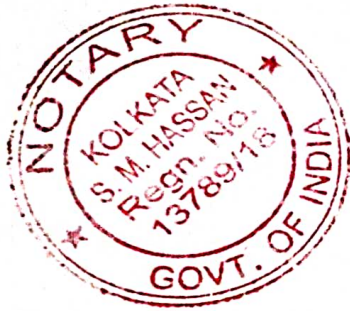


Serial No. 36 01/02/2023

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
Original Application No.20/2022/EZ



In the matter of:
Suprova Prasad

.... Applicant

-Versus-

Forest & Climate Change & Ors.

..... Respondents

Compliance Report in the Form of Affidavit on behalf of the respondent
Number 06, Kolkata Municipal Corporation.

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2.	A copy of the letter issued by the S. P. Mukherjee Port Kolkata	'R-1' Collectively	
3.	Copy of the reminder letter issued by the Kolkata Municipal Corporation	"R-2"	

Filed by

Susmita Chatterjee

Susmita Chatterjee
Advocate

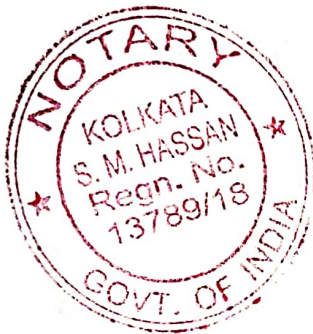
Enrolment No.:F/377/364/2011

For The Kolkata Municipal Corporation

(M) : 9748713532

Email : advocatesusmita2018@gmail.com

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
Original Application No.20/2022/EZ



In the matter of:

Suprova Prasad

.... Applicant

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COMPLIANCE REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF
THE RESPONDENT NUMBER 06, KOLKATA MUNICIPAL CORPORATION.

I, Amit Kumar Pal, son of Sibtosha Pal, aged about 44 years, by faith-Hindu, by occupation-Service, and presently posted as EE(C)(P& S) Department, Kolkata Municipal Corporation, having office at 5, Surendranath Banerjee Road, Kolkata-700013, do hereby solemnly affirm and declare as follows:-

1. That I am presently posted as Executive Engineer (C) Parks and Squares Department, Kolkata Municipal Corporation, having office at 5, S.N. Banerjee Road, Kolkata-700013 and I am well acquainted with the facts and circumstances of the case and as such I am competent to swear, sign and affirm this affidavit.
2. That this Affidavit is being filed in compliance to the Solemn Order dated 17.11.2022, passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

3. That in pursuance of the solemn Order dated 28.09.2022, the Kolkata Municipal Corporation has appointed Dr. Anupama Mitra, an expert member of West Bengal Bio Diversity Board, as a consultant expert for making the DPR of the proposed Bio Diversity Park in the flood plains of river Hooghly and also for river front Development within the jurisdiction of Kolkata Municipal Corporation.

4. That in compliance to the order of Hon'ble NGT, Eastern Bench, vide dated 17/11/2022 this is to submit that in reply to the query of KMC, vide letter dated 18/10/2022, the Estate Manager (I/C) of S. P. Mukherjee Port Trust, vide letter no. Lnd.5163/D/V/22/4718, dated 19/12/2022, has clearly inter-alia that no land along the bank of river Hooghly for the stretch from garden reach to Cossipore is presently available for creation of bio diversity park and river front development. It has also been proposed by the estate manager (I/C) of S. P. Mukherjee Port Trust in the aforesaid letter to use the Millenium park area which are already in possession of KMC for creation of bio-diversity park and river front development but the said parks cannot be considered for proposed development since those are already developed parks.

A copy of the letter issued by the S. P. Mukherjee Port Kolkata is annexed hereto and marked with letter "R-1".

5. That it is also to submitted till date no information regarding the availability of land along the bank of river Hooghly for making Bio Diversity Park and River front development has been received by the Kolkata Municipal Corporation from other two custodians of land along the bank of river Hooghly i.e local military authority and circular

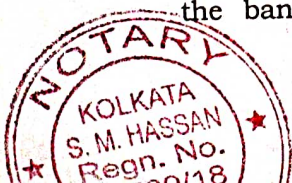


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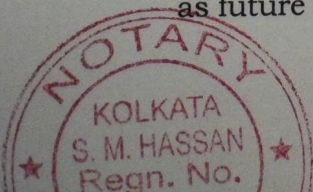
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(eastern) Railway authority. It is also pertinent to mention herein that on repeated times the railway authorities have been given reminder for providing the Municipal Authorities with specific affirmative reply. But the reason best known to the Railway Authorities, nothing has been done on their part. That despite all genuine efforts made by the Municipal Authorities of Kolkata for making bio diversity park on the riverfront of Hooghly river nothing much can be achieve unless the question of availability of land is solved by this authorities.

The copy of the letters are annexed hereto and marked with the letter 'R-2'.

6. That it is further submitted for preparation of estimate is an integral part of any DPR and which can be done only after having definite available stretch of land and therefore making DPR for bio diversity park and river front development could not be possible due to non receipt of information of availability of definite stretch of land from the competent authorities as mentioned above. However, the Kolkata Municipal Corporation has already initiated the procedure to engage agency by calling open tender for making of topographical survey along the bank of river Hooghly within the jurisdiction of The Kolkata Municipal Corporation in consultation with Dr. Anupama Mitra, consultant engaged by Kolkata Municipal Corporation for preparation of the DPR for making Bio-Diversity Park and River Front Development. Furthermore, it is also stated the Kolkata Municipal Corporation has also taken initiative to collect one Model DPR of Bio-diversity park from West Bengal Bio diversity board which has been kept with Kolkata Municipal Corporation as future reference.



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7. That Kolkata Municipal Corporation in its affidavit dated ^{along with template} 27.08.2022 has already submitted their action plan to the Urban Development and Municipal Affairs Department, Government of West Bengal and West Bengal Pollution Control Board with regard to the Development of River front of River Hooghly and the same fact has been mentioned in the affidavit dated 27.08.2022 which has been already taken on record on 30.08.2022 by the Hon'ble National Green Tribunal.

8. That it is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.

Identified by me :

Susmita Chatterjee
Advocate

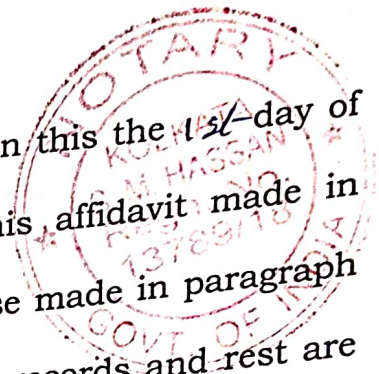
For The Kolkata Municipal Corporation.

Anmit Kumar Pal
Deponent
Executive Engineer (C)
P&S Department / KMC



VERIFICATION

Verified at Kolkata by the deponent abovenamed on this the 1st day of January, 2023 and say that the contents of this affidavit made in paragraph Nos.1 is true to my knowledge and those made in paragraph No.2 to 6 are true to my information derived from records and rest are my respectful submission before this Hon'ble Tribunal.



Verified by me

Susmita Chatterjee
Advocate

Anil Kumar Pal
Executive Engineer (C)
P&S Department / KMC

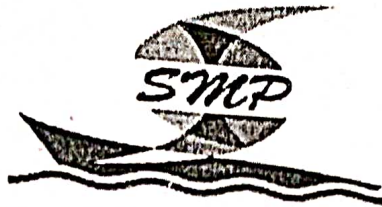
For The Kolkata Municipal Corporation.

SOLEMNLY AFFIRMED AND DECLARED
BEFORE ME ON IDENTIFICATION

S.M. Hassan
S. M. HASSAN
NOTARY



01 FEB 2023



श्यामा प्रसाद मुखर्जी पोर्ट, कोलकाता
SYAMA PRASAD MOOKERJEE PORT, KOLKATA
 Formerly Kolkata Port Trust

General Administration Department

Estate Division

6 Fairlie Warehouse (2ND Floor), Strand Road

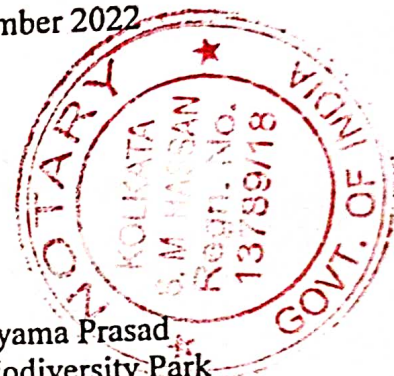
Kolkata - 700 001

o/c

Lnd. 5163/D/V | 22 | 4718

Dated 19th December 2022

The OSD(P & S),
 Kolkata Municipal Corporation,
 Park & Square Department,
 5, S.N. Banerjee Road,
 Kolkata - 700 013



Sub: Information regarding availability of land under the control of Syama Prasad Mookerjee Port, Kolkata along the river Hooghly for making Biodiversity Park and riverfront developments.

Ref: Your letter No. OSD & Ex-DG. (P&S)/269/2022-23 dt. 18.10.2022

Sir,

The subject letter under reference has since been perused. We have gone through our records for availability of land regarding making Bio-diversity Park and riverfront development from Garden Reach to Cossipore, it is observed that no such land is presently available in this regard.

In this context it may be noted that the Millennium Park area (owned by Kolkata Port Trust) is already under possession of KMC & KMDA (except Millennium Park -III) and the same may be considered for the purpose of such activities, if considered suitable. The waterfront of southern front of NSD lock and the stretches of back up land is in use / being considered exclusively for Port related purposes including future development.

In this context it requires mention that Port has also taken up Riverfront Development project at No 8 workshop area near Swing Bridge. This area is being developed as a cruise terminal. A development project is also being considered at Armenian Ghat and adjacent area with an objective for heritage restoration which is under tendering process. In other words development of waterfront where Port has sufficient backup land have either already been taken up or under active process for the purpose of Port related development projects including Riverfront Development projects. Accordingly, it is informed that there is no other available water front area within the desired limit of KMC as per the letter under reference.

This is for your information please.


 S Mitra

Estate Manager(I/C)



THE KOLKATA MUNICIPAL CORPORATION
 5 S. N. BANERJEE ROAD, KOLKATA-700013
 (Parks & Squares Dept.)

To
 THE DY. CHAIRMAN,
 Shyama Prasad Mukherjee Port Trust,
 15/1, Strand Road,
 Fairly Place, B.B.D. Bagh,
 Kolkata - 700001.

OSD R EX. DG (P&S) / 269 / 2022-23
 Dt. 18.10.2022

Sub:- Information regarding availability of land under your Control along the bank of River Hooghly for making Bio-Diversity Park and River Front developments

Sir,

This is to draw your kind attention that Hon'ble NGT (national Green Tribunal) in a case has directed KMC Authority to take up certain action all along the bank of River Hooghly within the jurisdiction of KMC (between Garden Reach and Cossipore). It may please be mentioned that specific direction has been given by the Hon'ble Bench of NGT to create Bio-Diversity Park in the Flood Plain of River Hooghly and also for taking up the development of the River Front.

In this context it may please be mentioned that the land along the bank of River Hooghly between Garden Reach and Cossipore is mainly under the control of Shyama Prasad Mukherjee Port Trust Authority and it is perhaps needless to mention that primary requirement of any development is the availability of land.

Therefore the matter is referred to you with a request to apprise us about the availability of land along the River Bank in the stretch between Garden Reach and Cossipore within the jurisdiction of KMC where creation of Bio-Diversity Parks and other development works can be undertaken so that we can start taking action complying the direction of the Hon'ble NGT.

An early reply from your end will be highly appreciated.

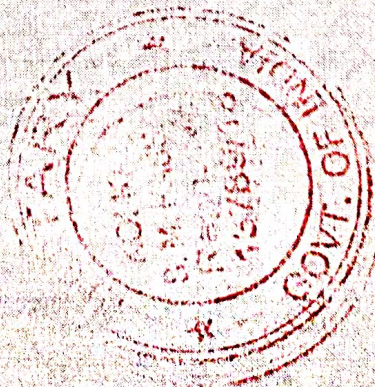
Thanking you,

Yours sincerely

O.S.D. (P&S) 18/10/22

Copy Forwarded for necessary information to :-

1. O.S.D. to Mpl. Commissioner
2. O.S.D. & Ex-Officio Dy.C.E.(C) / (P&S)
3. BE.(C) / (P&S)
4. Ch. V & S



O.S.D. (P&S) 18/10/22

Headquarters Bengal Sub Area
246 AJC Bose Road
Alipore, Kolkata-27

05 December 2022

001927/KMC/Q3

OSD & E.O (Design Head)
Parks & Square Dept
Kolkata Municipal Corporation
5 S.N Banerjee Road, Kolkata - 700013

AVAILABILITY OF LAND FOR MAKING BIO-DIVERSITY PARK & RIVER FRONT DEVELOPMENT

1. Refer to your letter No OSDA E.O (PAS)/287/2022-23 dated 11 November 2022.
2. You are requested to discuss the issue with the undersigned alongwith proposed requirements for ascertaining subject land availability areas duly annotated on a sketch.
3. For your information and necessary action please.

(Shyam Deo Vats)
Colonel
Colonel Land
For General Officer Commanding

Dy CE (Sr. Sumath Singh)
Please discontinue.

[Signature]

22/12/2022

OSD & E.O (DESIGN HEAD)
PARKS & SQUARE DEPT

Sr A.P. (EE) (P)



R2

Subhasish Kar
OSD & E.O. (Design Head)
(Parks & Squares Department)



Parks & Squares Department
The Kolkata Municipal Corporation
5, S.N. Banerjee Road
Kolkata- 700013

OSD & E.O. (Design Head) / P&S / 348 / 2022-23
dt - 16/01/2023

To
Divisional Railway Manager
Sealdah Division, Eastern Railway
(Circular Railway of Kolkata)
H9CF+ 269, Kaiser Street, Sealdha,
Raja Bazar,
Kolkata- 700009.

Sub:- 2nd Gentle Reminder for providing information regarding availability of land under your control along the bank of River Hooghly for making Bio- Diversity Park and River Front Development in compliance to the direction of Hon'ble National Green Tribunal (NGT) dt.03/09/2022

Ref:- A) this office letter No.:-
i. OSD & Ex. DG (P&S)/271/2022-23 dt.:- 18/10/2022
ii. OSD & E.O. (P&S)/288/2022-23, dt.:- 11/11/2023
B) Order of Hon'ble NGT/EZ Bench, Kolkata, dt.:- 17/11/2023 & 30/08/2022

Sir,

In reference to the above referred letters of this department, you are once again requested to send us your reply at the earliest to enable us to move forward in the subject matter towards compliance of the order of Hon'ble NGT/EZ Bench, Kolkata.

The photocopies of the above referred letters of this department & orders of Hon'ble NGT/EZ Bench, Kolkata, are enclosed herewith for your ready reference please.

Thanking You,



Yours Sincerely

OSD & E.O. (Design Head)
(Parks & Squares Department)

Copy forwarded for kind information please:-

1. OSD & to Mpl. Commissioner
2. OSD & Ex Officio Dy. C.E. (C) (P&S)
- ✓ 3. E.E. (C) (P&S)
4. O/c

OSD & E.O. (Design Head)
(Parks & Squares Department)

OSD & E.O. (DESIGN HEAD)
PARKS & SQUARE DEPT.

2023 01 29 21:3

BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
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COMPLIANCE REPORT IN THE FORM OF
AFFIDAVIT ON BEHALF OF THE
RESPONDENT NUMBER 06, KOLKATA
MUNICIPAL CORPORATION.

SUSMITA CHATTERJEE

Advocate

Enrolment No.:F/377/364/2011

High Court at Calcutta

Bar Association Room No.6

(M) : 9748713532

Email : advocatesusmita2018@gmail.com

