

দক্ষিণ ২৪ পরগণা জেলা পরিষদ

South Twenty Four Parganas Zilla Parishad

New Administrative Building (2nd & 3rd Floor)

12, Biplabi Kanai Bhattacharyya Sarani, Kolkata – 700027

Phone : Office : 2479-1385/8998 * Sabhadhipati : 2479-1738 * Sahakari Sabhadhipati : 2479-8762 * Addl. Exe Officer : 2479-1096 * Fax : 2479-8192

Memo No.

5632/29/05/15-526/15

Date :

29/05/15

To,

1. The Director,
The Sundarban Parikathamo Unnayan Nigam Ltd.,
Mayukh Bhawan, Bidhannagar,
Salt Lake City, Kolkata – 700091
2. The Managing Director,
Sundarban Infrastructure Development Corporation Ltd.
(A Govt. of West Bengal Under Taking Company) under
Development of Sundarban Affairs,
Mayukh Bhawan, 1st Floor, Bidhannagar,
Salt Lake City, Kolkata – 700091

Ref : Reason Order in connection with W. P. No. 688 (W) 2014
Amal Mridha & Ors. Vs. The State of West Bengal & Others.

Sir,

Kindly find enclosed herewith the Reasoned Order passed by the District Magistrate South 24 Parganas in connection with W.P.No. 688(W) of 2014, as directed by the Hon'ble High Court at Calcutta vide order dated 22.01.2014.

Encl : As stated.

Yours faithfully

Secretary

South 24 Parganas Zilla Parishad

Memo No.

5632/1(7)/29/05/15-526/15

Date :

29/05/15

Copy forwarded for information and necessary action to :

1. C.A. to Sabhadhipati, South 24 Parganas Zilla Parishad.
2. A.D.M.(ZP), South 24 Parganas Zilla Parishad.
3. Sabhapati, Patharpratima Panchayat Samity.
4. Block Development Officer, Patharpratima Dev. Block.
5. The DIO, NIC with a request to upload the Order Sheet in the district website.
6. Prodhan, Sridharnagar Gram Panchayat, Patharpratima, South 24 Parganas
7. Sri petitioner (All)

Secretary

South 24 Parganas Zilla Parishad


ORDER SHEET

RULE 129 OF THE RECORDS MANUAL, 1917

Order Sheet, dated 29.01.2014 to
District : South 24 Parganas No. : 526

Nature of the case : Compliance of the order dated 22.01.2014 passed by His Lordship the Hon'ble Justice Dipankar Datta, Hon'ble High Court at Calcutta in connection with Writ Petition No. 688(W) of 2014 Amal Mridha & Ors. Vs. The State of West Bengal & Others.

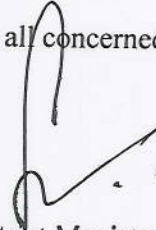
Serial number and date of order	Order and Signature of Officer	Note of action taken on Order
<p style="text-align: center;"><u>1</u> 29/01/2014</p>	<p>Whereas it appears that one Amal Mridha & others have filed a writ petition against the state of West Bengal & others before the Hon'ble High Court Calcutta vide <u>W.P. No. 688(W)</u> of 2014 praying to consider disbursing and/or making payment of Rs. 1,96,000/- to each of the petitioners under Kultali Block within the District of South 24 Parganas for construction of their new dwelling houses from the new housing scheme "Gitanjali" and to act in accordance with law.</p> <p>And</p> <p>Whereas against such writ petition, the Hon'ble Justice Dipankar Datta has delivered His Judgement on 22.01.2014 as follows :</p> <p>"Now considering the fact and circumstances of the instant case this writ petition is disposed of with a direction upon the District Magistrate South 24 Parganas to take into consideration the name of the writ petitioners as stated in the writ petition and to carefully enquire and ascertain as to whether they are otherwise eligible and entitled to get benefit out of renamed scheme, 'Gitanjali' for the purpose of construction of low cost residential houses in respect of those living in the Sundarban region, particularly those who belong to the economically weaker section of the local society of that region.</p> <p>In the event, the writ petitioner are entitled to be given benefit under the new scheme 'Gitanjali' the District Magistrate, South 24 Parganas shall ensure that</p>	

<p style="text-align: center;"><u>2</u> 20.02.2014</p>	<p>Sundarban Parikathamo Unnayan Nigam Ltd. issues necessary direction to that effect,.</p> <p>It is expected that the District Magistrate, South 24 Parganas shall decide the question of eligibility of the writ petitioners to get benefit under 'Gitanjali' scheme as expeditiously as possible, preferably with a period of six weeks but not later than eight weeks from date of communication of a Photostat certified copy of this order."</p> <p>Received the order of the Hon'ble Justice Sri Dipankar Datta, passed in connection with Writ Petition no. 688 (W) of 2014, Amal Midya & Others Vs. State of West Bengal & Others. Gone through the order & considered.</p> <div style="text-align: center;">  District Magistrate & Executive Officer South 24 Parganas Zilla Parishad </div>	<p>Notice for hearing on 20.02.2014, was issued under signature of the ADM & AEO, South 24 Parganas Zilla Parishad, vide Memo No. 414(21)/ZP/Law-481/14 dated 14.02.2014. Notice for the hearing was communicated to all petitioners of the said WP and Block Development Officer, Kultali</p>
<p style="text-align: center;"><u>3</u> 05.08.2014</p>	<p>In the hearing all petitioners of the WP No. 688(W) of 2014 was present. Heard all of them. The Ld. Advocate of the petitioners stated that the applicants are eligible to get housing scheme under 'AMAR BARI' Prokalpa and quoted the reference of the Hon'ble Justice Sri Biswanath Somadder in connection with WP no. 13158(W) of 2011 dated 14/01/2013 wherein 21 applicants case was sanctioned by the Sundarban Infrastructure Development Corporation Ltd. and fund @ Rs. 116000.00 (rupees one lakh sixteen thousand only) was placed at the end</p>	

of the Block Development Officer, Kultali Development Block, but the Ld. Advocate for the beneficiaries in the matter of WP no. 688(W) of 2014 could not corroborate with any such sanction letter in favour of 21 nos of beneficiaries.

As their claim is not justifiable, at this moment to consider their case under 'AMAR BARI' Prakalpa as is the matter of their claim. However a detailed report is required from the end of the Block Development Officer, Kultali in this matter to dispose of the matter justifiably.

Let copy of this order be served upon all concerned.



District Magistrate &
Executive Officer
South 24 Parganas Zilla Parishad

Received enquiry report from the Block Development Officer, Kultali, South 24 Parganas Vide Memo No. 827 dated 30.07.2014 the report is –

- (i) Some of the Writ Petitioners presently live in brick built houses and the rest of the Writ Petitioners live in the Kacha Houses.
- (ii) After the incidence of the Cyclonic Storm "AILA" 25th May 2009 (which hit the whole of the Sundarban area) noticing the huge devastations caused by it, all the Gram Panchayats under the jurisdiction of the Kultali Development Block prepared their list of AILA affected people (from the end of the Gram Panchayat Pradhans) and submitted them to the end of the Block Development Officer, Kultali. Therefore a "four men enquiry team" (consisting of (i) the Pradhan of concerned G.P. (ii) The representative of B.D.O., (iii) Representative of Sabhapati, Kultali Panchayat Samity & (iv) the member of the opposition party) to properly prepared a list of the AILA Affected People". Then on its


Letter issued to the
B.D.O
Patharpratima,
South 24 Parganas
vide Memo No.
770/ZP/CC/DM/14
dated 02.05.2014

basis, the District Administration disbursed money from the "AIIA Relief Fund" to the actually affected people.

According to said report 6 petitioners namely Rakhai Das son of Late Paresh Das, Anil Mondal, son of Late Banamali Mondal, Madhab Mondal son of Late Srihari Mondal, Amal Midya, son of Dhananjay Midya, Prasanta Gharai, son of Raghunath Gharai, Sunil Jana, son of Late Ananta Jana houses were damaged by AIIA and they have already been granted compensation from AIIA Relief Fund and remaining 15 petitioners houses were not damaged by AIIA.

In the view of the above facts and circumstances relief prayed by the petitioners cannot be considered as they are not eligible.

Therefore their prayer is considered, enquired and rejected and thus the matter is disposed of.



District Magistrate &
Executive Officer
South 24 Parganas Zilla Parishad