to be followed :

- i) All precautionary and safety measures shall have to be adopted before taking up of the dismantling works deploying necessary manpower & machineries wherever required. During dismantling work, special care should be taken to avoid any occurrence of accident or inconveniences caused to the local people of the operational area. Attention should be given by the executing agency in fixing proper cautionary signages and covering the entire area of the work with polythene sheets to prevent dust as well as broken materials to fall in the vicinity of the other adjacent buildings and areas. Common people shall be allowed to move safely unrestricted on the adjacent roads.
- ii) All specified structures are required to be dismantled and the rubbish accumulated from such demolition should be removed to the nearby disposal place in concurrence with the district administration. Total 0.61 acres of plot No.463 and 0.44 acres of Plot No.25 is thus required to be restored to its original form of a water body.

This is submitted for your kind perusal please. Any further directions in compliance of the order passed by the Hon'ble National Green Tribunal, Eastern Zone Bench Kolkata related with the OA-108/2021/EZ shall be highly solicited from your end please.

Thanking you

Yours sincerely


Executive Engineer-II
Burdwan Division, P.W.Dte.

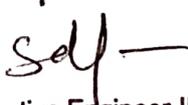
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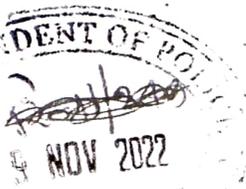
Date: 16.01.2023

Memo No.179 /1(2)

Copy forwarded to :

- i) The Superintending Engineer, Western Circle-I, PWDte. for his kind information please with the submission that the Estimated Amount earlier sent to his good office vide T/O Memo No. 153 dtd 11.01.2023 in this regard has been corrected here and modified to this value as submitted above.
- ii) The Assistant Engineer, Burdwan East Sub Division, P.W.Dte. for his information please.


Executive Engineer-II
Burdwan Division, P.W.Dte.



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Amexre - R-7
R-11/249
30-11-22



Government of West Bengal
Office of the District Magistrate, Purba Bardhaman.
Civil Suit Section
(civilsuitpurbabardhaman@gmail.com)

CA-F

Memo No :- 1124 /C.S

Dated. 28 /11/2022

To
The Superintendent of Police,
Purba Bardhaman.

Sub. :- in connection with OA-108/2021/EZ.

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2105

Enclosed, please find herewith copy of order dated 01/08/2022 passed by the Hon'ble National Green Tribunal Eastern Zone Bench Kolkata in connection with OA-108/2021/EZ arising in the matter of Rasulpur Dana Welfare Society & Ors. -Vs- The West Bengal Pollution Control Board & Ors. which will speak for itself.

It is to be mentioned here that, the Hon'ble NGT has been pleased to direct the undersigned, respondent No. 3 being the District Magistrate, Purba Bardhaman, "to take all steps for removal of encroachments from Plot No- 463 and Plot No- 25, J.L. No- 135, Mouza- Baidya danga, under Memari-I Block, Rasulpur, Purba Bardhaman and restore the area of 0.61 acres of the Plot 463 and area 0.44 acres of the Plot No-25, JL No- 135, under Memari -I Block, Rasulpur, Purba Bardhaman, to its original form as water body...."

This office has come to know from the report of BL & LRO Memari - I that, there are some pucca constructions, pucca residential houses, Panchayet Pucca Road which comes under the above mentioned plot Nos. which are liable to be demolished and restore to its original form i.e. water body to comply the solemn order as passed by the Hon'ble NGT.

Hence you are requested to look into the matter and send a confidential report to this end for materialising the order of NGT from the law and order point of view during the process of demolition.

Enclosure: - As stated above.

10975 M/CA-1/F-08/2022
dt. 30/11/22

[Signature]
District Magistrate
Purba Bardhaman

SOPO Section(s)

[Signature]
As per as desired (confidential)

Superintendent of Police
Purba Bardhaman

5.00PM

Doc no: 38/e
dt-18/01/23

341

149/21

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Annexure - R-8

CA.

cc es

Government of West Bengal
Office of the Superintendent of Police
Purba Bardhaman - 713101

17/01/23

Memo. No. 248 /E/CA-I/F-39/Misc/2023 Dated 16/01/2023

District Magistrate
Purba Bardhaman
Aste/T.R.
2019/12
Officer-in-charge
Civil Suit Section
Purba Bardhaman

To
The District Magistrate,
Purba Bardhaman.

Sub.: In connection with OA-108/2021/EZ.

Ref.: Your good Office Memo. No.1124/C.S dated 28.11.2022.

Please find enclosed herewith a detail enquiry report on the letter submitted by S.D.P.O., Sadar South, Purba Bardhaman.

This is for favour of your kind perusal.

Encl: As stated above

Superintendent of Police
Purba Bardhaman
Superintendent of Police
Purba Bardhaman



32 33

Government of West Bengal
OFFICE OF THE SUB-DIVISIONAL POLICE OFFICER
 Bardhaman Sadar South Sub-division
 Purba Bardhaman

Email:sdposadarbwn@gmail.com PH: 0342-2644316

Memo No. :- 28 /SDPO(S)SOUTH

Dated :- 10-1-23

To
 The Superintendent of Police,
 Purba Bardhaman.

Ref: Your good office Memo No. No 10975/V/CA-I/F-08/2022, Dated. 30.11.2022 (.)

Sub: Report regarding O.A. No- 108/2021/EZ Rasulpur Dana Welfare Society & others-Vs- The West Bengal Pollution Control Board & others.

Respected Sir,

In returning herewith the original memo along with connected papers, I beg to report that, I perused the contents of the memo and after consulting the available P.S. records, it came to be learnt that on 13.08.2016, O/C Memari received an information that one Manojit Ghosh and his family members of Rasulpur Baidyadanga are filling a pond style as "Shibopukur" at Rasulpur Baidyadanga having plot no. 463, JL No. 135, under Memari PS. In this regard a specific case was started against 1) Ramesh Ghosh, 2) Biplab Bairagi, 3) Parbati Ghosh, 4) Bani Chanda, 5) Uttam Dasgupta, 6) Gouranga Ghosh, 7) Manojit Ghosh, 8) Shyam Gupta @ Subhendu Gupta, 9) Haru Ghosh and 10) Samaresh Ghosh all are of Baidyadanga, Rasulpur, PS- Memari, Dist- Purba Bardhaman vide Memari PS Case No - 511/16 Dt. 13/08/16 U/S- 4 D of W.B. L.R. Act 1955 in violation of District Collector in accordance with Provision of Section 4 C W.B. L.R. Act 1955 as the above noted persons are filling up a water body at Rasulpur Baidyadanga name & styled as "Shibopukur" (pond) by creating an atmosphere of panic among the peace living people of the locality. In course of investigation, accused Haru Ghosh, Samaresh Ghosh and Parbati Ghosh were arrested on 14.08.16 and rest of the accused persons surrendered before Ld. Court on 16.08.16. After investigation of the case was ended in charge sheet vide Memari PS C.S No. 668/16 dated- 31.12.16 U/S 4 D of W.B.L.R. Act 1955 in violation of District Collector in accordance with Provision of Section 4 C W.B.L.R. Act 1955. At present the case is sub-judice before the Court of Ld. Judicial Magistrate 2nd Court, Burdwan.

During further enquiry, I had been at Rasulpur Baidyadanga and found that there are pucca residential houses, shops covered the maximum portion of the schedule property i.e. "Shibopukur" at Rasulpur Baidyadanga under Memari PS. I contacted with one Manojit Ghosh S/o Parbati Ghosh, Samaresh Ghosh S/o Haru Ghosh, Sushanta Ghosh S/o Gouranga Ghosh who make constructions after encroach the schedule property i.e. "Shibopukur" and it came to be learnt that they filed a civil appeal before Hon'ble Supreme Court of India against Rasulpur Dana Welfare Society & others on 15.09.22 vide Diary No - 29340/2022 but date of hearing not yet fixed.

During enquiry also came to be learnt that there are chance of law & order at that locality at the time of demolish and restore of the said construction from the water body i.e. "Shibopukur".

The report is tendered for your kind perusal.

Purba Bardhaman
 Dated:

Yours Faithfully

S. 10/01/23
 Suprabhat Chakraborty
 Sub Divisional Police Officer,
 Bardhaman Sadar South Sub Division
 Purba Bardhaman
 Sub-Divisional Police Officer
 Sadar South, Purba Bardhaman

33 # 34 Amexvra - R-9

APPLICATION FOR CONVERSION OF LAND

Date: 11.01.2024

To
The District Magistrate & Collector,
Purba Bardhman,
Kachhari Road, Kalibazar, Burdwan - 713101,
District: Purba Bardhaman.



Sub: Permission U/s 4C of the West Bengal Land Reforms Act, 1955 for converting the schedule A land from Waterbody to Bastu and also seeking permission for creation of a compensatory waterbody of equal or larger size (proposed schedule of land as schedule B).

Sir,

I, the undersigned most humbly take this opportunity to inform you the following facts and circumstances:

That I am the owner of Dag number 463, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhman, (morefully described as Schedule-A, Land) in which I and my family members in a pucca house have been staying since more than 8 years and I have been gifted the same by my father namely Parbati Kumar Ghosh.

But subsequently I have learnt that in a case filed before Hon'ble National Green Tribunal, Kolkata Bench being O. A. No. 108/2021/EZ that the land as described above in which I and my family members are presently residing are recorded as waterbody/pond in the LR record of Rights.

Thereafter I also enquired the matter after visiting the office of the B.L. & L.R.O, Memari-I and I was very surprised to hear the same since at the time of purchase of the land by my father that the same was waterbody we were not informed by the Vendors/Sellers.

That presently I humbly seek permission from your esteemed office for converting Schedule A land below from Waterbody/Pond to Bastu and in lieu of that I am ready to create compensatory water body within the same Mouza, same area.

I am herewith submitting Affidavit as per the provision of Sub Rule (2) of Rule 5A, of the West Bengal Land Reforms Rules, 1965 for creation of compensatory waterbody of equal/larger size along with photocopies of Deed and Porcha for your kind perusal and consideration.

The following documents are enclosed:

- (i) Affidavit as per the provision of Sub Rule (2) of Rule 5A, of the West Bengal Land Reforms Rules, 1965;
- (ii) Photocopy of Deed

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(iii) Photocopy of Porcha.

The undersigned shall remain ever grateful if the permission for conversion is granted as above referred after creation of the compensatory waterbody.

Thanking You,

Yours Faithfully

Manojit Ghosh

MANOJIT GHOSH,
S/o Parbati Kumar
Ghosh,
Address: Rasulpur,
Baidyadanga, Purba
Bardhman, P.S- Memari,
Pin: 713151.

(M): 9832289511

SCHEDULE A LAND (For Conversion)

ALL THAT Piece and Parcel of land along with structure, situated at Dag number 463, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhman, within the ambit of Nemo-I, Gram Panchayet, Pin: 713151.

SCHEDULE B LAND (For Creation of Compensatory Waterbody)

ALL THAT Piece and Parcel of vacant land along situated at L. R. Dag number 623, L. R. Khatian No. 208, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhman, within the ambit of Nemo-I, Gram Panchayet, Pin: 713151 recorded as bagan.

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APPLICATION FOR CONVERSION OF LAND

Date: 11.01.2024

To
The Additional District Magistrate (LR) &
District Land & Land Reforms Officer Collector,
Purba Bardhaman, Rajbari,
Burdwan - 713104.
District: Purba Bardhaman.



Sub: Permission U/s 4C of the West Bengal Land Reforms Act, 1955 for converting the schedule A land from Waterbody to Bastu and also seeking permission for creation of a compensatory waterbody of equal or larger size (proposed schedule of land as schedule B).

Sir,

I, the undersigned most humbly take this opportunity to inform you the following facts and circumstances:

That I am the owner of Dag number 463, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhaman, (morefully described as Schedule-A, Land) in which I and my family members in a pucca house have been staying since more than 8 years and I have been gifted the same by my father namely Parbati Kumar Ghosh.

But subsequently I have learnt that in a case filed before Hon'ble National Green Tribunal, Kolkata Bench being O. A. No. 108/2021/EZ that the land as described above in which I and my family members are presently residing are recorded as waterbody/pond in the LR record of Rights.

Thereafter I also enquired the matter after visiting the office of the B.L. & L.R.O, Memari-I and I was very surprised to hear the same since at the time of purchase of the land by my father that the same was waterbody we were not informed by the Vendors/Sellers.

That presently I humbly seek permission from your esteemed office for converting Schedule A land below from Waterbody/Pond to Bastu and in lieu of that I am ready to create compensatory water body within the same Mouza, same area.

I am herewith submitting Affidavit as per the provision of Sub Rule (2) of Rule 5A, of the West Bengal Land Reforms Rules, 1965 for creation of compensatory waterbody of equal/larger size along with photocopies of Deed and Porcha for your kind perusal and consideration.

The following documents are enclosed:

- (i) Affidavit as per the provision of Sub Rule (2) of Rule 5A, of the West Bengal Land Reforms Rules, 1965;

- (ii) Photocopy of Deed
 (iii) Photocopy of Porcha.

The undersigned shall remain ever grateful if the permission for conversion is granted as above referred after creation of the compensatory waterbody.

Thanking You,

Yours Faithfully

Manojit Ghosh

MANOJIT GHOSH,
 S/o Parbati Kumar
 Ghosh,
 Address: Rasulpur,
 Baidyadanga, Purba
 Bardhman, P.S- Memari,
 Pin: 713151.

(M): 9832289511

SCHEDULE A LAND (For Conversion)

ALL THAT Piece and Parcel of land along with structure, situated at Dag number 463, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhman, within the ambit of Nemo-I, Gram Panchayet, Pin: 713151.

SCHEDULE B LAND (For Creation of Compensatory Waterbody)

ALL THAT Piece and Parcel of vacant land along situated at L. R. Dag number 623, L. R. Khatian No. 208, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhman, within the ambit of Nemo-I, Gram Panchayet, Pin: 713151 recorded as bagan.

Amexore - R-10'

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Date : 19.01.2024

To
The District Magistrate & Collector,
Purba Bardhman.
Kachhari Road, Kalibazar, Burdwan – 713101,
District: Purba Bardhaman.

Re: O. A. NO.216 OF 2024

Parbati Ghosh & Anr.
Versus
District Magistrate, Purba Bardhman & Ors.

Sir,

This is to inform you that the above original application has been filed before the Hon'ble West Bengal Land Reforms and Tenancy Tribunal, at Salt Lake and the same has been filed in connection with respect to Dag number 463, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhman, seeking for conversion U/s 4C of the WBLR Act, 1955. The next date of the matter has been fixed on 05.03.2024 before the Hon'ble 1st Bench.

Kindly find enclosed copy of the said original application along with all enclosure for your kind knowledge and information.

Thanking You,

Yours Faithfully

Parbati Kumar Ghosh

Parbati Kumar Ghosh,
Address: Rasulpur,
Baidyadanga, Purba
Bardhman, P.S- Memari,
Pin: 713151.

(M): 9832289511

AKS
Received
Office of District Magistrate and
Collector, Purba Bardhaman
Date - 19/01/24

34 38 39

**IN THE WEST BENGAL LAND REFORMS & TENANCY TRIBUNAL
EE-3 & 3/1, SECTOR - II, SALT LAKE CITY, KOLKATA - 700091.**

O.A. No. 216 of 2024 (LRTT)

In the Matter of:

Parbati Kumar Ghosh & Anr.

... Applicant

Versus

The State of West Bengal & Ors.

... Respondents

INDEX

SL. No.	PARTICULARS	PAGE No.
1.	Original Application	1-8
2.	A Xerox copy of the said application U/S 4C of the Wets Bengal Land Reforms AXt, 1955 is annexed hereto and marked asletter "A".	9-15
3.	A Xerox copy of the Record Of Right of the both the plot are annexed hereto and marked with the letter "B".	16
4.	Verification	
5.	Vakalatnama	

Filed by



PRIYAM DEY

Advocate

High Court Calcutta

Contact No: 8240548421

Email: dey.priyam2012@gmail.com

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**IN THE WEST BENGAL LAND REFORMS & TENANCY TRIBUNAL
EE-3 & 3/1, SECTOR - II, SALT LAKE CITY, KOLKATA - 700091.**

O.A. No. 2/6 of 2024 (LRTT)

In the Matter of:

An application under section 10
read with section 6 of the West
Bengal Land Reforms & Tenancy
Tribunal Act, 1997.

AND

In the Matter of:

Parbati Kumar Ghosh & Anr.

... Applicant

Versus

The State of West Bengal & Ors.

... Respondents

1. PARTICULARS OF THE APPLICANT:-

1. Parbati Kumar Ghosh, son of Late Nitya Gopal Ghosh, Village: Baidyadanga, Rasulpur, P.S. Memari, District: Burdawan, Pin Code: 713151.
2. Manojit Ghosh, S/o Parbati Kumar Ghosh, Village: Baidyadanga, Rasulpur, P.S. Memari, District: Burdawan, Pin Code: 713151.

~ Manojit Ghosh

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2. PARTICULARS OF THE RESPONDENTS:-

- I. The State of West Bengal, Service through the Principal Secretary, Land Reforms Department, Nabanna, Shibpur, Howrah - 711102.
- II. The District Magistrate & Collector, Purba Bardhaman, Kachhari Road, Kalibazar, District- Purba Bardhaman, Pin Code -713101.
- III. The Additional District Magistrate (LR) & District Land & Land Reforms Officer, Purba Bardhaman, Purba Bardhaman Rajbari, Pin- 712104.

3. PARTICULARS OF THE INACTION AGAINST WHICH THE APPLICATION MADE:-

For non disposal of the application seeking permission under section 4C of the West Bengal Land Reforms Act, 1955 for conversion of land along with structure situated at Dag No- 463, J. L. No. 135, Mouza- Baidyadanga, under Memari- I, Block, Rasulpur, P.S- Memari, District- Purba Bardhaman, within the ambit of Nemo-I, Gram Panchayat, Pin- 713151 from water body to bastu and also seeking permission for creation of a compensatory water body of equal or larger size within the same Mouza.

Mangjit Ghosh

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4. JURISDICTION OF THE TRIBUNAL:-

The applicants declare that each and every part of the facts and cause of action including the subject matter of the application by which this application is made within the jurisdiction of this Tribunal as per provision of section 7 of this Act.

5. LIMITATION:-

The applicant declares that the application is filed within the period of limitation.

6. FACT OF THE CASE:-

- I. The applicants are owner of land with pucca structure lying and situated in Dag No. 463 J. L. No. 135, Mouza- Baidyadanga, under Memari- I, Block, Rasulpur, P.S- Memari, District- Purba Bardhaman, wherein the applicants with their family members have been residing for more than eight years.
- II. That the aforesaid land purchased by Parbati Kumar Ghosh in the year 1991 from his vendors which was slightly watery but in the nature of Bastu over which a construction was made for the residence of the applicant more than 10 years ago and by usual

Manojit Ghosh

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course of living, the same has become a Bastu land. The adjacent plot no. i.e. dag no. 464 of the same khatian and Mouza is recorded in the ROR as Bastu with pucca room which clearly indicates the nature and character of the adjacent plot no. i.e. dag no. 463 which is the subject matter of the case.

- III. That on the aforesaid ground the applicants made an application under section 4C of the West Bengal Land Reforms act 1955 for conversion of the land from recorded as Doba to Bastu to the District Magistrate & Collector, Purba Bardhaman, on 11.01.2024 but the said application has not yet been considered or disposed of by the collector.

A Xerox copy of the said application is annexed hereto and marked with the letter "A"

- IV. That it is pertinent to mention that Dag No. 463 and 464 are situated in the same vicinity out of which 463 has been recorded as Doba but dag no. 464 has been recorded as Bastu with one pucca room from which it is very much clear that the recording of nature of the land of dag no. 463 although pond but in fact it is a slightly watery in the nature of DOBA which may be used as Bastu land.

Manojit Ghosh

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A Xerox copy of the ROR of the both the plot are annexed hereto and marked with the letter "B".

- V. That as per provision of section 4C of the West Bengal Land Reforms Act, 1955 the District Magistrate and Collector is competent to allow conversion on condition that if the owner can provide equal quantum of land and more for compensatory water body. The applicants in his application for conversion Under Section 4C of the West Bengal Land Reforms Act, 1955 have already concentrated to provide such land in the same Mouza.
- VI. That the applicants submit that there is every chance of getting order for conversion from the District Magistrate & Collector, Purba Bardhaman.
- VII. That the applicants have been threatened by the local people to demolish the construction raised on the particular plots of the applicants and unless the application is disposed of within a short time the applicant will suffer irreparable loss and injury.

**7. IN VIEW OF THE ABOVE FACTS MENTIONED IN PARAGRAPH 6
THE GROUNDS ARE MENTIONED AS FOLLOWS:-**

Mamajit Ghosh

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- i. For that u/s 4C of the West Bengal Land Reforms Act, 1955, the conversion is permissible by the District Magistrate and Collector of the District in as much as the adjacent plot of the applicants plot are recorded as bastu with one pucca room.
- ii. For that the application made by the applicant for conversion with undertaking that owners are ready for creation of a compensatory water body of equal or larger quantity of land.
- iii. For that the respondent be directed to dispose of the matter within a short period so that the applicants be not be deprived of before getting any threat of demolition.

8. IN THE VIEW OF THE ABOVE FACTS MENTIONED IN PARA - 6 AND GROUNDS MENTIONED IN PARA - 7, THE APPLICANT PRAYS THE FOLLOWING RELIEF:

- a. The District Magistrate & Collector be directed to dispose of the application of the applicant U/s 4C of the West Bengal Land Reforms Act, 1955 dated 11.01.2024 within a short time.
- b. To call for the records.

Memojit Ghosh

4 16

- c. To pass such further order/ orders as to your Lordships may deem fit and proper.

9. INTERIM ORDER IF ANY PRAYED FOR:-

The respondents and their men and agents be restrained from demolishing and or dismantling the structure lying on Dag No- 463, J. L. No. 135, Mouza- Baidyadanga, under Memari- I, Block, Rasulpur, P.S- Memari, District- Purba Bardhaman, within the ambit of Nemo-I, Gram Panchayat, Pin- 713151 till disposal of the application U/s 4C of the WBLR, Act 1955.

10. DETAILS OF REMEDIES EXHAUSTED:-

That there is no scope to demand justice from the respondents.

11. MATTER IS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT:-

No other application has been filed for conversion of the land.

12. LIST OF ENCLOSURES:-

1. Application with court fees of Rs. 50/-
2. Vakalatnama with court fees of Rs. 10/-
3. Annexure A & B.

Mamajit Ghosh

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VERIFICATION

I, Manojit Ghosh, S/o Parbati Kumar Ghosh, aged about 48 years, by faith- Hindu, by occupation- Business, Village: Baidyadanga, Rasulpur, P.S. Memari, District: Burdawan, Pin Code: 713151 do hereby solemnly verify and declare as follows:-

1. That, I am one of the applicant in the instant Original Application and I am duly authorized by the other applicant to verify this verification on his behalf and I am well acquainted with the facts and circumstances of the instant original application and as such I am competent to verify this verification.
2. That the statements made in the paragraphs 1 to, are true to my knowledge and belief and the rest are my respectful submissions before this Learned Court.

Prepared by me


Advocate

Manojit Ghosh

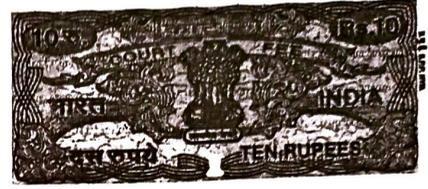
Deponent

Manojit Ghosh

APPLICATION FOR CONVERSION OF LAND

Date: 11.01.2024

To
The District Magistrate & Collector,
Purba Bardhaman,
Kachhari Road, Kalibazar, Burdwan - 713101,
District: Purba Bardhaman.



Sub: Permission U/s 4C of the West Bengal Land Reforms Act, 1955 for converting the schedule A land from Waterbody to Bastu and also seeking permission for creation of a compensatory waterbody of equal or larger size (proposed schedule of land as schedule B).

Sir,

I, the undersigned most humbly take this opportunity to inform you the following facts and circumstances:

That I am the owner of Dag number 463, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhaman, (morefully described as Schedule-A, Land) in which I and my family members in a pucca house have been staying since more than 8 years and I have been gifted the same by my father namely Parbati Kumar Ghosh.

But subsequently I have learnt that in a case filed before Hon'ble National Green Tribunal, Kolkata Bench being O. A. No. 108/2021/EZ that the land as described above in which I and my family members are presently residing are recorded as waterbody/pond in the LR record of Rights.

Thereafter I also enquired the matter after visiting the office of the B.L. & L.R.O, Memari-I and I was very surprised to hear the same since at the time of purchase of the land by my father that the same was waterbody we were not informed by the Vendors/Sellers.

That presently I humbly seek permission from your esteemed office for converting Schedule A land below from Waterbody/Pond to Bastu and in lieu of that I am ready to create compensatory water body within the same Mouza, same area.

I am herewith submitting Affidavit as per the provision of Sub Rule (2) of Rule 5A, of the West Bengal Land Reforms Rules, 1965 for creation of compensatory waterbody of equal/larger size along with photocopies of Deed and Porcha for your kind perusal and consideration.

The following documents are enclosed:

- (i) Affidavit as per the provision of Sub Rule (2) of Rule 5A, of the West Bengal Land Reforms Rules, 1965;
- (ii) Photocopy of Deed

The undersigned shall remain ever grateful if the permission for conversion is granted as above referred after creation of the compensatory waterbody.

Thanking You,

Yours Faithfully

— Manojit Ghosh

MANOJIT GHOSH,
S/o Parbati Kumar
Ghosh,
Address: Rasulpur,
Baidyadanga, Purba
Bardhman, P.S- Memari,
Pin: 713151.

(M): 9832289511

SCHEDULE A LAND (For Conversion)

ALL THAT Piece and Parcel of land along with structure, situated at Dag number 463, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhman, within the ambit of Nemo-I, Gram Panchayet, Pin: 713151.

SCHEDULE B LAND (For Creation of Compensatory Waterbody)

ALL THAT Piece and Parcel of vacant land along situated at L. R. Dag number 623, L. R. Khatian No. 208, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhman, within the ambit of Nemo-I, Gram Panchayet, Pin: 713151 recorded as bagan.

APPLICATION FOR CONVERSION OF LAND

Date: 11.01.2024

To
 The Additional District Magistrate (LR) &
 District Land & Land Reforms Officer Collector,
 Purba Bardhaman, Rajbari,
 Burdwan - 713104.
 District: Purba Bardhaman.



Sub: Permission U/s 4C of the West Bengal Land Reforms Act, 1955 for converting the schedule A land from Waterbody to Bastu and also seeking permission for creation of a compensatory waterbody of equal or larger size (proposed schedule of land as schedule B).

Sir,

I, the undersigned most humbly take this opportunity to inform you the following facts and circumstances:

That I am the owner of Dag number 463, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhaman, (morefully described as Schedule-A, Land) in which I and my family members in a pucca house have been staying since more than 8 years and I have been gifted the same by my father namely Parbati Kumar Ghosh.

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That presently I humbly seek permission from your esteemed office for converting Schedule A land below from Waterbody/Pond to Bastu and in lieu of that I am ready to create compensatory water body within the same Mouza, same area.

I am herewith submitting Affidavit as per the provision of Sub Rule (2) of Rule 5A, of the West Bengal Land Reforms Rules, 1965 for creation of compensatory waterbody of equal/larger size along with photocopies of Deed and Porcha for your kind perusal and consideration.

The following documents are enclosed:

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- (ii) Photocopy of Deed
(iii) Photocopy of Porcha.

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The undersigned shall remain ever grateful if the permission for conversion is granted as above referred after creation of the compensatory waterbody.

Thanking You,

Yours Faithfully

Manojit Ghosh

MANOJIT GHOSH,
S/o Parbati Kumar
Ghosh,
Address: Rasulpur,
Baidyadanga, Purba
Bardhman, P.S- Memari,
Pin: 713151.

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ALL THAT Piece and Parcel of vacant land along situated at L. R. Dag number 623, L. R. Khatian No. 208, J. L. No. 135, Mouza- Baidyadanga, under Memari-I, Block, Rasulpur, P.S- Memari, District: Purba Bardhman, within the ambit of Nemo-I, Gram Panchayet, Pin: 713151 recorded as bagan.

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Letter to District Magistrate
D. L & L.R.O, Purba Bardhaman

sairakeshpi@gmail.com

भारतीय डाक



EW959663313IN IVR:6987759663313
SF SPEED POST BOOKING COUNTER 17
Counter No:4,13/01/2024,14:43
To:ADM (LR) DIST,PURBA BURDHAMAN
PIN:713104, Burdwan Rajbati SO
From:MANDJIT GHOSH ,RASULPUR
Wt:148gms
Amt:41.30(Cash)Tax:6.30
<Track on www.indiapost.gov.in>
<Dial 18002666868 > Wear Mask, Save Life

भारतीय डाक



EW959663313IN IVR:6987759663313
SF SPEED POST BOOKING COUNTER 17
Counter No:4,13/01/2024,14:43
To:DM & COLLECTOR ,BURDHAMAN
PIN:713101, Burdwan HO
From:MANDJIT GHOSH ,RASULPUR
Wt:145gms
Amt:41.30(Cash)Tax:6.30
<Track on www.indiapost.gov.in>

air.ksat. @jms



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Register



A



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Track Consignment



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* Indicates a required field.

* Consignment Number

EW959663313IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
SPEED POST BOOKING COUNTER	13/01/2024 14:35:58	713104	41.30	Inland Speed Post	Burdwan Rajbati SO	18/01/2024 15:51:53

Event Details For : EW959663313IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
18/01/2024	15:51:53	Burdwan Rajbati SO	Item Delivered(Addressee)
18/01/2024	11:42:38	Burdwan Rajbati SO (Beat Number:6)	Item Delivered [To: dllro (Addressee)]
18/01/2024	10:32:25	Burdwan Rajbati SO	Out for Delivery
18/01/2024	09:27:50	Burdwan Rajbati SO	Item Received
18/01/2024	07:02:38	Burdwan Ma RMS2 TMO	Item Dispatched
18/01/2024	00:28:45	Burdwan Ma RMS2 TMO	Item Received
17/01/2024	15:51:33	Burdwan NSH	Item Dispatched
17/01/2024	15:05:41	Burdwan NSH	Item Bagged
17/01/2024	13:52:24	Burdwan NSH	Item Received
13/01/2024	21:20:31	Kolkata NSH	Item Received
13/01/2024	19:52:08	SPEED POST BOOKING COUNTER	Item Dispatched
13/01/2024	19:50:36	SPEED POST BOOKING COUNTER	Item Bagged
13/01/2024	14:35:58	SPEED POST BOOKING COUNTER	Item Booked

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Track Consignment

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* Indicates a required field.

* Consignment Number

EW959663313IN

Track More

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BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

M. A. No. 30/2023/EZ

In

(O. A. NO. 108/2021/EZ)



In The Matter of:

Rasulpur Dana Welfare Society

....Applicant

Versus

West Bengal Pollution Control Board &
Ors.

....Respondent(s)

AFFIDAVIT OF COMPLIANCE BY THE
DISTRICT MAGISTRATE &
COLLECTOR, PURBA BARDHMAN

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

(M): 9007035534.