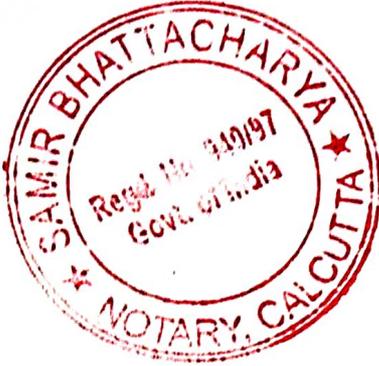


BEFORE THE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH , KOLKATA****M.A. 20/2024/EZ****Original Application No.65 of 2022/EZ**

In the matter of :

Tribunal on its own motion

... Applicant

Versus

The State of West Bengal & Ors.

... Respondents

**AFFIDAVIT OF COMPLIANCE ON BEHALF OF KOLKATA
MUNICIPAL CORPORATION, BEING RESPONDENT NO.7**

SL No	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		
2.	Copy of the letter dated 03.07.2024	R-1	

Filed by

Dipanjan Ghosh

Advocate

High Court, Calcutta

7, Old Post Office Street

1st Floor, Room No.17

Kolkata- 700 001

Mobile-9903080977

Email: dpnjnghsh0@gmail.com

11 9 AUG 2024

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BEFORE THE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH , KOLKATA****M.A. 20/2024/EZ****Original Application No.65 of 2022/EZ**

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**AFFIDAVIT OF COMPLIANCE ON BEHALF OF KOLKATA
MUNICIPAL CORPORATION, BEING RESPONDENT NO.7**

I, Payankar Ray, son of Late Sreedhar Chandra Ray, aged about 59 years, by faith-Hindu, by occupation-Service, having office at Tolly Nullah and TPDD, Kolkata Municipal Corporation, 19, Nellie Sengupta Sarani, Kolkata-700087, do hereby solemnly affirm and state as under:-

1. That I am the Executive Engineer (C)/ TRDD, K.M.C. I am well acquainted with the facts and circumstances of the case and I have been duly authorized to affirm this affidavit on behalf of the Kolkata Municipal Corporation.

2. I say that the matter originated from OA No.65 of 2024 in the Original Application wherein the Applicant alleged that huge pipelines are laid on the river Ganga as well as on the banks of the river.

I say that the Tribunal was pleased to constitute a committee vide order dated 20/05/22. The relevant paragraph of the Order dated 20/05/22 reads as: Considering the gravity of the situation of the river, we deem it appropriate to constitute a Committee comprising of



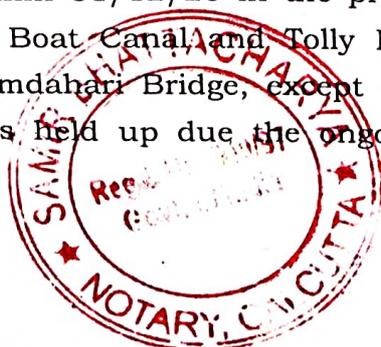
the following members: (i) A Senior Scientist from West Bengal Pollution Control AR Board; (ii) A Senior Scientist from Central Pollution Control Board, Regional Office, Kolkata; (iii) Kolkata Municipal Corporation through Municipal Commissioner or his representative of a senior rank; (iv) Smt. Antara Acharya, C.E.O. from Kolkata Metropolitan Development Authority; (i) Mr. Rabijyoti Majumdar, Sr. Special Secretary (Retd.), Department of Environment, Government of West Bengal; and (v) Dr. Tapas Gupta, Chief Technical Advisor, West Bengal Pollution Control Board"

4. I say that that the committee submitted its report and the Hon'ble Tribunal was pleased to record the report of the committee vide order dated 17/05/24. The Committee stated that the laying of pipeline did not obstruct the flow of water, the pipelines are laid at some areas at the opposite bank. The pipe lines are laid for water supply to Rajpur Sonarpur Municipality area starting from Chetla Boat canal to Naktala area.

5. I say that it is clear from the report of the Committee filed in OA 65/2022 that laying of pipelines are in no way related to pollution in Tolly Nala or obstruction of water flow in Tolly Nala as stated in the affidavit filed by KMDA.

6. I say that this Hon'ble Tribunal vide order dated 9/01/23 was pleased to dispose of the application and direct the KMDA to complete the work of laying pipeline by 31/12/23 and file a report of compliance by 15/01/24.

7. I say that on 27.06.2024. The Kolkata Metropolitan Development Authority filed an Affidavit of Compliance before the Hon'ble NGT and stating that the construction of 750 mm dia, Piles RCC pedestals and laying of 1600 mm dia MS pipe was completed in all respect within 31/12/23 in the proposed stretch of Tolly Nullah starting from Boat Canal and Tolly Nullah junction to Metro Pier No.229 at Kamdahari Bridge, except a 40 m stretch of pipe laying work which is held up due to the ongoing de-siltation work of Tolly



Nallah by KMC near Abdul Kalam Bridge at Izzatullah lane. Copy of the report is annexed herewith and marked as Annexure A.

8. I say that this Hon'ble Tribunal vide order dated 03.07.2024 was pleased to direct the Kolkata Municipal Corporation to file a separate Affidavit within 4 weeks.

9. I say that this Affidavit of Compliance is being filed in compliance and obedience to the solemn order dated 03.07.2024 passed by the Hon'ble National Green Tribunal/ EZ/ Kolkata.

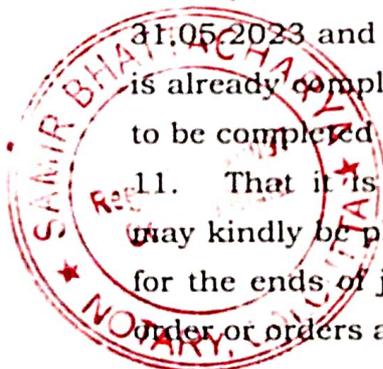
10. I say that on 03.07.2024 vide letter No.TPDD/TNP/L/28/2024-2025, TP&D, Department, Kolkata Municipal Corporation has requested to Kolkata Metropolitan Development Authority (KMDA) that, KMDA may take up the residual pipeline laying work w.e.f. 12.07.2024 on the Dredging Phase-II stretch i.e. from Chetla to Kudghat Metro Station since the dredging work by K.M.C. at the above mentioned stretch will be completed soon.

"So, you are requested to take your residual work as claimed on and from 12.07.2024".

Copy of the letter dated 03.07.2024 is annexed herewith and marked as Annexure "R-1".

10. I say that the dredging of Tolly Nallah by K.M.C. has been undertaken in a phasewise manner, and already Phase-I from Dai Ghat (Confluence Point) to Chetla Bridge has been completed on 31.05.2023 and Phase-II from Chetla Bridge to Kudghat Metro Station is already completed and bottom of next five metro station is expected to be completed by October, 2024.

11. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary order or orders as it deem fit for the ends of justice and that the deponent has high regard to the order or orders as passed by the Hon'ble Tribunal.



Identified by me

Dipankar Ghosh
Advocate
F/115A/2007

[Signature]

Deponent
Ex-Engg.(C)T.P.D.D.
K.M.C.

11.9 AUG 2024

Samir Bhattacharya
Notary Govt. of India
Regd. No. 940/97
City Civil Court, Calcutta

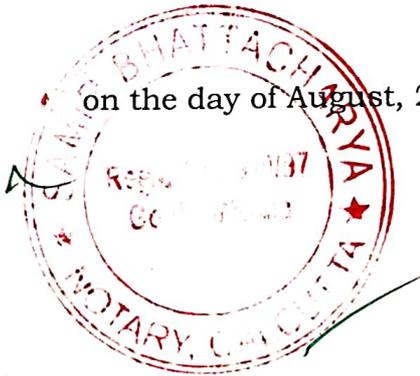
Solemnly
Declared before me by
CPC/U/S297 (C) CRPC
19.8.24
Notary

VERIFICATION

I deponent above named do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

Verified at Kolkata

on the day of August, 2024



Deponent
**Ex-Engg.(C)T.P.D.D.
K.M.C.**

Identified by me

Dipayan Ghosh
Advocate
F/1154/2007

Solemnly
Declared before me
CPC(U)/S297 (C) CRPC

19.8.24
Notary

19 AUG 2024

Assessment - P-I.

49



FROM:

Executive Engineer (C)
TOWN PLANNING & DEVELOPMENT DEPTT./TNP

THE KOLKATA MUNICIPAL CORPORATION
S.S. HOGG MARKET, PH-II, TOP FLOOR, W. BLK
19, NELLE SINGUPTA SARANI, KOLKATA - 700 087
Phone OFF. : 2252-1218, 2286-1000, Extn - 2860

No. TPDD/TNP/L/28/2024-2025

Date 03/07/24

To
The Executive Engineer
Division-XI, GRWW(W & S)
K.M.D.A.
Garden Reach Water Works, Bidhangarh
Kolkata - 700066.

Sub: Dredging of Tolly's Nullah including cleaning rubbish, garbage and bushes on both banks of Tolly's Nullah from Kudghat Metro Station to Chetla bridge.....Phase-II

Ref: - Your letter No.EE/DIV-XI/2W-01/20-21/16 dated 26.06.2024.

Sir,

In response to your letter vide memo No. EE/DIV-XI/2W-01/20-21/16 dated 26.06.2024 under above reference, this is to apprise you that the dredging work of Tolly Nullah at the above stated stretch will complete soon.

So, you are requested to take up your residual work as claimed on and from 12.07.2024 please.

Thanking you.

With regards

Ex.Engr.(C)/TPDD

Copy forwarded to :

1. D.G. (TPDD) - For favour of his kind information.
2. Dy. Ch. Eng. (Civil), TPDD, KMC - For favour of his kind information.

Recd 13/7/24
Ex.Engr.(C)/TPDD

Ex-Engr. (C) T.P.D.D.
K.M.C.