

- ✕ -

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL
FINANCE CENTRE, 3RD FLOOR, NEW TOWN
ORIGINAL APPLICATION No. 141/2025/EZB**

IN THE MATTER OF:

Anil Kumar Arya

..... Applicant

-Versus-

State Of West Bengal & Ors

..... Respondents

Short Written notes of Submission on behalf of Bhidhanagar Municipal Corporation

The Contention of the applicants:

- 1) The Original Application is a letter petition alleging that one Susanta Dey and one Sumanta Dey are residing at Tarak Baral Lane, Udyachal, P.O. Gopalpur, P.S. Narayanpur, Kolkata- 700136, and their man and agent are illegally started to construction over the above mentioned property after filling water body without obtaining any sanctioned plan or and without obtaining consent from the concerned authority since last one year and the said land recorded as Pond (Pukur) as per the record of B.L. & L.R.O. Office and also made construction by encroaching 6' fit wide road over the said pond illegally unlawfully

2) As such the Hon'ble Tribunal took cognizance in this matter and directed the Registry to implead the parties vide order dated 22/08/25 . The letter petition stated as follows;

"to restrain the illegal filling of the water body(pond) by the Susanta Dey and Sumanta Dey and Sunita Mondal at Dag No. 2242 J.N. No. 2, Mouza- Gopalpur, Block Rajarhat, P.S. Narayanpur, Dist. North 24 Parganas. Under ward no, under Rajarhat Gopalpure"

Contention of BMC:

3) Inspection over at Dag No. 2242 J.N. No. 2, Mouza- Gopalpur, Block Rajarhat, P.S. Narayanpur, Dist. North 24 Parganas was carried out on 21/11/25 and 28/11/25.

1) it was observed by the officials of the BL&LRO, Rajarhat that:

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

- 3X -

- a) the said raiyats failed to produce any conversion certificate for such conversion in this regard.
- b) An old tile shaded brick structure is existing & the owners are living there, and One partly construction of a residential house building up to lintel height is existing were noticed. There is no sanction Plan. The R.S Dag No.2242 is also recorded as pukur. An unauthorised construction over an water body was also revealed in the joint physical inspection.

The Bidhannagar Municipal Corporation conducted an hearing on 13/12/25 when the owners and occupiers of the subject plot were represented by Sri Susanta Dey and Sri Tanmoy Mondal S/o- Sunita Mondal who submitted some documents relating to photocopies of receipt of Panchayat tax, Completion Certificate vide no-CC/1037/04/05 dated-15. 12.2004, Property tax of Bidhannagar Municipal Corporation, three copies of Parcha of Dag No-2242 recorded as "PUKUR" and an Electric Bill. The submitted documents(at the time of hearing) have been verified and it has been found that the R.S Dag no-2242 is recorded as PUKUR' and owners/occupiers of the subject plot in question have erected the alleged unauthorized construction illegally filling up a portion of a pond.

Contention of the Respondent no 1, 2 & 3 :

- 4) The letter Petition is misconceived, fundamentally flawed, legally untenable.
- 5) The Applicant have not suffered any injury and merely acting as proxy.
- 6) The Plot in question is historically recorded as pukur and thereafter have undergone changes and natural changes.

- ✕ -

Contention of Respondent No.8 District Magistrate

7) That the Plot in question in question is classified in **computerised land record as Pukur being L.R.Plot No.2242 .**

8) That the total quantum of 0.30 acres is recorded as Pukur.

9) That the Raiyats failed to show any certificate of conversion or alteration of land use by them had any procedural basis.

10) That the R.S record as well as the L.R. Record of Plot no. 2242 is recorded as pukur and the Physical Joint Inspection conducted by the Municipal Corporation also found illegal construction by filling up of the pukur without any sanction plan.

Hence for the arguments written above it is prayed that the Hon'ble Tribunal may be pleased to allow the Original application and pass such other order/s as deemed fit and proper.

Advocate

Pavshali Banerjee
for BME