

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

MISCELLANEOUS APPLICATION NO. 10 OF 2024

in

ORIGINAL APPLICATION NO. 81 OF 2023/EZ

Prithvigaurov Chakraborty.

.....Applicant

-Versus-

**Kolkata Municipal Corporation and
others.**

.... Respondents.

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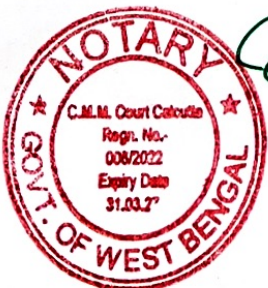
Filed by:

S.K. Dutta

Sudip Kumar Dutta

Advocate on Record

For the State of West Bengal.



-1-

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

MISCELLANEOUS APPLICATION No. 10 of 2024

In

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Prithvigaurov Chakraborty

.....Applicant

-Versus-

Kolkata Municipal Corporation and Ors.

.....Respondents

COMPLIANCE REPORT BY THE RSPONDENT NO. 05

I, Smt. Utpalparna Sengupta Sarkar, daughter of Sri Ajit Kumar Sarkar, aged about 44 years by faith-Hindu, by occupation -service as Executive Engineer, Irrigation & Waterways Directorate, Government of West Bengal, do hereby solemnly affirm and say as follows :

1. I have made myself well acquainted with the facts and circumstances of the instant case and am directed by this Hon'ble Tribunal vide Order dated 09.08.2024 to file a report vide Affidavit.

That it is humbly submitted, in compliance with direction dated 10.10.2023 of this Hon'ble Tribunal, the temporarily stored dredged -

materials on the land opposite to Plot No.50A, Rajdanga Main Road, Kolkata-700107 had been completely removed by Irrigation &



Waterways Department within the period as allowed by this Hon'ble Tribunal and an extra effort was made by placing silver sand on the said land to remove the slushy nature.

Necessary communication with the West Bengal Forest Development Corporation Limited (WBFDC) was also made by Irrigation & Waterways Department regarding tree plantation on the said land. This has a reference to the Order dated 10.10.2023 of this Hon'ble Tribunal. A joint visit was made on 08.11.2023 with the WBFDC and Irrigation & Waterways Department and as per the guidance of WBFDC, 10 nos. of Mango Trees, 10 nos. of Blackberry Trees, 10 nos. of Jackfruit Trees, 10 nos. Guava Trees and 10 nos. of Bakul Trees had been planted on the said land. The photographic evidence in support of my statement was filed on 10.11.2023 vide my Affidavit.

The photographs showing the sequential progress of slush removal and planting the saplings are annexed hereto and collectively marked as **Annexure-"P"**.

2. That in compliance with the Order dated 09.08.2024 passed by this Hon'ble Tribunal, personal cost of Rs. 1,000/- (Rupees One Thousand Only) has already been deposited on 14.08.2024 before this Hon'ble Tribunal by Demand Draft No. 941183 dtd. 14.08.2024.

Photocopy of the Demand Draft is annexed hereto and marked as **Annexure-"P1"**

3. That is it humbly submitted that, vide Affidavit dated 07th August, 2024 filed before this Hon'ble Tribunal, the Executive Engineer,



Estate and Asset Management Sector, Kolkata Metropolitan Development Authority (KMDA) at para 3 of the said Affidavit disclosed that the said parcel of land (R.S. Dag No. 2752, Mouza-Kasba, J.L. No. 13, District- South 24 Parganas), do not belong to KMDA, as revealed vide the inspection conducted by them on 05.07.2024.

4. That since the said parcel of land having R.S. Dag No. 2752, Mouza-Kasba, J.L. No. 13, District- South 24 Pargana on which Irrigation & Waterways Department was directed by this Hon'ble Tribunal to plant trees vide Order dated 10.10.2023 in OA. No. 81 of 2023/EZ, which was duly complied with within allowed time period by restoring the said parcel of land to its original form and planting 50nos. of trees therein as disclosed at para 2 above, neither belong to Irrigation & Waterways Department nor KMDA and it is not known to this answering respondent regarding the actual ownership of the said land in question, and the said parcel of land is encircled at present by boundary walls on all four sides where entry is hardly possible for this answering respondent or her agent, at present to take measurement of land and to take photographs of the planted trees therein, it is humbly submitted before this Hon'ble Tribunal that this Tribunal may graciously be pleased to direct for discharge of Irrigation & Waterways Department from this case or pass any other Order / Orders as this Hon'ble Tribunal may deem fit and proper for ends of justice.

The present photographs from outside the said parcel of land are annexed hereto and collectively marked as **Annexure-"P2"**.



5. The statements made in paragraphs 1 to 5 are based on information derived from the record which are usually kept and maintained by this answering respondent in the ordinary course of business and which I believe to be true and rest thereof are my humble submission before this Hon'ble Tribunal.

Deponent is identified by me.

S. K Dutta
Advocate

Enrolment Number WB 532/2000

Utpal Kumar Sengupta Saha
Deponent
Executive Engineer
Metropolitan Drainage
Division No.-II
I. & W. D.C.,
Govt. of West Bengal
27.8.24



Verification

I, Smt Utpalparna Sengupta Sarkar, daughter of Sri Ajit Kumar Sarkar, aged about 44 years, by faith - Hindu, by occupation - service as Executive Engineer, Irrigation & Waterways Department, Government of West Bengal do hereby solemnly affirm and verify that the contents of the statements made in the above paragraphs of the affidavit are true and correct to the best of my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.

Verified at Kolkata, on this the 27th day of August, 2024.

Deponent is identified by me.

S. K. Dutta

Advocate

Utpalparna Sengupta Sarkar
Deponent
Executive Engineer
Metropolitan Drainage
Div. II
I.A.
Govt. of West Bengal
27-8-24

[Signature]
N. DASGUPTA
Notary
Regn. No. 0C6/2022
3, Bankshal Street
Calcutta-700001

SOLEMNLY AFFIRMED
&
Declared Before me
on Identification Adv.
[Signature]
NOTARY
N. DAS GUPTA
C.M.M. Court
Govt. W.B

29 AUG 2024





Photograph before removal of deposited dredged silt



Photograph after removal of deposited dredged silt

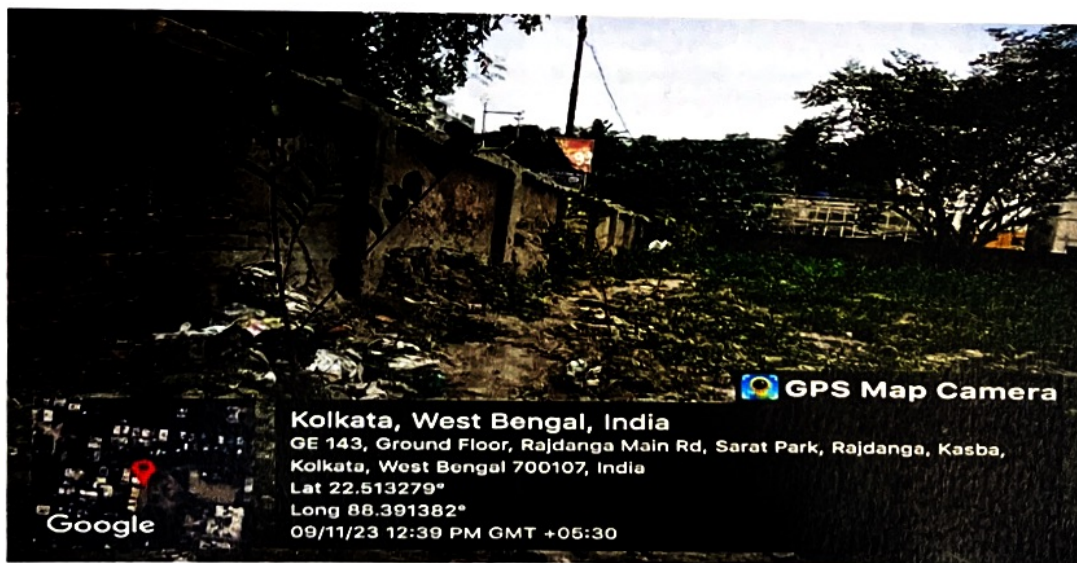




Photograph after removal of silt/slush, spreading of silver sand and bringing saplings for plantation.

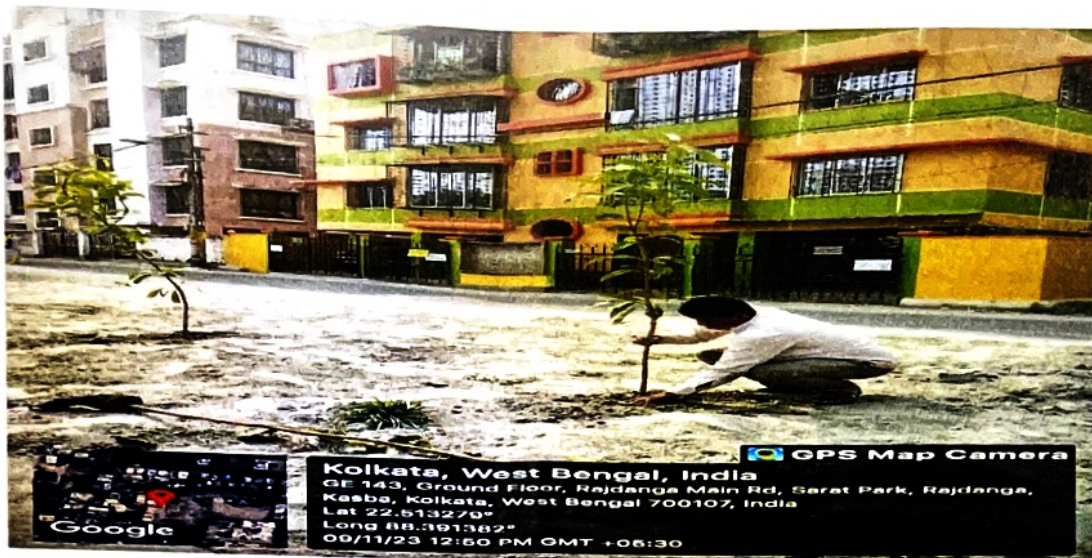


Photograph after removal of silt/slush, spreading of silver sand and starting of plantation.



Photograph after removal of silt/slush, spreading of silver sand and starting of plantation.

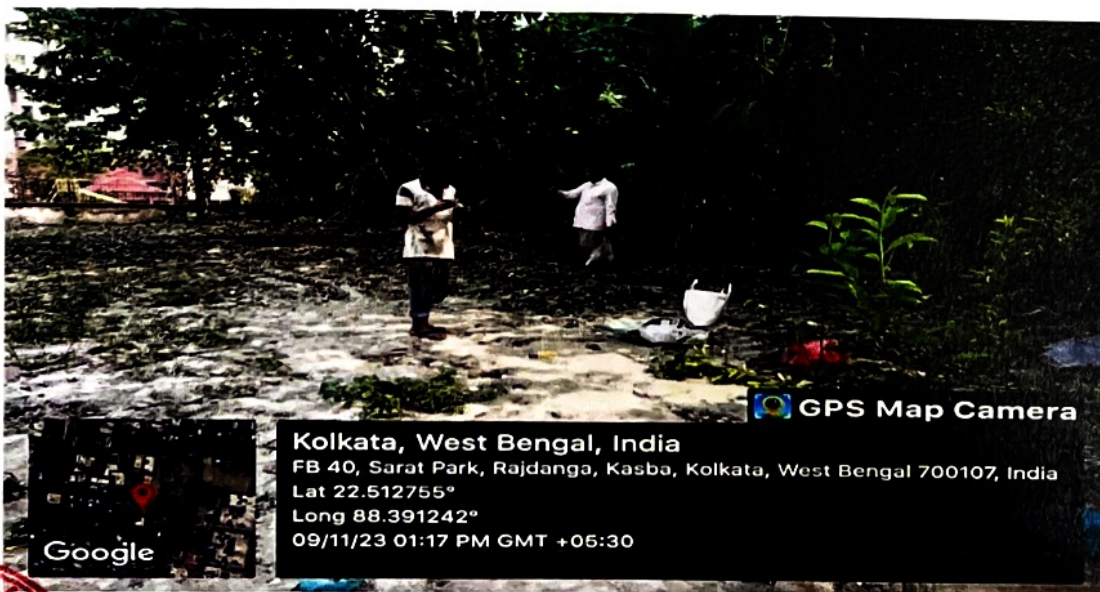




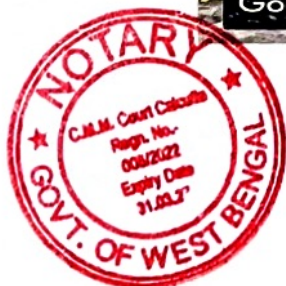
Photograph during plantation.



Photograph during plantation.



Photograph during plantation.





Photograph after plantation.



Photograph after plantation.



Photograph after plantation.





PROJECT

Plants, Labour & Geneneral Order Suppliers.
Vill.- North Bawall, P.O.- Bawall, P.S.- Nodakhall,
S. 24 Parganas, Kol- 137

Mob.: 9239241158 • e-mail : mondalsunil640@gmail.com

GSTIN : 19BVRPM3618K1ZW

Bill No. 7

Date 08/09/23

Name Executive Engineer

Address MDO-II, Jalasompod Bhawan Mob.

Sl. No.	DESCRIPTION	Size	Qty.	Rate	Amount
1)	Mango Tree 5'	5'	10P,	170/-	1700 = 50
2)	Black Berry	5'	10P,	165/-	1650 = w.
3)	Jackfruit	5'	10P,	150/-	1500 = w.
4)	Guava	5'	10P,	175/-	1750 = w.
5)	Saral	5'	10P,	164/-	1640 = w.

Rupees in Words Eight Thousand Two

TOTAL 8240 = w.

Hundred forty only,

Signature

Customer Signature



Annexure - 'P-1'

ANNEXURE P1

भारतीय स्टेट बैंक
State Bank of India CUTTA
Key: TUBJAT Sr. No. 168225
मांगद्वारपत्र
DEMAND DRAFT
14082024
D D M M Y Y Y Y

नाम जालियर NATIONAL GREEN TRIBUNAL
ON DEMAND PAY
One Thousand Only
या उनके आदेश पर
OR ORDER

रुपये RUPEES
₹ 1000.00
अदा करें
मूल्य प्राप्त VALUE RECEIVED

IOI 000556941183
Name of Applicant
Key: TUBJAT Sr. No: 168225
UTPALPARNA SENGUPTA SARKAR
AMOUNT BELOW 1001(1/4)

भारतीय स्टेट बैंक
STATE BANK OF INDIA
जवाहरा शाखा // DRAWEE BRANCH: CLEARING CPC KOLKATA
कोड क्र. / CODE No. 10381

व्यक्तिगत हस्ताक्षर
PERSONAL SIGNATURE
शाखा प्रबन्धक
BRANCH MANAGER

केवल 3 महीने के लिए वैध
VALID FOR 3 MONTHS ONLY
केवल 3 महीने के लिए वैध
VALID ONLY IF COMPUTER PRINTED

INSTRUMENTS FOR ₹ 1,00,000- & ABOVE ARE NOT VALID UNLESS SIGNED BY TWO OFFICERS

११९६११८३११ ०००००२०००१ ०००५५६११ १६



ANNEXURE P2



Photograph of the land take from outside the Boundary Wall.

