

S.L. No. 10822

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

O.A. No. 20/2022/EZ

BETWEEN

IN THE MATTER OF
SUPROVA PRASAD

.....Applicant

Versus

MINISTRY OF ENVIRONMENT FOREST AND CLIMATE
CHANGE & Ors.

... Respondents

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Filed by

Abhishek Banerjee

SNEHASHIS SEN/ABHISHEK BANERJEE
ADVOCATE
C/O S. JALAN & CO.



27 SEP 2022

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

Original Application No. 20/2022/EZ

In the matter of
Suprova Prasad

-----Applicant(s)

Versus

Ministry of Environment, Forest and Climate Change
& Ors.

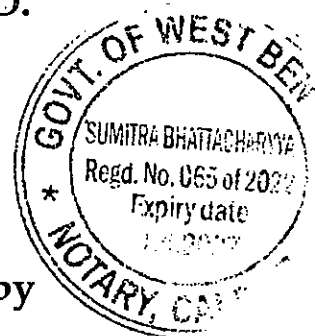
.... Respondent

AFFIDAVIT ON BEHALF OF THE BOARD OF MAJOR
PORT AUTHORITY FOR SYAMA PRASAD
MOOKERJEE PORT, KOLKATA, RESPONDENT NO.
7, HEREIN.

MOST RESPECTFULLY SHEWETH :

I, Gautam Mandal son Late Amulya Kumar Mandal ,by
Religion - Hindu , aged about 58 years , by occupation -
Service, and working for gain at 15 ,Strand Road ,
Kolkata - 700001, do hereby solemnly declare and say as
follows :-

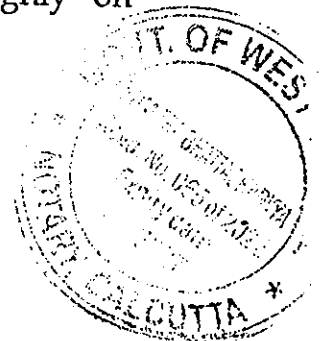
01. That, I am the Chief Engineer and the Authorized Signatory of
the Board for major port authority for Syama Prasad Mookerjee
Port, Kolkata (in sort "SMP", the Respondent no. 7 herein and



in such capacity, I am well acquainted with the facts and circumstances of the case . I have been duly authorized by the Respondent no. 7 to make and affirm this Affidavit on it's behalf and as such, I am competent to do so.



02. This Affidavit is being affirmed in pursuance to the solemn order passed by the Hon'ble Tribunal on 30.08.2022, a copy whereof is annexed hereto and marked as R-1.
03. That in the 4th meeting of the High level committee held on 30.06.2022 where the officials of the SMPK were present and the officials of the KMC inform them about their inability to remove solid waste from the inaccessible areas around the ghats i.e, from the embankments and the slopes on the side of the river to the SMPK officials. In this situation, the officials representing of SMPK agreed to collect the floating solid waste accumulated at sloped bank of the River Hooghly and deposit at the identified storage points. Thereafter, from the storage points KMC will make necessary arrangements for transportation and disposal of the wastes.
- The copy of the minutes of the 4th meeting of the High Level committee held on 30.06.2022 is annexed with R-2.
04. That, in pursuance of the order of the High Level committee dated 30.06.2022 & upon discussions, the officials of SMPK and KMC a joint inspection held on 14.07.2022. The officials of KMC & SMPK had inspected 06(six) Ghats of the river Hooghly on



14th.July,2022 namely i) Sarbamangala ghat (Cossipur ghat) ,ii) Mayer Ghat, iii) Sutanuti Ghat, iv) Sovabazar Ghat , v) Ahiritola Ghat and vi) Nimtala Ghat and identified 06 (six) storage points near the ghats where SMPK will deposit the floating solid wastes accumulated at sloped bank of the river. The officials of KMC and SMPK identified six storage points and such storage points are a) for Sarbamangala ghat on the road beside the factory, b) for Mayer ghat on the land of Indian Railway c)for Sutanati Ghat beside the ghat (northern side) , d) for Sovabazar Ghat on the parking area(unauthorized) opposite pay &use toilet, e) for Ahiritola Ghat on existing rubbish at and f) for Nimtala ghat beside North Port Police Kiosk.

The copy of the minutes of the 5thmeeting of the High level Committee held on 18.07.2022 is annexed with R-3.

05. That as per the decision made between the Officials of KMC & SMPK regarding the removal of the floating solid waste , the SMPK has already Initiated the process of collecting solid waste from the river slopes and embankment areas at a) Nimtala Ghat, b) Ahiritola Ghat and c) Sovabazar Ghat. The work for the remaining three Ghats have been initiated. in a short while period.

The photos of the said Ghats are collectively annexed hereto and marked with the letter R-4.


06. That the SMPK also Provide assistance during idol immersion like providing floating barge with crane facility to clear

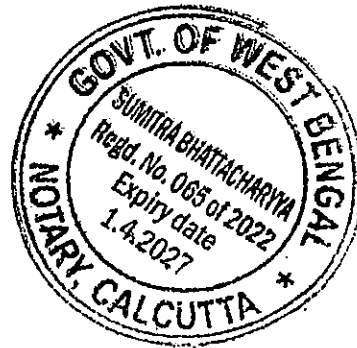


immersion debris at Bajekadam to lalghat with technical support and man power. At Judge's Ghats both man power and technical support is provided for cleaning the river Ganges , this service is provided during the days of immersion for Durga Puja and Kali Puja.

07. It is therefore respectfully prayed the Hon'ble tribunal may pass such orders/order as it deem fit and proper in the interest of justice.

08. The statements made in paragraphs 1-2 herein are true to my knowledge, those made in paragraphs 3 to 6 are based on information derived from records which I verily believe to be true and the rests are my humble submissions before this Hon'ble Tribunal.

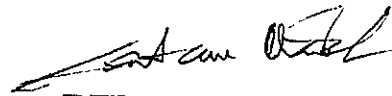

Gautam Mandal / গৌতম মন্ডল
Chief Engineer / মুখ্য अभियंता
Civil Engineering Department
SMP Port, Kolkata



VERIFICATION

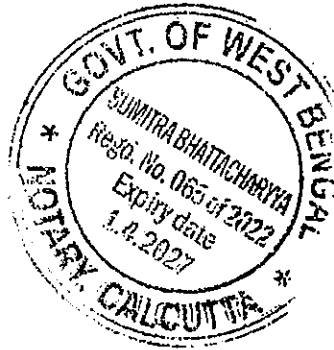
Verified at Kolkata by the deponent above named on this the day of September, 2022 and say that the statements made in paragraph nos. 1 to 2 is true to my knowledge and those made in paragraphs no. 3 to 6 are true to my information derived from records and rest are my respectful submission before this Hon'ble Tribunal.

Identified by me
 Abhishek Banerjee
 Advocate
 F/1772/1738 of 2015



DEPONENT

Gautam Mandal / ગૌતમ મંડલ
 Chief Engineer / મુખ્ય અધિયંત્ર
 Civil Engineering Department
 SMP Port, Kolkata



Solely Affirmed and
 Declared before me U/S 139
 CPC, (C) CRPC

Sumitra Bhattacharyya
 Notary

Sumitra Bhattacharyya
 Notary, Govt. of W.B.
 Regd. No. 065 of 2022
 City Civil Court, Calcutta

27 SEP 2022

Item No.08

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)**

Original Application No.20/2022/EZ
(I.A.188/2022/EZ)

Suprova Prasad

Versus

Applicant(s)

Ministry of Environment Forest
& Climate change & Ors.

Respondent(s)



Date of hearing: 30.08.2022

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

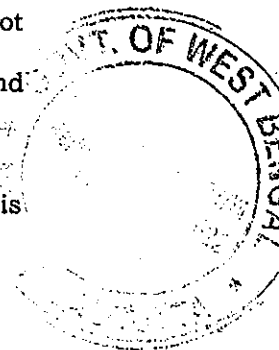
For Applicant(s) : Ms. Paushali Banerjee, Advocate

For Respondent(s) : Mr. Soumitra Mukherjee, Advocate for R.-1 (in Virtual Mode),
Mr. Ashok Prasad, Advocate for R.-8,
Mr. Dipanjan Ghosh, Advocate for WBPCB,
Mr. Surendra Kumar, Advocate for R.-5,
Mr. Nayan Chand Bihani, Advocate (in Virtual Mode) a/w
Mr. Sibojyoti Chakraborty, Advocate for R.-6,
Mr. Kallol Basu, Advocate (in Virtual Mode) a/w
Mr. Aditya Sarkar, Advocate & Mr. Prithwish Basu, Advocate
for R.-7,
Mr. Sandipan Banerjee, Advocate a/w Ms. Amrita Pandey,
Advocate for R.-9 (in Virtual Mode)

ORDER

1. Ms. Paushali Banerjee, learned Counsel for the Applicant is present.
2. Mr. Surendra Kumar, learned Counsel files his vakalatnama on behalf of Respondent No.5, Central Pollution Control Board; the same is taken on record. When the case is next listed; name of Mr. Surendra Kumar shall be printed in the Cause list in the array of Respondents, as Counsel for Respondent No.5.
3. Affidavit dated 17.08.2022 has been filed by Respondent No.5, Central Pollution Board; the same is taken on record.
4. Affidavit of compliance dated 26.08.2022 has been filed by Respondent No.10; the same is taken on record.

5. Compliance Report in the form of affidavit dated 27.08.2022 has been filed by Respondent No.6, Kolkata Municipal Corporation; the same is taken on record.
6. The Central Pollution Control Board in its affidavit dated 17.08.2022 (in Para-7) has stated that the National Mission for Clean Ganga (hereinafter referred to as NMCG) has prepared a Guidance Note for Environmentally Sensitive, Climate Adaptive and Socially Inclusive Urban Riverfront Planning and Development for the stakeholders including urban local bodies, service providers, project financing organization etc., who are involved in planning and/or developing any urban riverfront projects.
7. The Respondent No.8, National Mission for Clean Ganga has not filed any affidavit, though we are informed by the Counsel who is present in court that the River Guidelines for Setting up of Biodiversity Parks in Floodplains of rivers of India, Including River Ganga falls within the jurisdiction of National Mission for Clean Ganga under the Namami Ganga Project.
8. We, therefore, direct the National Mission for Clean Ganga, (NMCG), Respondent No.8, to file an Action Plan on affidavit with regard to Development of River front of River Hooghly.
9. Sibojyoti Chakraborty, learned Counsel is appearing for Urban Development and Municipal Affairs Department as well as Kolkata Municipal Corporation. In our opinion, learned Counsel cannot appear for both Respondents, so as to avoid conflict of interest and he should elect which Respondent he wants to represent.
10. Mr. Nayan Chand Bihani, learned Counsel informs us that he is appearing for Respondent No.6, Kolkata Municipal Corporation.

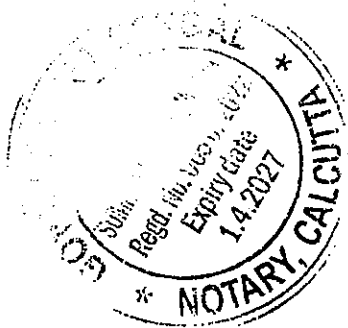


11. Mr. Ashok Prasad, learned Counsel states that the Detailed Project Report (DPR) with regard to Riverfront planning for Hooghly river including setting up of Biodiversity Park in floodplain of river Hooghly has to be prepared by the Kolkata Municipal Corporation as well as the Urban Development and Municipal Affairs Department in accordance with the guidelines issued by NMCG and, thereafter, forward the copy of the same to the National Mission for Clean Ganga (NMCG) for funding.
12. In the affidavit of the UD&MAD, Status Report dated 08.08.2022 of the outfalls on river Hooghly (from Daighat to Ratan Babu Ghat) has been filed, which reads as under:-

| Sl. No. | Outfall | Condition | Remarks and current status |
|---------|----------------|--|--|
| 1. | Doighat | One 450 mm diameter Hooghly river raw water pressure release pipe line is there, which discharges raw water of river Hooghly itself to maintain pressure of raw water intake pumping station situated beside bank of river Hooghly. From the raw water intake pumping station unfiltered water is supplied to the city of Kolkata. | No issue is there. |
| 2 | Tolly's Nullah | Dirty water coming from Tolly's Nullah to River Hooghly. | Report on preparation of DPR of 'Pollution Abatement of Tolly's Nullah' is placed below. |
| 3 | Hooghly Bridge | Little leakage found near Hooghly bridge (2 nos. approx 900 | This is under the purview of Fort William authority. |



| | | diameter) | |
|----|----------------|---|---|
| 4 | Chandpal Ghat | No leakage found | No leakage found during inspection. |
| 5 | Millenium Park | Little leakage found from the penstock gate. | Penstock gate has been repaired. |
| 6 | Jackson Ghat | No leakage found | No leakage found during inspection. |
| 7 | Jagannath ghat | Major leakage found from the Penstock gate. | Penstock gate has been repaired. |
| 8 | Nimtala Ghat | No leakage found | No leakage found during inspection. |
| 9 | Sovabazar Ghat | No leakage found | No leakage found during inspection. |
| 10 | Bagbazar Ghat | Little leakage found from the penstock gate. | Penstock gate has been repaired. |
| 11 | Circular Canal | Dirty water coming from Circular Canal to River Hooghly (One flap shutter was opened) | Circular Canal is under jurisdiction of Irrigation Department, Govt. of W.B. |
| 12 | Dilarjung Gate | Leakage from penstock gate was found. | The gate will be thoroughly repaired during desilting of Dilarjung road box drain of size 10'X10' in phases. It involves around Rs.3.00 crore. Proposal for fund provision has already been sent to UD&MA Dept., Government of West Bengal which is under active consideration. |
| 13 | Jain Medical | Non-gated outfall | Penstock gate |



| | College | observed | has been installed. |
|----|-------------------|--|------------------------------------|
| 14 | Sarbamangala Ghat | There is existing flap shutter gate which is blocked by brick work but little leakage found beside the gate structure. | Repairing work has been completed. |
| 15 | Ratan Babu ghat | There is an outfall of approx 1800mm diameter which was blocked by brick work but leakage was found. | Repairing work has been completed. |

13. The Chart marked as Table-2 showing present status of Action report, Solid Waste Management Department, Kolkata Municipal Corporation dated 10.08.2022 has been filed, which reads as under:-

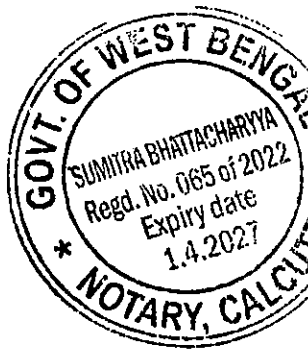
| Sl. No. | Name of the Ghat | Action Taken |
|---------|-------------------|---|
| (i) | Sarbamangala Ghat | Storage Point to be constructed shortly. Tender under process |
| (ii) | Mayer Ghat | 240 litres waste bins have been placed. |
| (iii) | Sutanuti Ghat | One 4.5 m ³ (Cu.M) container to be placed for collecting the floating solid waste across river Hooghly after ending of Sraboni Mela'22 which is running surrounding the ghats. |
| (iv) | Sovabazar Ghat | Already flooring exists & 240 litres waste bins have been placed. |
| (v) | Ahiritola Ghat | Repairing and renovation of existing damaged rubbish vat is to be done shortly. Tender under processed. |
| (vi) | Nimtala Ghat | One 4.5 m ³ (Cu.M) container to be placed for collecting the floating solid waste across river Hooghly after ending of Sraboni Mela'22 which is |



| | | |
|--|--|------------------------------|
| | | mainly running at this ghat. |
|--|--|------------------------------|

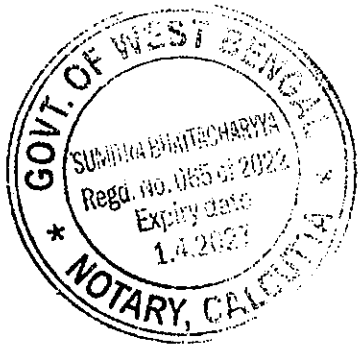
14. The Chart marked as Table-3 showing present status of the works under Tolly Nullah Project under TNP Department, Kolkata Municipal Corporation dated 18.08.2022 has been filed, which reads as under:-

| <u>Project Name</u> | <u>Project cost</u> | <u>Remarks</u> | <u>Date of commencement</u> | <u>Target date of completion</u> |
|---|---------------------|--|-----------------------------|----------------------------------|
| Pollution Abatement of Tally Nullah (Adi Ganga) | Rs.1,37,073,35 Lakh | A draft DPR submitted to the WBSPMG on 12.08.2022 | NA | NA |
| Dredging of Tally Nullah including cleaning rubbish, garbage and bushes on both bank of Tally Nullah from Chetla Bridge to Confluence point of River Ganga Phase-I | Rs.10,02,83,036,00 | 35% work progressed. Work is going on full swing (financed by UD & MA Department, Government of West Bengal. | 17.03.2022 | 08.09.2022 |
| Dredging of Tally Nullah including cleaning rubbish, garbage and bushes on both bank of Tally Nullah from Kudghat metro station to Chetla Bridge including cleaning of silt and dismantling of concrete of test pills upto bed level of Tally Nullah under five metro | Rs. 12,63,62,264,00 | Financial bid has been opened (financed by UD & MA Department, Government of West Bengal) | NA | NA |



| | | | | |
|--|---------------|--|----|----|
| stations (Phase-II). | | | | |
| Development and Integration of Garden Reach and Keorapukur STP including 15 years O & M. | Rs.415.32 Cr. | The project of Garden Reach has been cleared EC on dated 17.08.2022. | NA | NA |

15. Kolkata Municipal Corporation and Urban Development and Municipal Affairs Department, Government of West Bengal shall also file their affidavit bringing on record the detailed project report with regard to the averments of Para-7 and 8 of the affidavit of the Central Pollution Control Board.
16. In the affidavit of the Kolkata Municipal Corporation Annexure-4 has been filed with the Minutes of the 4th Meeting of the High Level Committee held on 30.06.2022 (Page-583 of the Paper Book) mentioning that the officers of Syama Prasad Mookerjee Port, Kolkata (SMPK) have agreed to collect the floating solid waste from the river surface.
17. The relevant extract of this note-sheet of the meeting reads as under:-



"The officers of Shyama Prasad Mukherjee Port Trust, Kolkata (SMPK) have agreed to collect the floating solid waste from the river surface subsequently deposited on the embankment and deposit the waste at the storage points that will be identified by KMC along the 6 (Six) ghats initially after obtaining approval from Port Authority. It was decided that SMPK will collect and deposit the wastes from the river at the storage point on regular basis. From the storage points, KMC will make necessary arrangements for transportation and disposal for the wastes".

18. The Kolkata Municipal Corporation has further filed as Annexure-R-5, the communication dated 01.08.2022 which is the minutes of the 5th Meeting of the High Level Committee held on 18.07.2022.

19. The relevant extract of this meeting reads as under:-

"1. Municipal Secretary, KMC & Member-Convener of the High Level Committee stated that the major works pertaining to the outfalls/gates on River Hooghly have been completed by Sewerage and Drainage Dept. of KMC except the work at Dilarjung Gate which will take some more time to complete.

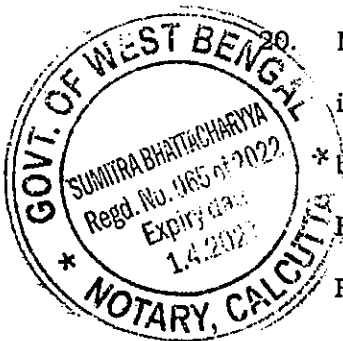
2. Further it was stated that the officials of KMC and SMPK has inspected 6 (Six) Nos. of ghats of River of Hooghly on 14.07.2022, namely, (1) Sarbamangla Ghat (Cossipore ghat) (2) Mayer ghat (3) Sutanuti Ghat (4) Sovabazar Ghat (5) Ahiritola Ghat & (6) Nimtala ghat. During joint inspection 6 (six) nos. storage points near the ghats were identified where SMPK will deposit the floating solid waste accumulated at sloped bank of the river Hooghly. The copy of the Joint Inspection Report is enclosed herewith this minutes.

3. Director General (Tolly Nullah Project) stated that the desilting and dredging works of Tolly Nullah are under progress funded by the State Government and the main project of "Pollution Abatement of Tolly Nullah" is in the DPR preparation stage.

4. Municipal Secretary of KMC & Member Convener of High Level Committee communicated the direction of UD&MA Dept., to submit the Action Taken Report (ATR) fortnightly. It was decided that SMPK will submit their ATR directly to Project Director, WBSPMG and Special Commissioner to the Govt. West Bengal., UD&MA Deptt., Nagarayan DF.8. Sector-I, Salt Lake, Kok-64, with a copy to Municipal Commissioner, KMC. KMC will also send its ATR to UD&MA Deptt. Fortnightly.

5. It was decided that the High Level Committee shall not meet until further direction from the appropriate authority".

Mr. Ashok Prasad, learned Counsel states that he has been instructed by the Ministry of Law and Justice to appear on behalf of both the Respondents i.e., National Mission for Clean Ganga, Respondent No.8 and Sayama Prasad Mookerjee Port, Kolkata, Respondent No.7 but in our opinion, learned Counsel cannot appear for both the departments so as to avoid the conflict of interest. Mr. Ashok Prasad should, therefore, elect as to which respondent he wants to represent since he is already appearing for



Department of Water Resources, Respondent No.2 and Respondent No.8, National Mission for Clean Ganga, (NMCG).

21. Sayama Prasad Mookerjee Port, Kolkata is represented by Mr. Kallol Basu, learned Counsel along with Mr. Aditya Sarkar and Mr. Prithwish Basu, learned Counsel for Respondent No.7.
22. Mr. Sandipan Banerjee, learned Counsel along with Ms. Amrita Pandey, learned Counsel prays for and is granted four weeks time for filing the affidavit of the Howrah Municipal Corporation, Respondent No.9.
23. **List on 28.09.2022;** by which date all the Respondents shall file their upto date Status Reports on affidavit.

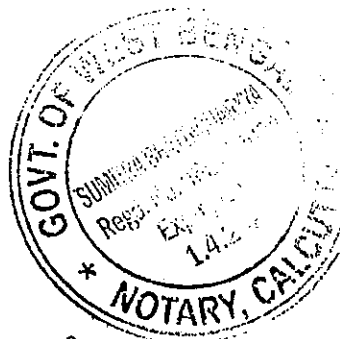
I.A.188/2022/EZ

1. The Interlocutory Application No.188/2022/EZ has been filed by Samaya Prasad Mookerjee Port, Kolkata, stating that they had filed two affidavits both dated 04.07.2022 but the order of the Tribunal reflects only one affidavit dated 04.07.2022 and, therefore, the second affidavit also dated 04.07.2022 be also taken on record. Affidavit dated 04.07.2022 is accordingly taken on record.
2. I.A. No.188/2022/EZ accordingly stands disposed of.

.....
B. Amit Sthalekar, JM

.....
Saibal Dasgupta, EM

August 30, 2022,
Original Application No.20/2022/EZ
(I.A. No.17/2022/EZ)
BD





The Kolkata Municipal Corporation
Office of the Municipal Commissioner
Central Municipal Office Buildings
5, S.N. Banerjee Road
Kolkata - 700 013

No. Com/NSO/39
Date:- 06/07/2022

Minutes of the 4th Meeting of the High Level Committee held in the Conference Hall-1 of KMC (on 30.06.2022) at 11:30 a.m., regarding the matter of Hon'ble NGT in connection with O.A.No.20/2022/EZ, Suprova Prasad vs. Ministry of E,F,&CC & Ors.

Members Present:

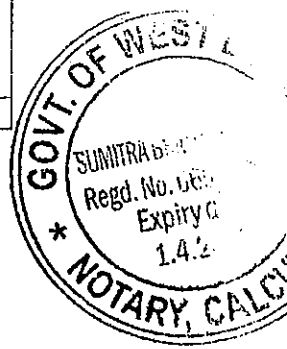
Attendance Sheet is enclosed separately.

The Meeting was chaired by the Municipal Commissioner, KMC and Chairman of the High Level Committee.

- 1. The following status report on the outfalls/ gates on river Hooghly and the corrective action taken against each of the outfall/ gate was placed in the meeting by DG(S&D) and DG(T.N. Project) as mentioned below:

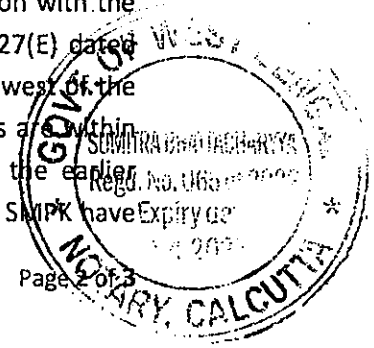
Status report of the outfalls on river Hooghly (from Daighat to Rantan Babu Ghat) identified by the NGT on the inspection held on 25.04.2022

| Sl. No. | Outfall | Condition | Remarks and current status |
|---------|----------------|--|---|
| 1 | Doighat | One 450 mm diameter Hooghly river raw water pressure release pipe line is there, which discharges raw water of river Hooghly itself to maintain pressure of raw water Intake pumping station situated beside bank of river Hooghly. From the raw water intake pumping station unfiltered water is supplied to the city of Kolkata. | No issue is there. |
| 2 | Tolly's Nullah | Dirty water coming from Tolly's Nullah to River Hooghly | Report on preparation of DPR of 'Pollution Abatement of Tolly's Nullah' is enclosed herewith as Annexure - A. |
| 3 | Hooghly Bridge | Little leakage found near Hooghly bridge (2 nos approx 900 dia) | This is under the purview of Fort William authority. |
| 4 | Chandpal Ghat | No leakage found | No leakage found during |



| | | | |
|-----|----------------------|---|---|
| | | | inspection |
| 5. | Millenium Park | Little leakage found from the penstock gate | penstock gate has been repaired. |
| 6. | Jackson Ghat | No leakage found | No leakage found during inspection |
| 7. | Jagannath Ghat | Major leakage found from the penstock gate | Penstock gate has been repaired. |
| 8. | Nimtala Ghat | No leakage found | No leakage found during inspection |
| 9. | Sovabazar Ghat | No leakage found | No leakage found during inspection |
| 10. | Bagbazar Ghat | Little leakage found from the penstock gate | Penstock gate has been repaired. |
| 11. | Circular Canal | Dirty water coming from Circular Canal to River Hooghly (One flap shutter was opened) | Circular Canal is under Jurisdiction of Irrigation Department, Govt. of W.B. |
| 12. | Dilarjung Gate | Leakage from penstock gate was found | The gate will be thoroughly repaired during desilting of Dilarjung road box drain of size 10'X10' in phases. It involves around Rs. 3.00 crore. Proposal for fund provision has already been sent to UD&MA Dept., GoWB which is under active consideration. |
| 13. | Jain Medical College | Non-gated outfall observed | Penstock gate has been installed. |
| 14. | Sarbamangala Ghat | There is existing flap shutter gate which is blocked by brickwork but little leakage found beside the gate structure. | Repairing work has been completed. |
| 15. | Ratan Babu Ghat | There is an outfall of approx 1800 mm dia which was blocked by brickwork, but leakage was found. | Repairing work has been completed. |

2. Sri Santanu Mitra, Dy. Chief Engineer-I, SMPK, Sri P.P. Datta, Manager (Env.), SMPK and Sri A. Chakraborty, Chief Law Officer, SMPK attended the meeting and assured assistance to KMC as per the direction of Hon'ble NGT vide order dated 12/05/2022. CME(SWM) KMC categorically stated that it is not possible to remove solid waste from the (inaccessible areas around the ghats i.e. from the embankments and the slopes on the side of the river) as KMC has no jurisdiction and required infrastructure. The officers of SMPK have denied that KMC has no jurisdiction regarding collection of solid wastes from the river surface. However CME(SWM) in connection with the issue of jurisdiction quoted from Gazette of India Notification G.S.R 627(E) dated 24/06/2016 para 3 that "The limits of the Port include to the east and west of the River Hooghly- that part of the River Hooghly and the shores thereof as are within 45.7 mtrs of high water mark at spring tides" as was mentioned in the earlier Minutes of the 3rd Meeting of the High Level Committee. The officers of SMPK have



agreed to collect the floating solid waste from the river surface subsequently deposited on the embankment and deposit the wastes at the storage points that will be identified by KMC along the 6 (six) ghats initially after obtaining approval from Port Authority. It was decided that SMPK will collect and deposit the wastes from the river at the storage point on regular basis. From the storage points, KMC will make necessary arrangements for transportation and disposal of the wastes. Sri D. Halder, Executive Engineer (Civil/SWM) has been identified as Nodal Officer to liaise with Sri P.P. Datta, Manager (Env.), SMPK in this regard. KMC officials observed that additional expenditure incurred by KMC for transportation and disposal of such wastes deposited by SMPK at the designated storage points will be placed before SMPK for reimbursement. However, SMPK officials disagreed on reimbursement issue and stated that in respect of expenses to be incurred by KMC and SMPK, the same will be borne respectively as the solid waste in question is originated from different public activity and not from the operation of SMP, Kolkata.

KMC officials opined that in future SMPK will have to arrange land for storage, processing and treatment of wastes by themselves within their jurisdiction.

3. The comprehensive report on IEC activities conducted by the SWM Department of KMC in and around the ghat regions was placed during the meeting.
4. The Chairman of High Level Committee reviewed the works taken up at the Tolly's Nullah and directed to incorporate the detailed report in connection with the preparation of DPR on 'Pollution abatement of Tolly's Nullah' in this minutes. The detailed report is enclosed herewith as 'Annexure-A'.
5. The next meeting of the High Level Committee will be held on 15th July, 2022 at 11:30 A.M in the Conference Hall-1, KMC.

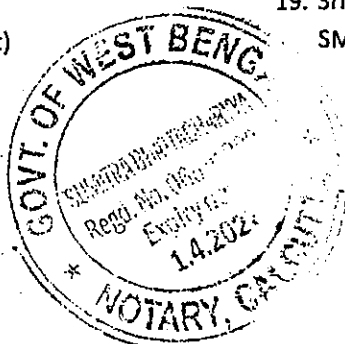
The meeting ended with vote of thanks to and from the Chair.

Be

Municipal Commissioner &
Chairman of the High Level Committee
Municipal Commissioner
The Kolkata Municipal Corporation

Distribution:

1. Smt. Nandini Ghosh, IAS, Special Commissioner, UD&MA Deptt., Go.W.B.
2. Municipal Secretary and Member Convenor
3. Ld. CMLO
4. DG (Civil)
5. DG (P&S)
6. CME (SWM)
7. DG (S&D)
8. DG (Ltg.)
9. DG(E&H)
10. DG (TPDD & T.N. Project)
11. DG (WS)
12. Shri P.P. Saha, Addl. CMLO
13. Dy. C.E. (C)/SWM
14. Dy. C.E. (C)/S&D
15. E.E. (C)/SWM
16. E.E.(C)/Drainage/north
17. Sri S. Mitra (Dy. CE-I, SMPK)
18. Sri P.P. Datta (Manager, Env., SMPK)
19. Sri A. Chakrabarti, Chief Law Officer, SMPK



Annexure - A

Report on preparation of DPR of 'Pollution abatement of Tolly's Nullah'

The entire Tolly's Nullah basin under the jurisdiction of The Kolkata Municipal Corporation has been divided into six zones on the basis of the disposal of the effluent from several pumping stations along the Tolly's Nullah.

Zone-1 :

- This zone comprises mainly of some portions of Rajpur&Sonarpur Municipal (RMSM) area and some portion of the of the KMC area.
- The area under RPSP is mainly un-sewered.
- A box drain is proposed to be constructed along the Canal Bank Road to connect to the SutiKhal. At present it ultimately flows towards the EKW.
- Presently, the SutiKhal is suffering from a huge solid waste dumping problem at the starting point near Garia Station. In the next course the SutiKhal has already been converted to a box drain. So, to eliminate this solid waste dumping problem the initial portion of the SutiKhal is proposed to be converted to a covered box drain to join the existing box drain in the downstream portion.

Zone -2 :

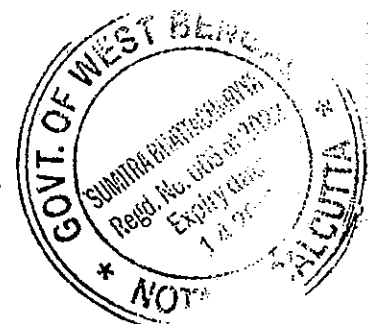
- The land of Brij Road has got clearance from KMDA. A new STP of 10MLD is proposed at this land for accommodating the waste water coming from Naktala Pumping Station catering the waste water from Naktala area as well as Brij Road Pumping Station catering the area under its jurisdiction.
- DWF from the nearby area of RPSP Municipality (southern side of the Tolly's Nullah) will be accommodated in the Brij Road Pumping Station.
- The Naktala Pumping station is to be constructed as a new one, in the open field in front of the existing one as the old one is in dilapidated condition.
- The Brij Road Pumping station is proposed to be newly constructed.
- The Proposed STP at Brij Road will cater the DWF from Brij Road & Naktala PS.

Zone-3:

- This zone comprises of a series of pumping stations on the southern bank of Tolly's Nullah like Kamdahari, Rathtala, Usha Gate, Bansdrone and Kalitala.
- The pumping stations at Rathtala and Bansdrone are defunct as well as in vulnerable conditions.
- Whereas, the augmentation of the volume of the sump in the other P.S. in this zone are seemed to be not required. Only renovation of the sumps and automation may be incorporated in these pumping stations.
- But the new pumping stations are required to be constructed in these two zones Bansdrone & Rathtala.
- At Bansdrone the existing pumping station is required to be shifted to a new plot which is under I&WD, GoWB.
- Another piece of land for the proposed STP has been selected at Bansdrone site which is under the R&R Deptt. GoWB.
- This proposed STP may cater the DWF from Kamdahari PS, Rathtala PS, Usha Gate, Bansdrone PS and Kalitala PS.
- But the clearance of the land has still not been obtained. If the occupancy of the land be obtained this zone may be finalized.
- The Rathtala PS will be constructed dismantling the existing one.

Zone - 4 :

- This zone comprises of the pumping stations of Moor Avenue, Izzatullah and Canal Road.
- The flow from this pumping stations will move to Keorapukur STP.
- This zone is highly dependent on the finalization of the discharge point of Zone - 3.



- The existing pumping station at Moor Avenue is not functional. So, the new pumping station is proposed to be done at Moor Avenue dismantling the existing one.
- A new pumping station at Canal road is also proposed to cater the enhanced flow of the projected population as well as to accommodate the flow from Izzatullah pumping station.

Zone -5 :

- This zone comprises of the Charu Avenue Pumping Station, the DWF of which will be discharged to the proposed STP of Golf Garden.
- The land at Golf Garden has got its clearance from KMDA.

Zone -6 :

- This zone comprises of the area from the confluence point of Tolly's Nullah upto Chetla.
- The pumping stations under the jurisdiction of this zone are Hastings, Thackeray, SashiSekhar, Kalighat and Chetla.
- A new sump at Chetlapumping station is required to be constructed to cater the enhanced flow of the projected population as well as to accommodate the DWF coming directly from Taratala area.
- All the other pumping stations are required to be renovated and augmented electro-mechanically.
- The DWF from these stations will flow to EKW through Ballygunge Drainage Pumping Station.

The following activities are under process:-

- The flow calculation based on the population forecasting upto 2055 has already been done.
- Based on the flow the DWF and SWF calculation has already been done.
- The required sizes of the sump of pumping stations have been calculated.
- The new sumps that are required to be constructed have been identified.
- The proposed mini pumping stations have already been identified and civil design has completed.
- The number & location of Trestle bridges (each at Kudghat, Chela, Thackeray and Izzatullah) required has already been fixed.
- The proposed drainage networks corresponding to the pumping stations have already been identified.
- Estimates of all the completed part of the project are in progress.

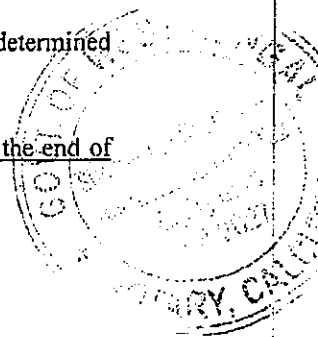
Moreover, the following activities are already under process:-

- The soil investigations at the proposed seven new pumping is being performed under Jadavpur University, the report of which is expected to be completed by the 3rd week of July, 2022.
- The quotation for water quality testing at salient points on Tolly's Nullah has already been floated and the report of which is expected to be obtained by the end of July, 2022.
- The survey works of the existing and proposed pumping stations are in progress which is expected to be obtained by the month of July, 2022.
- The consultant for the electromechanical schemes as well as devices has already been engaged.

The Knee knots of the preparation of the DPR are:

1. To get over the land at Bansdroni for proposed Pumping Station and STP's as early as possible / To get confirmation for handing of said lands.
2. To obtain the rates of electromechanical devices from the manufacturers.
3. The protective measures to be taken in the vulnerable zones along Tolly's Nullah are yet to be determined based on the soil report, which will ultimately be reflected in estimate part of the DPR.

Based on the above situation, it is highly expected that the DPR of the said project may be completed by the end of August, 2022.



THE KOLKATA MUNICIPAL CORPORATION

Attendance Sheet

4th Meeting of the High Level Committee i.c.w. with the Hon'ble NGT matter OA No.
20/2022/EZ

DATE : 30.06.2022

TIME - 11:30 AM

VENUE: Conference Hall -I, KMC

| SL. No. | Name | Department/Organisation & Designation of attendee | Signature | Contact No. |
|---------|------------------------|---|--------------------|-------------|
| 1 | Binod Kumar, IAS | MC, KMC | <i>[Signature]</i> | |
| 2 | | | | |
| 3 | DEBAPATI KAR | DIRECTOR (G&A) Kolkata | <i>[Signature]</i> | 9903037161 |
| 4 | S. Chakraborty | EMO (S), KMC | <i>[Signature]</i> | 6291975884 |
| 5 | S. Bhattacharya | JE (TPD & D) | <i>[Signature]</i> | 98301-61981 |
| 6 | S. Bhattacharya | DM (E) | <i>[Signature]</i> | 9830262318 |
| 7 | SUSHIL K.R. MANDAL | OSD & Ex. OFFICIO DY. L. E. (C) T.P. & D.D. | <i>[Signature]</i> | 9433370200 |
| 8 | Utpal Mishra | Asst. CE (S) / S.M.P. | <i>[Signature]</i> | 9830187331 |
| 9 | Prinrajit Bhattacharya | Asst. CE (NS) | <i>[Signature]</i> | 9830591330 |
| 10 | P. P. Saha | Asst. CE (NS) | <i>[Signature]</i> | |
| 11 | A. Chakraborty | S.M.P., Kolkata | <i>[Signature]</i> | 9836298679 |
| 12 | S. K. Ghosh | DC (STD) | <i>[Signature]</i> | 9007838329 |
| 13 | S. Mitra | Dy. CE - I, S.M.P., K | <i>[Signature]</i> | 9836298680 |
| 14 | P. P. Datta | Manager (Env.), S.M.P., K | <i>[Signature]</i> | 9836298692 |
| 15 | D. Haldar | EE (C) / S.M.P. | <i>[Signature]</i> | 6290263320 |
| 16 | S. Chatterjee | Asst. (S) / T.P.D. | <i>[Signature]</i> | 9433291804 |
| 17 | H. P. Mandal | M.P.L. Secy | <i>[Signature]</i> | 9836665845 |
| 18 | | | | |
| 19 | | | | |
| 20 | | | | |

BENGAL

NOTARY



THE KOLKATA MUNICIPAL CORPORATION
CMO Buildings, 5, S.N. Banerjee Road
Kolkata - 700 013

No.: Com/NSO/63
Date: Aug 1, 2022

Minutes of the 5th meeting of the High Level Committee held in Conference Hall - I of KMC on 18.07.2022 at 11:30 regarding the matter of Hon'ble National Green Tribunal i.c.w. O.A. No. 20/2022/EZ, Suprova Prasad VS Ministry of EF&CC & Ors.

Members Present:

Attendance Sheet is enclosed separately.

The meeting was chaired by Municipal Commissioner, KMC and Chairman of the High Level Committee.

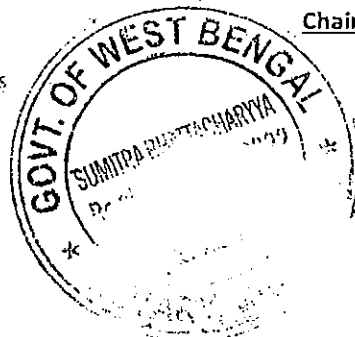
1. Municipal Secretary, KMC & Member-Convenor of the High Level Committee stated that the major works pertaining to the outfalls/ gates on River Hooghly have been completed by Sewerage and Drainage Dept. of KMC except the work at Dilargung Gate which will take some more time to complete.
2. Further it was stated that the officials of KMC and SMPK had inspected 6 (Six) nos. of ghats of River of Hooghly on 14.07.2022, namely, (1) Sarbamangala Ghat (Cossipore Ghat) (2) Mayer Ghat (3) Sutanuti Ghat (4) Sovabazar Ghat (5) Ahiritola Ghat & (6) Nimtala Ghat. During joint inspection 6 (six) nos. storage points near the ghats were identified where SMPK will deposit the floating solid waste accumulated at sloped bank of the River Hooghly. The copy of the Joint Inspection Report is enclosed herewith this minutes.
3. Director General (Tolly Nullah Project) stated that the desilting and dredging works of Tolly Nullah are under progress funded by the State Government and the main project of "Pollution Abatement of Tolly Nullah" is in the DPR preparation stage.
4. Municipal Secretary of KMC & Member-Convenor of High Level Committee communicated the direction of UD&MA Dept. to submit the Action Taken Report (ATR) fortnightly. It was decided that SMPK will submit their ATR directly to Project Director, WBSPMG and Special Commissioner to the Govt. West Bengal, UD&MA Deptt., Nagarayan, DF-8, Sector- 1, Salt Lake, Kol-64, with a copy to Municipal Commissioner, KMC. KMC will also send its ATR to UD&MA Deptt. fortnightly.
5. It was decided that the High Level Committee shall not meet until further direction from the appropriate authority.

There being no other issue the meeting ended with thanks to and from the chair.

[Signature]
01/8/22

Municipal Commissioner &
Chairman, High Level Committee

Encl: Copy of Report on Joint Inspection of ghats



Copy to:

1. Project Director, WBSPMG and Special Commissioner to the Govt. Of West Bengal, Urban Development & Municipal Affairs Department, Nagarayan, Saltlake, Kol-64
2. Municipal Secretary and Member Convenor, KMC
 1. Ld. CMLO
 2. DG (Civil)
 3. DG (P&S)
 4. CME (SWM)
 5. DG (S&D)
 6. DG (Ltg.)
 7. DG(E&H)
 8. DG (TPDD & T.N. Project)
 9. DG (WS)
10. Shri P.P. Saha, Addl. CMLO
11. Dy. C.E. (C)/SWM
12. Dy. C.E. (C)/S&D
13. E.E. (C)/SWM
14. E.E.(C)/Drainage/north
15. Sri S. Mitra (Dy. CE - I, SMPK)
16. Sri P.P. Datta (Manager, Env., SMPK)
17. Sri A. Chakrabarti, Chief Law Officer, SMPK

Ba...
01/01/22

**Municipal Commissioner &
Chairman, High Level Committee**



Kolkata Municipal Corporation

Attendance Sheet

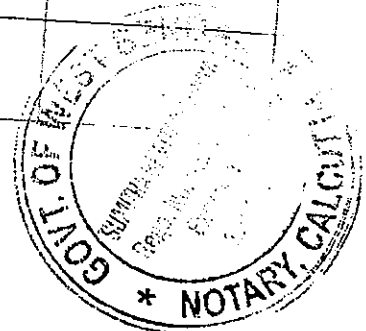
5th Meeting of the High Level Committee i.c.w. the Hon'ble NGT Matter OA No. 20/2022/EZ

DATE : 18.07.2022

TIME - 11:30 AM

VENUE: Conference Hall -I, KMC

| Sl. No. | Name | Department/Organisation & Designation of attendee | Signature | Contact No. |
|---------|---------------------|---|-----------|-------------|
| 1 | Binod Kumar, IAS | Municipal Commissioner, KMC | | |
| 2 | H. P. MANDAL | M.P.E. Secy KMC | | |
| 3 | S. Bhattacharya | DG (TPO) | | |
| 4 | S. Chatterjee | CEB (SWM) | | |
| 5 | Utpal Mishra | Asst. Secy / SWM | | |
| 6 | Debasish Kar | DG (P&E) | | 9702027165 |
| 7 | Biswajit Das | Asst. Secy (NS) | | 9820591337 |
| 8 | Debasish Haldar | EE (C) / SWM | | 6290263320 |
| 9 | ANINDYA BAGCHI | EE (C), CEDH S.M.P.K. | | 9671720079 |
| 10 | Pankaj Pratim Datta | Manager (Genl.) S.M.P., Kolkata | | 9936298692 |
| 11 | Utpal Dey | E.E (C) / S & D / Nonk. | | 7003493074 |
| 12 | | | | |



OSD to
Municipal Commissioner

CME (SWM)

Dy. C.E. (SWM-I)

MUNICIPAL COMMISSIONER'S OFFICE
File Sl. No. B-49
Date of Receipt 15/07/2022



Original Application No. 20/2022/EZ

Suprova Prasad (Applicants)

Vs

Ministry of Environment, Forests and Climate Change & Ors (Respondents)

In pursuance to the order of Chairman of the High Level Committee & Municipal Commissioner dated 30.06.2022 & upon discussion with officials of SMPK, officials of KMC & SMPK jointly inspected the 6 (six) nos Ghats of river Hooghly on 14.07.2022 and identified 6 (six) nos storage points.

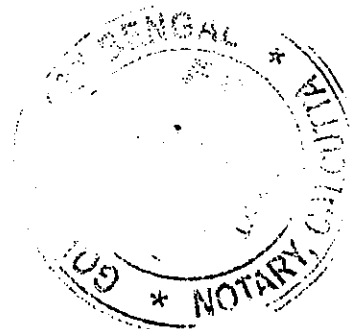
In this regards, enclosing the minutes of the joint inspection dated 14.07.2022 duly signed by all concerned officials.

Submitted please.

R
16.7.22
E.E (C) / SWM-I
K. M. C.

L
14/7/22
Dy. C.E. (C)/S.W.M.-I
Kolkata Municipal Corporation

Ja
16/7/22
C.M.E. (SWM)
The Kolkata Municipal Corporation



Original Application No. 20/2022/EZ

Suprova Prasad (Applicants)
Vs

Ministry of Environment, Forests and Climate Change & Ors (Respondents)

Ref: 4th meeting of the High Level Committee dated 30.06.2022[constituted by the Principal Secretary, Department of UD & M, GoWB vide order No 19/15011(15)/4/2022 dated 08.042022]

In pursuance to the order of High Level Committee dated 30.06.2022 & upon discussion ^{The} with officials of ^{and K.M.C} KoPT, a joint inspection will be held on 14.07.2022.

SMPK

Members Present during the time of Joint Inspection:

1. Ujjwal Mishra, Dy. CEO/KMC (name & Designation) [Signature] (Sign) 9830219933 (Mobile)
2. Chanchal Kumar Datta (name & Designation) [Signature] (Sign) 9073541277 (Mobile)
3. DEBASICH HALDAR (name & Designation) [Signature] (Sign) 9434408014 (Mobile)
4. Dipak Datta (name & Designation) [Signature] (Sign) 7627864557 (Mobile)
5. Debanjan Chakrabarty (name & Designation) [Signature] (Sign) 9830983128 (Mobile)
6. A. BAGCHI, Ex. Secy (name & Designation) [Signature] (Sign) 9674120079 (Mobile)

Minutes of Joint Inspection

The officials of KMC and SMPK have visited 06 (Six) Ghats of river Hooghly namely 1. Sarbamangal Ghat (Cossipore Ghat), 2. Mayer Ghat 3. Sutanuti Ghat (Koomertoolay) 4. Sovabazar Ghat 5. Abiritola Ghat and 6. Nimtala Ghat and identified 06 (six) storage points near the ghats where SMPK will deposit the floating Solid wastes from the river. Such storage points are a) on the road & beside the factory, b) on the land of Indian Railway c) beside the Ghat (northern side), d) on parking area (unauthorised) opposite Pay & Use toilet, e) on existing rubbish vat and f) beside North Port Police Kiosk. (Photocopies enclosed).

Signs: The report is to be placed before level authority / Committee in the next meeting.

14/07/22
Dy. CEO (C)
14.7.22
E.E. (C) / SWM
DD-2

14/7/22
E.E. (C) / SWM
KMC

14/7/22
(SMPK)
[A. Bagchi]
EE(C)



Photos of identified Storage points beside ghats of River Hooghly



Mayer Ghat (on the land of Indian Railway)



Beside Sutanuti Ghat (Northern Side)



Beside Sovabazar Ghat



Sarbamangala (Cossipore) Ghat (beside Factory)



Beside Ahiritola Ghat

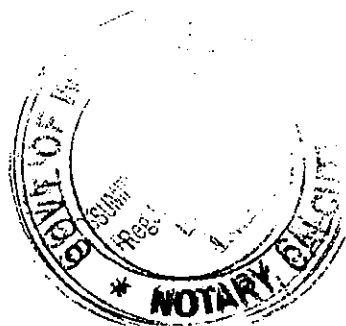


Nimtala ghat (beside North Port Police Station Kiosk)

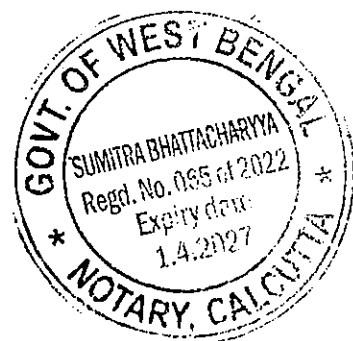
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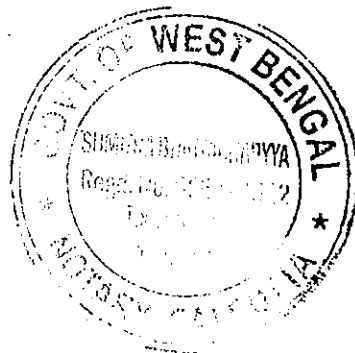
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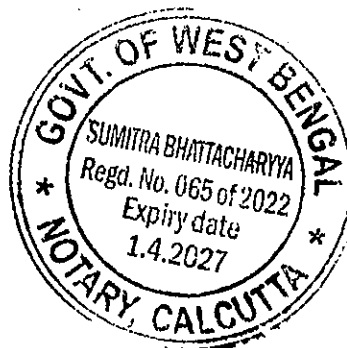




GOVT. OF WEST BENGAL
SUMITRA ARYA
Regd. No. 022
Expiry date
1.4.2027
NOTARY, CALCUTTA



GOVT. OF WEST BENGAL
SUMI
Regd.
1.4.2027
NOTARY, CALCUTTA

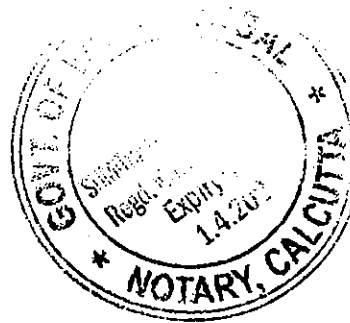


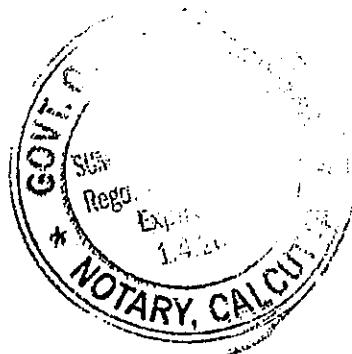


GOVT. OF WEST BENGAL
SUMITRA DEBATHI
Regd. No. 1057
Exp. of date
14.02.27
* NOTARY, CALCUTTA *



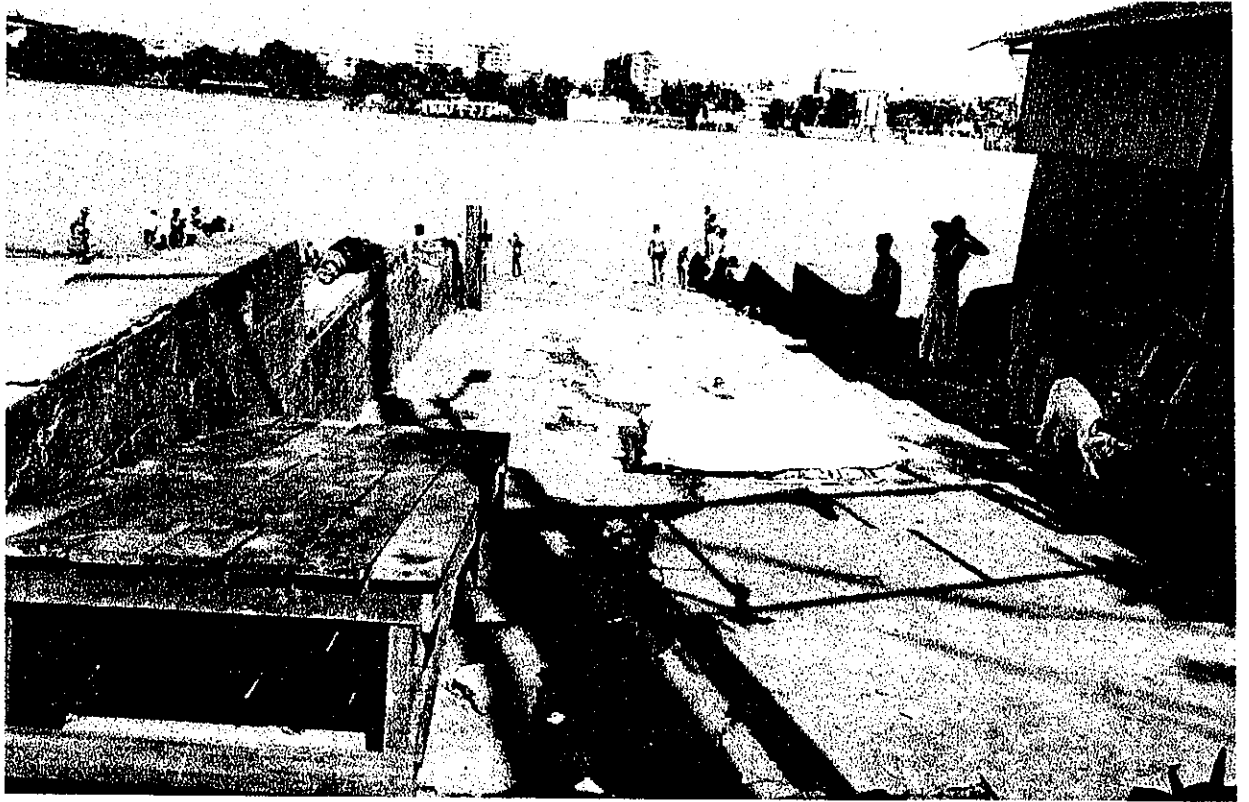
GOVT. OF WEST BENGAL
SUMITRA
Regd. No. 1
Expn. 14/3
* NOTARY, CALCUTTA



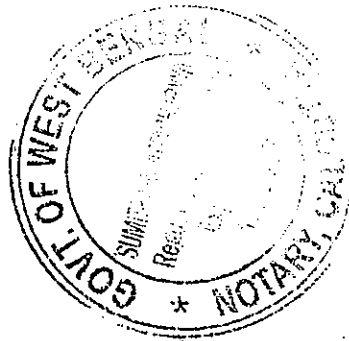


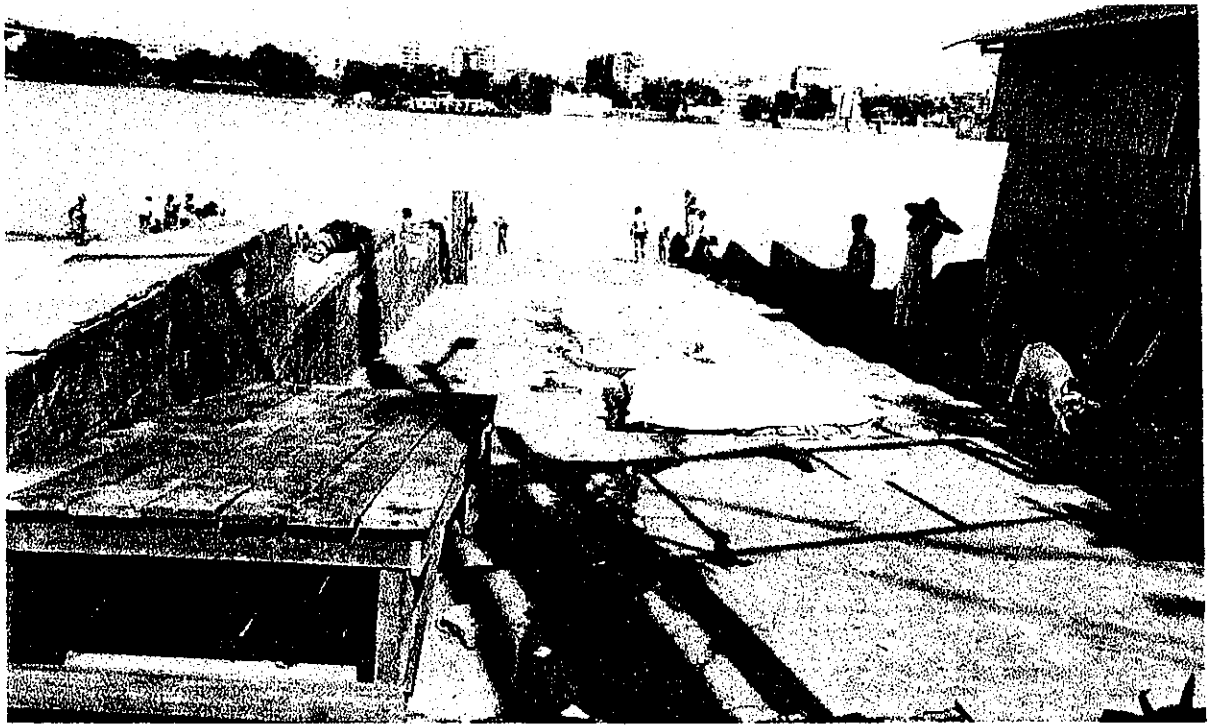


GOVT. OF CALIFORNIA
NOTARY, CALIFORNIA



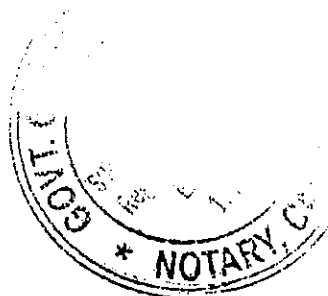


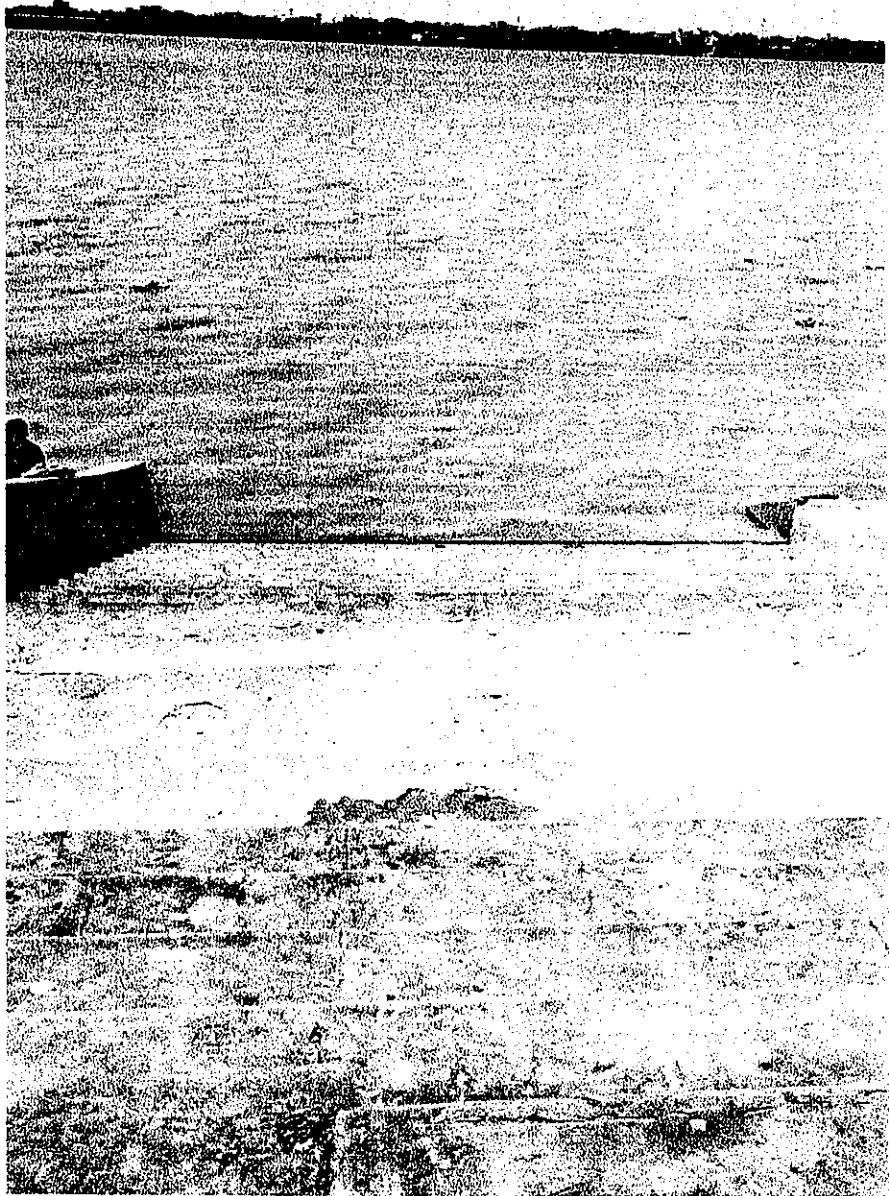






G.O.T. OF WEST BENGAL
REG. BY LAW
* NOTARY, CALCUTTA





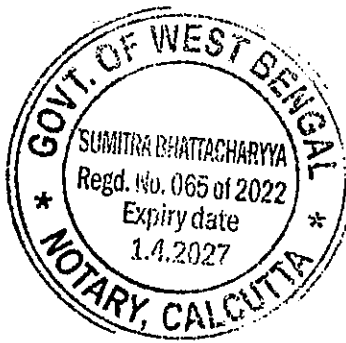
GOVT. OF INDIA
NOTARY, CALCUTTA
Regd. No. 066 of 2022
Expiry date
1.4.2027

7
NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH,
KOLKATA
ORIGINAL APPLICATION
NO. 20/2022/EZ.

BETWEEN
SUPROVA PRASAD
..... APPLICANT

VERSUS
MOEFF AND CC& ORS.
.....RESPONDENT(S)

APPLICATION ON BEHALF OF THE
RESPONDENT NO. 07, THE
SHAYAMA PRASAD MOOKERJEE
PORT, KOLKATA



SNEHASHIS SEN
ADVOCATE
C/O S. JALAN & CO
10, OLD POST OFFICE
STREET
RIGHT WING, 3RD FLOOR,
ROOM No. 90& 91
KOLKATA - 700 001