

SL NO.....15.....Dt.....25 JUL 2023

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BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 151/2022/EZ

SUBHAS DATTA

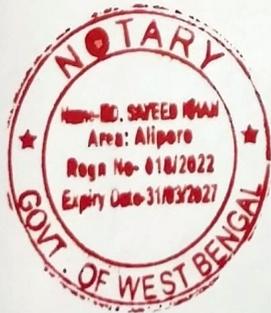
-Versus-

STATE OF WEST BENGAL & ORS.

AFFIDAVIT OF RESPONDENT NO. 11 i.e. PRINCIPAL
SECRETARY, INSTITUTE OF ENVIRONMENT STUDIES AND
WETLAND MANAGEMENT & MEMBER SECRETARY, WEST
BENGAL COASTAL ZONE MANAGEMENT AUTHORITY IN
PURSUANT TO THE ORDER OF HON'BLE NATIONAL GREEN
TRIBUNAL, EASTERN BENCH DATED 06.07.2023

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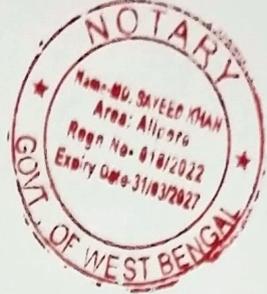
Filed by

Handwritten signature of Rajib Ray

RAJIB RAY
Advocate

BEFORE THE NATIONAL GREEN TRIBUNAL
 EASTERN ZONE BENCH, KOLKATA
 ORIGINAL APPLICATION NO.151/2022/EZ

SUBHAS DUTTA
 -Versus-
 STATE OF WEST BENGAL & ORS.

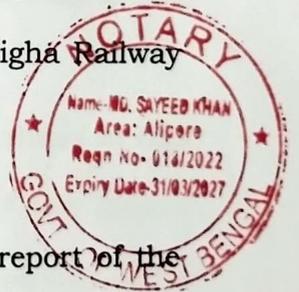


AFFIDAVIT OF RESPONDENT NO. 11 i.e. PRINCIPAL SECRETARY, INSTITUTE OF ENVIRONMENT STUDIES AND WETLAND MANAGEMENT & MEMBER SECRETARY, WEST BENGAL COASTAL ZONE MANAGEMENT AUTHORITY IN PURSUANT TO THE ORDER OF HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN BENCH DATED 06.07.2023

I, Neelam Meena, D/o. Late Shri B.R.Meena, aged 52 years, by faith - Hindu, by occupation - Government service, working as the Director, Institute of Environment Studies and Wetland Management and Member Secretary, West Bengal Coastal Zone Management Authority having office at DD-24, Sector-1, Bidhan Nagar, Kolkata-700064, do hereby solemnly affirm and submit as follows :-

1. That I have made myself acquainted with the facts and circumstances of the instant Original Application and have gone through the documents pertaining to the subject matter of the instant application. I am competent to affirm the instant Affidavit before this Hon'ble Tribunal.

2. That this affidavit is being solemnly affirmed and filed in compliance of the solemn Order passed by this Hon'ble Tribunal on 06.07.2023, wherein the Tribunal was pleased to direct the State Respondents to disclose as to whether the permission granted for construction of the site was within the distance permissible under the CRZ-II of CRZ Notification, 2011.
3. It is respectfully submitted before this Hon'ble Tribunal that West Bengal Housing Infrastructure Development Corporation Ltd.(WBHIDCO) vide its letter dated 09.06.2022 approached the West Bengal Coastal Zone Management Authority (WBSCZMA) for providing clearance as per Coastal Regulation Zone Notification 2011, for its proposed project, 'Jagannath Dham Sanskriti Kendra' at Mouza - Bhagibahrampur, J.L. No. - 79, P.S. - Digha, Block - Ramnagar I (Near Digha Railway Station).



As per the Coastal Regulation Zone (CRZ) report of the Institute of Environment Studies and Wetlands Management (IESWM) the total project area (Area of Interest) is 81,214.08 sq. mts. and part of it (i.e. 42,653.50 sq. mts) falls within CRZ II area, which is within 500 mts from High Tide Line (HTL) as per the guidelines of CRZ Notification, 2011. Rest of the area (38560.58 sq. mts.) is beyond CRZ limit. The same is shown in the tabular form :

Description	Approx.Area (Sq.m)	Approx.Area
Total area of interest	81214.08	100%
CRZ-II (Developed area)	42653.50	52.52%
Outside CRZ	38560.58	47.48%

Furthermore, the area which falls in the CRZ-II category is completely at the landward side of the existing road - namely NH-116B (Digha Contai road popularly known as Digha foreshore road). The road is approximately 300 m away from the HTL.

4. That sub-paragraph II (i) of Para 8 of CRZ Notification, 2011 states that " buildings shall be permitted only on the landward side of the existing road, or on the landward side of the existing authorised structures."

Hence, the permission for construction of the building in this instant case was granted because the area of the project falling within CRZ-II is completely at the landward side of the existing road and buildings are allowed as per Para 8 sub-para II (i) of CRZ Notification, 2011.

A copy of the CRZ map of the project prepared by the IESWM is annexed herewith and marked as Annexure **R/1**.

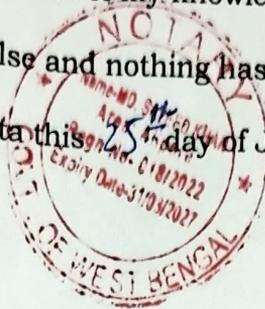
That the reply is true to my knowledge and belief, which I derived from the office records.

Neelan Meng
DEPONENT

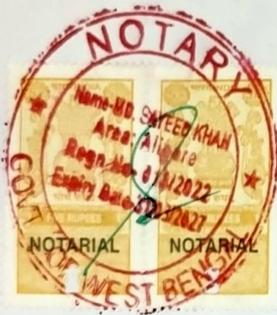
VERIFICATION

I, Neelam Meena, Member Secretary, West Bengal Coastal Zone Management Authority do hereby solemnly affirm and declare that the contents of the report in the form of affidavit are true to the best of my knowledge and belief. No part of the Report is false and nothing has been concealed.

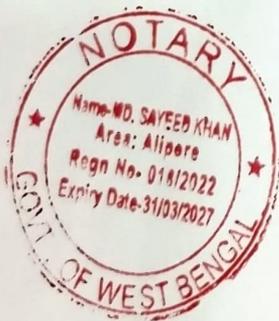
Verified at Kolkata this 25th day of July, 2023.



Neelam Meena,
DEPONENT



Identified by me.
Barnali Dey
Astrologer
F-159/2009.



SOLEMNLY AFFIRMED AND DECLARED
BEFORE ME U/8139CPC/JC/CPC

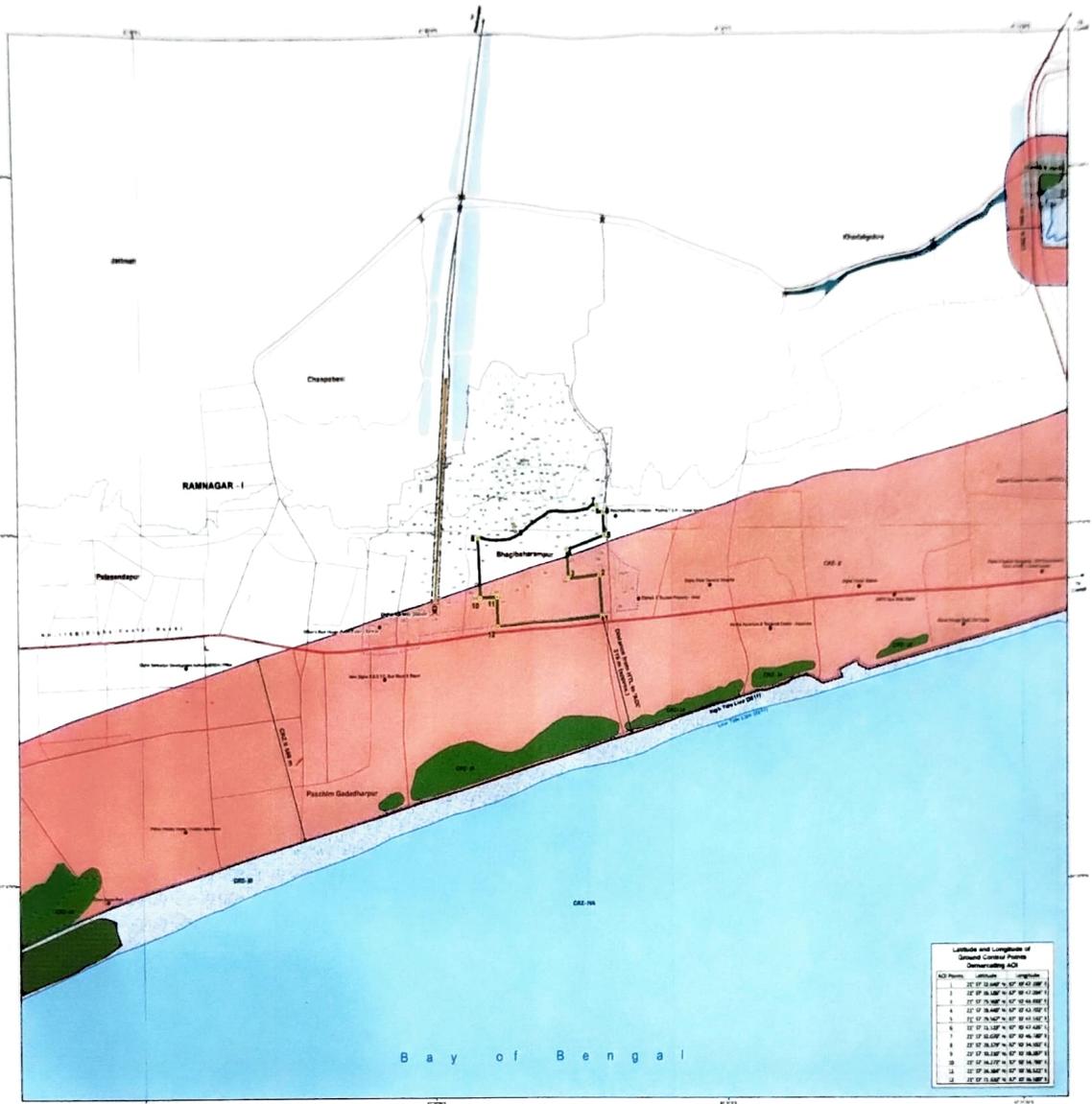
MD. SAYEED KHAN
NOTARY
GOVT. OF WEST BENGAL
REGD. NO. 018/2022
4.K.S. HOY ROAD, KOL. 4

25 JUL 2023

Coastal Regulation Zone (CRZ) Map

Mouza- Bhagibahampur, Block- Ramnagar-I, Purba Medinipur District, West Bengal
(Based on CRZ Notification 2011, Ministry of Environment, Forest and Climate Change, Govt. of India)

Proposed Temple complex 'Jagannath Dham Sanskriti Kendra' at Digha (With Cadastral Information)



CRZ Points	Latitude	Longitude
1	22° 07' 30.000" N	87° 07' 42.000" E
2	22° 07' 30.000" N	87° 07' 42.000" E
3	22° 07' 30.000" N	87° 07' 42.000" E
4	22° 07' 30.000" N	87° 07' 42.000" E
5	22° 07' 30.000" N	87° 07' 42.000" E
6	22° 07' 30.000" N	87° 07' 42.000" E
7	22° 07' 30.000" N	87° 07' 42.000" E
8	22° 07' 30.000" N	87° 07' 42.000" E
9	22° 07' 30.000" N	87° 07' 42.000" E
10	22° 07' 30.000" N	87° 07' 42.000" E
11	22° 07' 30.000" N	87° 07' 42.000" E
12	22° 07' 30.000" N	87° 07' 42.000" E

Description of Coastal Regulation Zone

CRZ-I The areas that are ecologically sensitive and the geomorphological features which play a role in maintaining the integrity of the coast.

CRZ-II The area between Low Tide Line and High Tide Line.

CRZ-III The areas that have been developed or to be taken to the structure 'Concrete Area' is defined to be that area within the existing municipal limits or in other words, highly developed urban areas which are substantially built-up and have been provided with drainage and sewerage works and other infrastructural facilities, such as water supply and sewerage works.

CRZ-IV Areas that are ecologically unimpaired and those do not belong to within CRZ-I or CRZ-II.

CRZ-V The water area from the Low Tide Line to seaward natural ridge or seaward bank.

CRZ-VI The water area of the high influential water body from the mouth of the water body to the sea up to the influence of tide.

CRZ-VII Area of CRZ-VI in near HT, on the seaward side of lakes of medium and low along the influential water bodies or with the lower embankment is also as mentioned in the Government Order (GO).

Legend

Low Tide Line	High Tide Line (HT)	Coastal Regulation Zone
Location Point as per section 4	High Tide Line (HT)	CRZ-I
Beach	Low Tide Line	CRZ-II
Canal	High Tide Line	CRZ-III
Canal Bridge	Low Tide Line	CRZ-IV
Canal	High Tide Line	CRZ-V
Canal	Low Tide Line	CRZ-VI
Canal	High Tide Line	CRZ-VII
Canal	Low Tide Line	CRZ-VIII
Canal	High Tide Line	CRZ-IX
Canal	Low Tide Line	CRZ-X
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Canal	Low Tide Line	CRZ-XIV
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Canal	Low Tide Line	CRZ-XVI
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Canal	Low Tide Line	CRZ-XVIII
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Canal	High Tide Line	CRZ-XXVII
Canal	Low Tide Line	CRZ-XXVIII
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