

Senal No. 21 - 30/09/2024

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH,
KOLKATA

O.A. No. 122 of 2024/EZ

Between:

Sumita Banerjee

... Applicant

Versus

1. The Chief Executive Officer,
Kolkata Metropolitan Development
Authority, Government of West Bengal

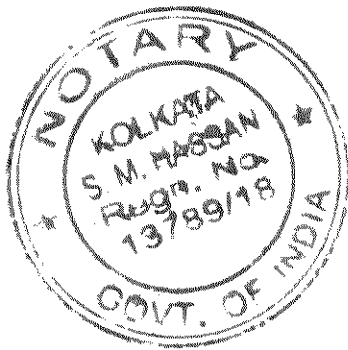
2. The Chairman, West Bengal
Pollution Control Board

3. The Secretary, Government of
India, The Ministry of Environment,
Forest & Climate change

4. State of West Bengal, through
the The Additional Chief Secretary, The
Department of Environment,
Government of West Bengal

5. Calcutta Entertainment Club
Foundation

... Respondents



I n d e x

Sl. No.	Description of Documents	Annexure	Pages
1.	Affidavit - in - Opposition		1 - 19
2.	Photostat copy of the Public Interest Litigation before the Hon'ble High Court at Calcutta being W.P.A. (P) No. 274 of 2024, along with all its annexures	R/1	20 - 85
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30 SEP 2024

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE

BENCH, KOLKATA

O.A. No. 122 of 2024/EZ

Between:

Sumita Banerjee, residing at 125,
Rash Behari Avenue, Kolkata -
700029,

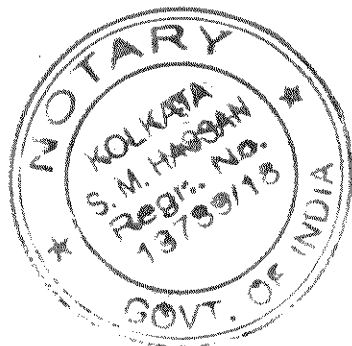
EmailId: opjhunjhunwala@gmail.com

.... Applicant

Versus

1) The Chief Executive Officer,
Kolkata Metropolitan Development
Authority, having his office at CJ-
164, Second Avenue, DJ Block -
Sector - 2, Bidhan Nagar, Unnayan
Bhawan, Kolkata - 700 091, Email
ID: ceokmda@gmail.com;

2) The Chairman, West Bengal
Pollution Control Board, having his
office at Paribesh Bhavan, 10A,
Block - L.A., Sector - III,
Biddhannagar, Kolkata - 700 106,
email ID- chrmmn.wbpcb_wb@bangla.gcv.in;



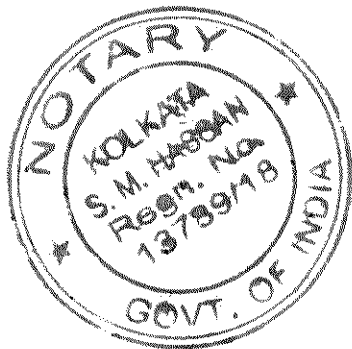
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3) The Secretary, Ministry of Environment, Forest and Climate Change, Government of India, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi – 110 003, Email ID: secy-moef@nic.in

4) State of West Bengal, through the Additional Chief Secretary, Department of Environment, Government of West Bengal, having office at Pranisampad Bhawan, 5th Floor, Block LB – II, Sector – III, Kolkata – 700 106, Email ID : acsenvwb@gmail.com psecy.envwb@gov.in.

5) Calcutta Entertainment Club Foundation, through its director, Jissu Sengupta, having his office at 116, Haripada Lane, Kolkata – 700 033. *Email ID not available*

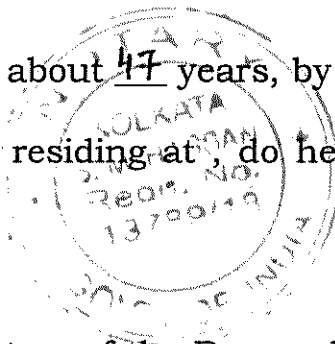
... Respondents



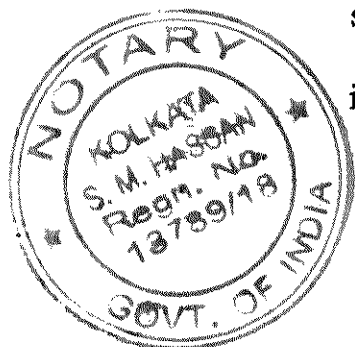
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AFFIDAVIT – IN – OPPOSITION ON BEHALF OF THE
RESPONDENT No. 5

SSB I, Jissu Sengupta, son of , aged about 47 years, by faith – Hindu, by occupation – self-employed, residing at , do hereby solemnly affirm and declare as follows: -



1. That I am one of the directors of the Respondent No. 5 and I am well conversant with the facts and circumstances of the case. As one of the principal officers of the Respondent no. 5, I am duly authorized and competent to swear and affirm this affidavit on behalf of the Respondent No. 5.
2. At the very outset, I say that the present application filed by the Applicant is frivolous, devoid of merit and unsustainable in law. It seeks to stall a lawful and beneficial project under the guise of environmental concerns, without any substantial evidence to support the claims. The Applicant's assertions are based on unverified facts, assumptions and sweeping generalizations and therefore, the entire application deserves to be dismissed in limine. Moreover, the petition is defective as there is a significant discrepancy between the name of the Applicant in the cause title and the person affirming the affidavit in

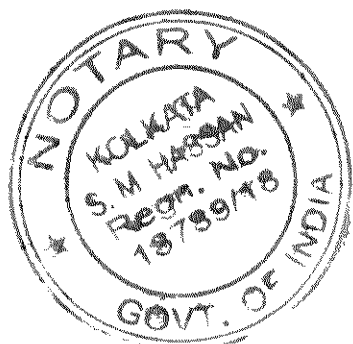


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support of the application. The person affirming the affidavit does not bear the same name as the Applicant, which raises serious doubts about the validity and authenticity of the petition. This discrepancy goes to the root of the matter, rendering the petition procedurally flawed and defective. In light of this defect, the petition is liable to be dismissed at the threshold, as it fails to comply with the basic procedural requirements of law.

3. I say that this application before the Hon'ble Tribunal is inadmissible due to the lack of jurisdiction. The matter involves issues previously under consideration in a Public Interest Litigation before the Hon'ble High Court at Calcutta in W.P.A. (P) No. 274 of 2024 (Sabuj Mancha and another – versus - The Kolkata Municipal Development Authority and others). The Hon'ble Tribunal should not entertain this application as the similar issues were adjudicated and are pending review in a different forum.

Photostat copy of the Public Interest Litigation before the Hon'ble High Court at Calcutta being W.P.A. (P) No. 274 of 2024, along with all its annexures is annexed and marked R/1.

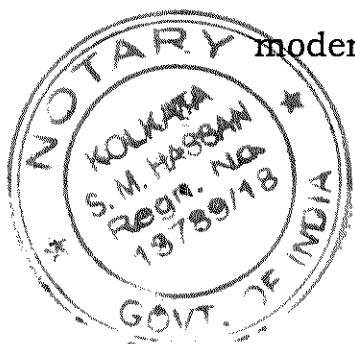


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4. I state that the Respondent No. 5 is a company incorporated as per provisions of Section 8 of the Companies Act, 2013 and is a non-profit organization committed to social welfare. Its mission includes establishing a facility for underprivileged and needy children, offering free training and coaching. The intentions of Respondent No. 5 are pious and engineered towards the betterment of the community. Its goal is to improve the condition of the field and evolve it into a state – of – the – art playground while maintaining compatibility with the environment in and around the Rabindra Sarobar area. This development is aimed at promoting sports, primarily cricket and football, for underprivileged children by providing them with a free and conducive environment for training and growth. This initiative aims to groom these children as athletes, providing them with a platform to showcase their talents and opportunities for growth and betterment, thereby giving them a chance to succeed in life.

Photostat copy of the objectives of the respondent no. 5 is annexed and marked R/2.

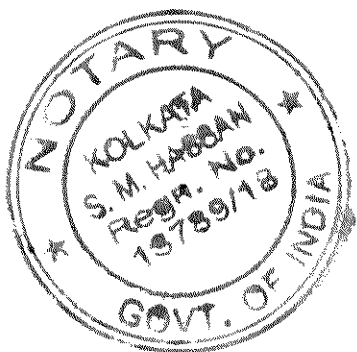
5. The Respondent No. 5 is driven by the altruistic objective of transforming a neglected and dilapidated ground into a modern, state-of-the-art playground that will serve as a



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beacon of hope and opportunity for underprivileged children. The previous condition of the ground was deplorable and our efforts are focused on transforming it for the better. The facility is intended to promote physical fitness and sports, thereby contributing to the overall development of the community.

6. The non-profit status of the Respondent No. 5 as a Section 8 company underscores its commitment to social welfare and community development. All activities undertaken by Respondent No. 5 are in line with its mission to contribute positively to society. The development of the ground is not a commercial venture but a philanthropic endeavor aimed at uplifting the community, especially the underprivileged segments. Such pious motives of the Respondent No. 5 are being continuously challenged by the petitioners and like persons with similar agendas without ascertaining the true and actual facts. Furthermore, other persons/clubs are operating similar sporting facilities in and around the Rabindra Sarobar Lake area for profit making purpose but it is only this Respondent who is being singled out and harassed in the instant case.

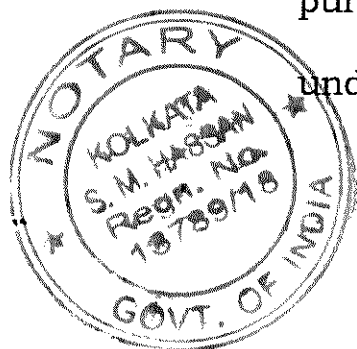


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7. The deplorable condition of the ground prior to intervention of the Respondent No. 5 was not only an eyesore but also a wasted resource. It was characterized by overgrown weeds, dumped garbage, uneven terrain and a general lack of maintenance, making it unsuitable for any productive use. The initiative of the Respondent No. 5 to develop this ground into a playable, well-maintained facility is aimed at reversing this neglect and turning it into a community asset. The allegations regarding uprooting and felling of trees as contained in the petition are absolutely false and motivated and are denied by this answering respondent. The Respondent No. 5, on the contrary, states that upon coming in possession of the premises, the said Respondent has already planted over 120 trees and bushes which are compatible with the local flora and as such activities have only enhanced the value of the premises.

Photographs of the premises are annexed and marked as Annexure – R/3.

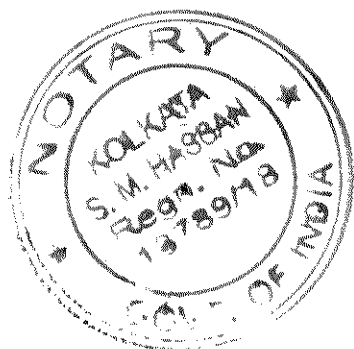
8. The allegations concerning the environmental degradation of Rabindra Sarobar Lake are baseless. The Respondent No. 5 has utilized the land strictly for non-commercial purposes, focusing on promoting sports among underprivileged children. Contrary to the applicant's



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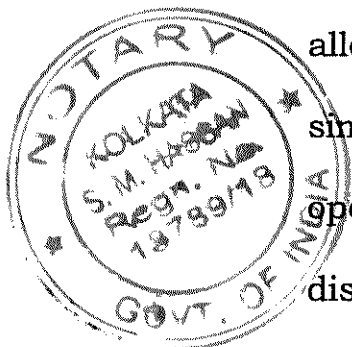
claims, the land allotted to the Respondent No. 5 is used with due regard for environmental conservation. The development of the sports facility has not involved tree felling or significant alteration of the natural landscape. In fact, the area has been enhanced with the plantation of trees and maintenance of greenery.

9. The initiative of the Respondent No. 5 includes modernization and creation of state of the art playground, and this comprehensive development plan ensures that the ground can host a variety of sports events, fostering a sense of community and inclusiveness especially amongst the downtrodden class.
10. In addition to physical infrastructure, the Respondent No. 5 has plans to implement a robust program for sports training free of cost and this program is designed to identify and nurture talent from among underprivileged children, providing them with access to professional coaching, equipment, and exposure to competitive sports. Such an initiative is critical in a country where opportunities for the underprivileged are often limited.



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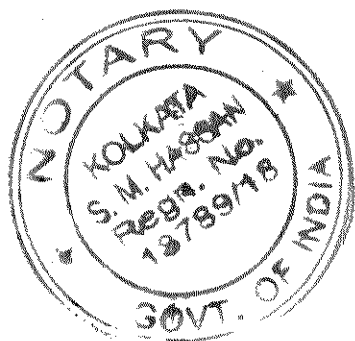
11. The primary objective of the Respondent No. 5 with regard to the use of the land is to provide free sports training to underprivileged children. This aligns with the organization's mandate to serve public interest and contributes positively to societal development.
12. The Respondent No. 5 operates under the principles of Corporate Social Responsibility (CSR) and adheres to the Directive Principles of State Policy, focusing on community welfare rather than commercial gain.
13. The allocation of the ground to the Respondent No. 5 was made pursuant to a request to the State and the Kolkata Metropolitan Development Authority (KMDA). It was not an arbitrary allocation by the State or KMDA but a response to its genuine request for land to fulfil its charitable objectives. The Respondent further states that the allocation was made by the respondent authorities on similar terms and conditions as made to other academies operating in that area and as such the question of distribution of largesse cannot and does not arise.
14. It is also a fact that the scheme of work undertaken by the Respondent herein does not interfere with the usual



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activities of the persons who frequent the Rabindra Sarobar Lake area for their leisurely activities, like walking, running, cycling, rowing, swimming etc.

15. The land allotment to Respondent No. 5 is in compliance with all applicable legal and administrative procedures. The Respondent No. 5 has adhered to the conditions of the lease, including not constructing unauthorized and/or permanent structures and utilizing the land exclusively for sports activities.
16. The actions of the KMDA in allotting the land for non-commercial purposes, as part of its social obligation, are within the bounds of legality and public interest. The Respondent No. 5 has operated with transparency and in accordance with the conditions set forth by the KMDA.
17. The answering respondent shall deal with the paragraph-wise allegations made in the purported application by the applicant as if the same are set out ad seriatim, save and except those which are matters of record and put the applicant to strict proof thereof.



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18. With reference to the statements made in Paragraph No. 1 to 4 of the petition, I say that save and except what are matters of record, all other allegations and contentions made therein are denied and disputed and the petitioners are put to strict proof thereof. Merely being part of a previous committee formed under judicial orders does not automatically grant the Applicant any higher standing or specialized knowledge regarding the current dispute. The earlier order of the Hon'ble Calcutta High Court, as referred to, pertained to different issues concerning the governance of Rabindra Sarobar and does not have any direct bearing on the present matter. No evidence has been adduced by the Applicant to show that their past role on the said committee has any relevance to the current allegations against the Respondent No. 5. Rabindra Sarobar is an important environmental and ecological reserve in Kolkata. The Respondent No. 5 fully acknowledges the environmental significance of Rabindra Sarobar and remains committed to its protection and preservation. However, the Applicant's claim that the current project undertaken by Respondent No. 5 threatens the lake ecosystem is entirely baseless and false. The Respondent's project has been carefully vetted, and all necessary permissions have been obtained from the relevant



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authorities, ensuring that there will be no adverse impact on the local ecology or biodiversity. The answering respondent states that the development work being carried out is in consonance with the terms and conditions as directed by the respondent development authority and the project has been curated in a manner and form that does not interfere with the ecological balance in and around the area. Furthermore, the Applicant has not furnished any scientific evidence or expert reports to substantiate their claim. The Respondent No. 5 acknowledges the historical context of Rabindra Sarobar, but denies any implication that the project in question disrespects this legacy. The renaming of Dhakuria Lake to Rabindra Sarobar and its subsequent designation as a heritage site in no way restricts the lawful and judicious use of the land in its vicinity, provided it is done in a manner that upholds environmental and civic standards. The Respondent's project is fully compliant with such standards.

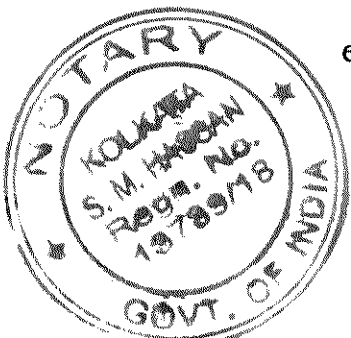
19. With reference to the statements made in Paragraph No. 5 of the petition, I say that save and except what are matters of record, all other allegations and contentions made therein are denied and disputed, and the petitioners are put to strict proof thereof. It is denied that the Respondent



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No. 5, or the project undertaken by it, has violated any environmental regulations concerning Rabindra Sarobar, as alleged or at all. The allegation that the Respondent's activities have harmed the ecosystem is entirely false and speculative. The project has been developed in full compliance with applicable laws and norms, including obtaining the necessary approvals from the competent authorities. Furthermore, the Applicant has failed to produce any substantive evidence to support the claim of environmental degradation caused by the project.

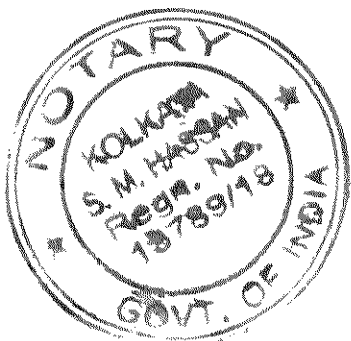
20. With reference to the statements made in Paragraph No. 6 of the petition, it is submitted that the contents thereof, save and except what are matters of record, are denied. The contention that the Respondent has unlawfully encroached upon 5 Bighas of lush green buffer zone is categorically denied. The land in question was lawfully allotted to the Respondent No. 5 by the Kolkata Metropolitan Development Authority (KMDA), following all due procedures. The project being undertaken is for the greater public good, and no unlawful construction or tree felling, as alleged by the Applicant, has occurred. The Applicant has made these sweeping allegations without providing any credible evidence or expert opinions to substantiate their claims.



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21. With reference to the statements made in Paragraph No. 7 of the petition, I say that save and except what are matters of record, all other allegations and contentions made therein are denied and disputed. It is specifically denied that the project is meant solely for the amusement of private members or that it disregards public welfare. The initiative undertaken by Respondent No. 5 is aimed at promoting community-based sports, recreation, and cultural activities, which will benefit the entire neighborhood, including the morning walkers and joggers whom the Applicant claims to represent. The suggestion that this project is in any way detrimental to the general public or the environment is unsubstantiated and misleading.

22. With reference to the statements made in Paragraph No. 8 of the petition, the contents are denied in so far as they suggest any unlawful or harmful activities undertaken by the Respondent No. 5. The construction works have been carried out only after obtaining the necessary permissions, and all relevant environmental safeguards have been adhered to. The Applicant has failed to provide any documentary evidence to support the claim that the

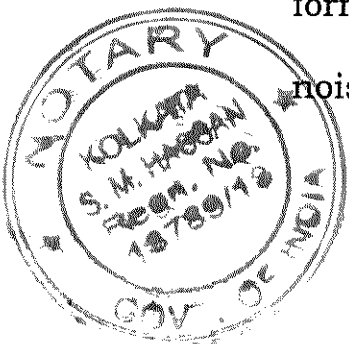


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Respondent No. 5 has engaged in activities detrimental to the ecological health of Rabindra Sarobar.

23. With reference to the statements made in Paragraph No. 9 of the petition, the contents, save and except what are matters of record, are denied and disputed. The allegation that the Respondent No. 5 has violated the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006 is absolutely denied. The project has been carried out with the utmost care and consideration for environmental and legal requirements. The Applicant's claim that significant trees have been felled without due permission is entirely untrue and have been made with the sole motive of misleading this Hon'ble Tribunal. All necessary permissions have been obtained, and the development of the playground has not resulted in any significant environmental degradation in any manner, as falsely claimed by the Applicant.

24. With reference to the statements made in Paragraph No. 10 of the petition, it is categorically denied that the project undertaken by the Respondent No. 5 has resulted in any form of environmental pollution, including air, water, or noise pollution, as alleged or at all. The project has been

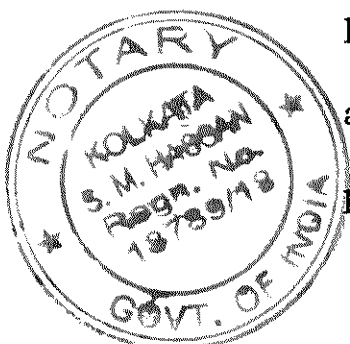


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executed in strict compliance with applicable environmental standards, and necessary precautions have been taken to mitigate any potential impact on the local fauna and flora. The photographs annexed by the Applicant to support these claims are not reflective of the actual conditions and are, therefore, misleading.

25. With reference to the statements made in Paragraph No. 11 of the petition, the contents are denied. The claim that the Respondent's project has adversely affected birds or wildlife in the area is speculative and unsupported by any scientific study or expert opinion. The Applicant has failed to provide any verifiable data or credible environmental assessment to substantiate the alleged harm to the ecosystem. It is also denied that the project has disturbed the delicate balance of the ecological reserve surrounding Rabindra Sarobar.

26. With reference to the statements made in Paragraph No. 12 of the petition, the Respondent No. 5 denies any form of violation of past orders of this Hon'ble Tribunal or any legal provisions related to environmental protection. The project has been subjected to regular scrutiny by the concerned authorities to ensure full compliance with the orders passed by this Hon'ble Tribunal, as well as other governing

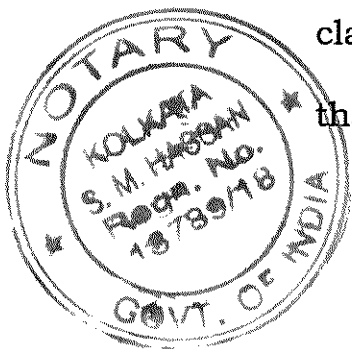


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laws. The Applicant has grossly misinterpreted previous orders to suit their narrative, without any factual basis for claiming that the Respondent is in breach of judicial directives.

27. With reference to the statements made in Paragraph Nos. 13 to 15 of the petition, I say that save and except what are matters of record, all other allegations and contentions made therein are denied and disputed. The Respondent No. 5 has always acted in accordance with the law and in the public interest. The project is not a private or profit-making endeavor, as the Applicant alleges, but a community-oriented project aimed at promoting sports and recreation for the benefit of underprivileged children and local residents. The Applicant's reliance on Articles 48A and 51A(g) of the Constitution of India is misconceived, as no evidence has been provided to show any violation of these constitutional duties by the Respondent.

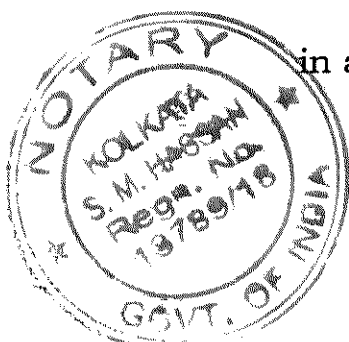
28. With reference to the statements made in Paragraph Nos. 16 and 17 of the petition, the contents, save and except what are matters of record, are denied. The Applicant's claims are rooted in conjecture and speculation, rather than grounded facts. The allegations of environmental



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degradation, encroachment and disregard for public welfare are devoid of substance. The project has been carried out in full consultation with the relevant stakeholders and no activities have been undertaken that could be deemed detrimental to the environment or to public interests.

29. With reference to the reliefs sought in Paragraph Nos. 24 to 26 of the petition, it is submitted that the Applicant has failed to make out any case for the reliefs sought. The Applicant's demand for cancellation of the land allotment and for the imposition of environmental compensation is without any legal or factual basis and seek to extend the jurisdiction of this Hon'ble Tribunal on issues that fall within the scope and purview of the public interest litigation presently sub judice before the Hon'ble High Court at Calcutta. The project undertaken by the answering Respondent is lawful, environmentally sustainable and in greater public interest. The Applicant's claims of environmental harm are unsubstantiated and do not warrant any action by this Hon'ble Tribunal. On the contrary, I say that the acts and actions of the Respondent No. 5 are pious and not driven by any profit motive and as such, the actions undertaken by the said Respondent are in absolute consonance with the environmental norms.



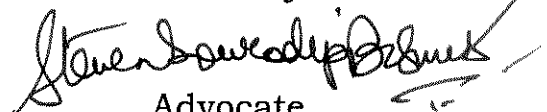
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30. In the facts and circumstances of the case, the said petition being barred by law and devoid of any merit, harassive and vexatious one, is liable to be dismissed with exemplary costs.
31. In view of the above, it is humbly submitted that the present petition is entirely frivolous, devoid of merit, and lacks any legal or factual basis. The Applicant's allegations are speculative and unsupported by credible evidence. The Respondent No. 5 prays that this Hon'ble Tribunal may be pleased to:
- a) Dismiss the petition with costs, as being frivolous, vexatious, and without merit.
 - b) Award such other relief as this Hon'ble Tribunal may deem just and proper in the facts and circumstances of the case.
32. That the statements made in paragraphs 1 to 29 are true to my knowledge and the rest are my humble submissions before this Hon'ble Tribunal.



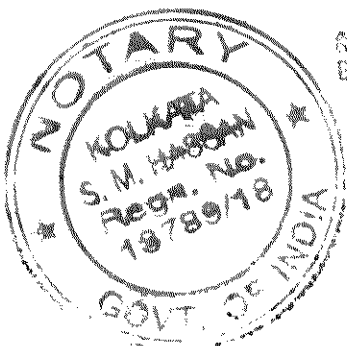
Deponent

Identified by me



Advocate

SOLEMNLY AFFIRMED AND DECLARED
BEFORE ME ON IDENTIFICATION

S. M. HASSAN
NOTARY


30 SEP 2024

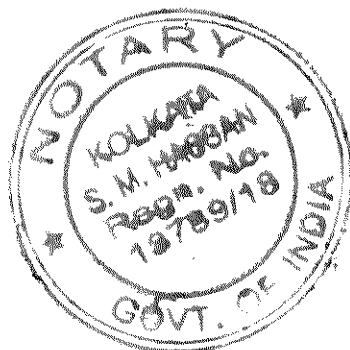
200 Annexure R/1

Abhishek Sikdar
 Advocate
 10, Kiron Sankar Roy Road, 2nd Floor, Room No.33
 Kolkata - 700001
 Contact-9831865139
 Email-sikdar.advocates@gmail.com

To

Date: 28.06.2024

1. The Kolkata Municipal Development Authority, Government of West Bengal, through the Chairman, Nagarayan, DF-8, Sector I, Salt Lake, Kolkata, West Bengal - 700064;
2. The Chief Executive Officer, Kolkata Municipal Development Authority, Government of West Bengal, CJ-164, 2nd Avenue, DJ Block, Sector - II, Bidhannagar, Unnayan Bhawan, Kolkata, West Bengal - 700091;
3. The Department of Environment, Government of West Bengal, through its Additional Chief Secretary, Department of Environment, 5th Floor, Prani Sampad Bhavan, LB-II, Salt Lake, Sector III, Bidhannagar, Kolkata - 700 106;
4. The Department of Urban Development & Municipal Affairs, Government of West Bengal, through its Secretary, Nagarayan Bhavan, DF-8, Sector I, Salt Lake, Kolkata 700064;
5. The West Bengal Pollution Control Board, through its Member Secretary, Paribesh Bhavan, 10A, Block - LA, Sector-III, Salt Lake, Kolkata- 700 106;
6. The Officer-in-Charge, Rabindra Sarobar Police, 134 /1 Meghnath Saha Sarani Kolkata -700039
7. The Ministry of Environment, Forests & Climate Change, through its Principal Secretary, Indira Paryabaran Bhawan, Jorbag Road, New Delhi - 110003
8. The Calcutta Entertainment Club Foundation, represented through its Director, 60/116, Haripada Dutta Lane, Near Old Better High School, Kolkata - 700033



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RE: W.P.A. (P) 274 of 2024

Sabuj Mancha and anr

Vs

The Kolkata Municipal Development Authority and ors

My client: Sabuj Mancha and anr

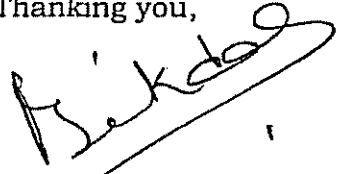
Sub: Intimation

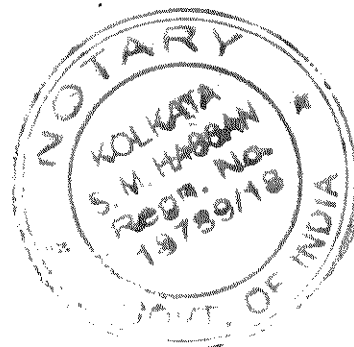
Sir/ Mam,

With reference to the above named matter enclosed here is the copy of the application with all annexures. The above named matter will be taken up for hearing on 04.07.2024 before the Hon'ble Division Bench comprising of Hon'ble The Chief Justice T.S. Sivagnanam and Hon'ble Justice Hiranmay Bhattacharyya at 10.30 am or soon thereafter as the business of the Hon'ble Court permits. Please be present at the time of hearing.

This is for your information, record and necessary action.

Thanking you,

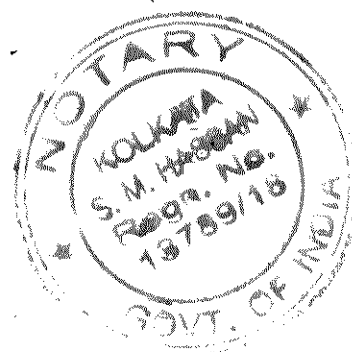

 Abhishek Sikdar



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SYNOPSIS

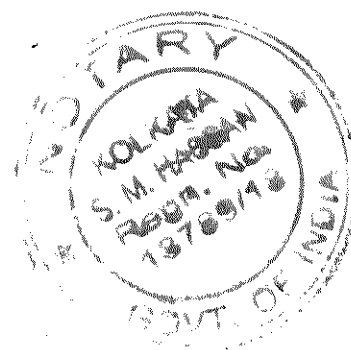
The petitioner is a voluntary association of persons and organizations engaged in protection of environment in West Bengal and working towards the protection and conservation of nature and fundamental human right to clean and pollution free environment for all in different districts of West Bengal. The respondent no. 1 and 2 allotted a certain portion of land to the respondent no. 8 inside Rabindra Sarobar Lake, being a national lake in the city of Kolkata, which serves the greater public and citizens of Kolkata and as such the work that has been undertaken by the private respondent has caused immense destruction by massive uprooting and felling of trees, terraforming the grass covered land near the Lake, affecting the fragile lake ecosystem and are in violation of the Guidelines for National Lake Conservation Plan as well as the updated Guidelines for National Plan for Conservation of Aquatic Ecosystems and several orders passed by the National Green Tribunal, hence this writ petition against the arbitrary actions of alienation and privatization of National Lake region by the State respondents who are entrusted as custodian for maintaining the said Lake.



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SHORT LIST OF DATES

SR. NO.	Events	Dates
1.	Date of issuance of memo for allotment and handing over of the land so leased.	12.03.2024
2.	Date of commencement of lease tenure	15.03.2024
3.	Date of expiry of lease tenure	31.12.2024
4.	Petitioner wrote letters to the concerned authorities reflecting the concerned situation	30.04.2024
5.	An FIR was lodged with the Rabindra Sarabor Police Station	22.06.2024



274

DISTRICT: KOLKATA

IN THE HIGH COURT AT CALCUTTA
 CONSTITUTIONAL WRIT JURISDICTION
 APPELLATE SIDE

W.P.A (P) No. 274 of 2024

In the matter of:

An application under Article 226 of the
 Constitution of India

Subject matter relating to:

Under Group: IX Head: Nil
 Of the Classification List;

CAUSE TITLE

In the matter of:

Sabuj Mancha and anr

.....Petitioners

Versus

The Kolkata Municipal Development
 Authority and ors

.....Respondents

Abhishek Sikdar

Advocate on Record:

Abhishek Sikdar

Advocate, High Court, Calcutta

Enrolment no. F/1512/1048/2011

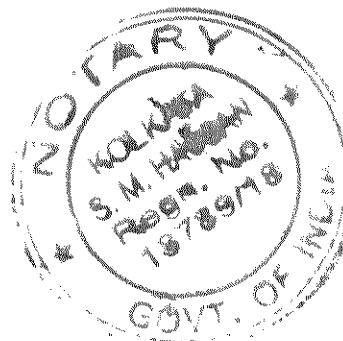
10, Kiran Shankar Roy Road

2nd Floor Room no.33

Kolkata-700001

(M): 9831865139

Email: sikdar.advocates@gmail.com



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DISTRICT: KOLKATA

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A (P) No. of 2024;
In the matter of:

An application under Article 226 of the
Constitution of India;

And

In the matter of:

Sabuj Mancha and anr

... Petitioner

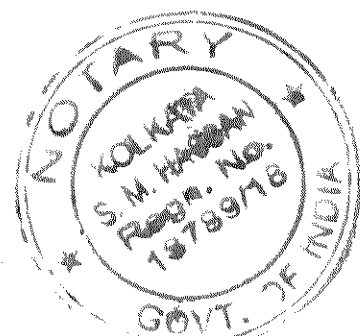
Versus

The Kolkata Municipal Development
Authority and ors

... Respondents

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III

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DISTRICT: KOLKATA

IN THE HIGH COURT AT CALCUTTA
 CONSTITUTIONAL WRIT JURISDICTION
 APPELLATE SIDE

W.P.A (P) No. 274 of 2024;

In the matter of:

An application under Article 226 of the
 Constitution of India;

And

In the matter of:

Sabuj Mancha and anr

... Petitioner

versus

The Kolkata Municipal Development
 Authority and ors

... Respondents

LIST OF DATES

SR. NO.	Events	Dates
1.	Date of issuance of memo for allotment and handing over of the land so leased.	12.03.2024
2.	Date of commencement of lease tenure	15.03.2024
3.	Date of expiry of lease tenure	31.12.2024



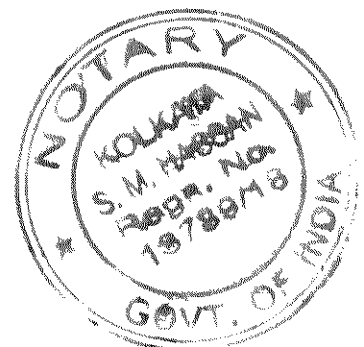
IV

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4.	Petitioner wrote letters to the concerned authorities reflecting the concerned situation	30.04.2024
5.	An Fir was lodged with the Rabindra Sarabor Police Station	22.06.2024

POINTS OF LAW

- I. Whether the acts and actions of the respondent no 1 in allotting 98 cottachs of land to the private respondent no. 8 without following due process of law is valid and legal.
- II. Whether the acts and action of the respondent No. 1 in arbitrarily deciding a monthly rent for allotting a plot of land to the private respondent no. 8 is legal and valid
- III. Whether the private respondent can claim themselves to be the owner of a premises based on an allotment letter



1

~~2/A~~Through
Attorney Subda
Advocate

DISTRICT: KOLKATA

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. (P) NO.

OF 2024

In the matter of: -

An application under Article 226 of
the Constitution of India; (Public
Interest Litigation)

And

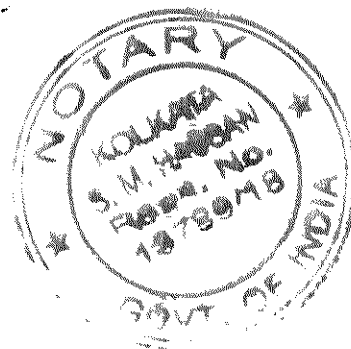
In the matter of

1. Sabuj Mancha, represented by its
Secretary Naba Kumar Dutta,
having its office at RA 449 Sector 4
Saltlake Kolkata - 700105
2. Dr. Banhi Chakraborty D/o Late
Atul Krishna Datta, residing at
A/81 Lake Gardens Kolkata-
700045

...Petitioners

-Versus-

1. The Kolkata Municipal
Development Authority,
Government of West Bengal,
through the Chairman, Nagarayan,

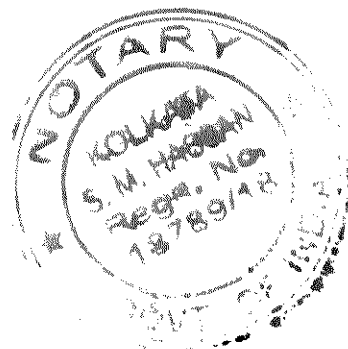


2



DF-8, Sector I, Salt Lake, Kolkata,
West Bengal - 700064;

2. The Chief Executive Officer, Kolkata
Municipal Development Authority,
Government of West Bengal, CJ-
164, 2nd Avenue, DJ Block, Sector -
II, Bidhannagar, Unnayan Bhawan,
Kolkata, West Bengal - 700091;
3. The Department of Environment,
Government of West Bengal,
through its Additional Chief
Secretary, Department of
Environment, 5th Floor, Prani
Sampad Bhavan, LB-II, Salt Lake,
Sector III, Bidhannagar, Kolkata -
700 106;
4. The Department of Urban
Development & Municipal Affairs,
Government of West Bengal,
through its Secretary, Nagarayan
Bhavan, DF-8, Sector I, Salt Lake,
Kolkata 700064;
5. The West Bengal Pollution Control
Board, through its Member
Secretary, Paribesh Bhavan, 10A,
Block - LA, Sector-III, Salt Lake,
Kolkata- 700 106;



3



6. The Officer-in-Charge, Rabindra Sarobar Police, 134 /1 Meghnath Saha Sarani Kolkata -700039

7. The Ministry of Environment, Forests & Climate Change, through its Principal Secretary, Indira Paryabaran Bhawan, Jorbag Road, New Delhi -110003

....Respondents

8. The Calcutta Entertainment Club Foundation, represented through its Director, 60/116, Haripada Dutta Lane, Near Old Better High School, Kolkata - 700033

...Private Respondent

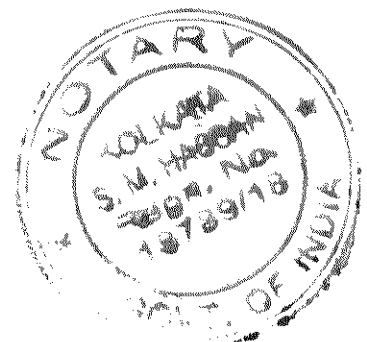
To

The Hon'ble T.S. Sivagnanam, Chief Justice and His Companion Justices of the said Hon'ble Court.

The humble petition on behalf of the petitioner above named

Most Respectfully Sheweth: -

1. Your petitioner is a voluntary association of persons and organizations engaged in protection of environment in West Bengal, having its address as mentioned in the cause title hereinabove. The petitioner has authorized its



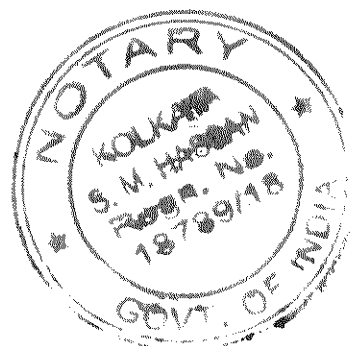


Secretary, Sri Naba Dutta to represent the petitioner organisation before this Hon'ble Court vide authorization letter dated 20.06.2024. The petitioner is working towards the protection and conservation of nature and fundamental human right to clean and pollution free environment for all in different districts of West Bengal. The Petitioner herein are filing this instant application in public interest for protecting Rabindra Sarobar Lake being a national lake in the city of Kolkata, which serves the greater public and citizens of Kolkata against arbitrary actions of alienation, allotment of a part of National Lake for private interest by the state .

A copy of the authorization letter is annexed hereto and marked as ANNEXURE P/1.

2. That the Respondent No. 1 and 2 are the statutory bodies under the Respondent no. 4 Department of the Government of West Bengal, having the custody of the land wherein the said Rabindra Sarobar Lake is situated. The Respondent No. 3 and 5 are the Department of Environment and West Bengal Pollution Control Board, Government of West Bengal, responsible for regulating pollution and protecting the natural resources and environment in West Bengal. The Respondent No. 6 is the Kolkata Police in charge of maintaining law and order and ensuring that orders of judicial bodies are followed by all. The Respondent no. 7 is the Central Government Ministry carrying out the National Plan for Conservation of Aquatic Eco-systems (NPCA), which is a program for conservation of wetlands and lakes in India, under which Rabindra Sarobar has been designated as a Lake of National Importance. The Respondent no. 8 is a private respondent who has been allotted land on rental lease inside the National Lake region and hence a necessary party to this application.

3. That this writ application is being moved in public interest being aggrieved with the actions of the Respondent nos. 1 and 2 in allotting and handing over 98 Kathas of land on rental basis to private respondent no. 8 vide memo dated 12th March, 2024, in complete violation of the public trust



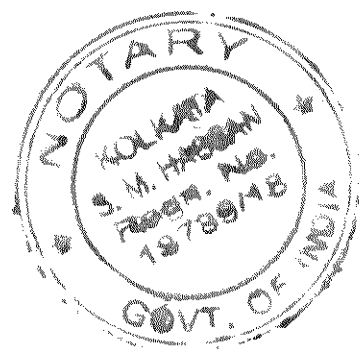
doctrine and in violation of the provisions of the Calcutta Metropolitan Development Authority Act, 1972.

It is further submitted that works undertaken by the private respondent has caused immense destruction by massive uprooting and felling of trees, terraforming the grass covered land near the Lake, affecting the fragile lake ecosystem and are in violation of the Guidelines for National Lake Conservation Plan as well as the updated Guidelines for National Plan for Conservation of Aquatic Ecosystems and several orders passed by the National Green Tribunal.

4. That members of the petitioner association found out massive grass cutting and tree trimming taking place in the ground adjacent to the Gate No. 8 of Rabindra Sarobar Lake. These acts are being conducted on a field of 1.5 acres of land adjacent to the Southern Avenue Lake Stadium crossing. Also a matter of concern is that the top soil which is considered as the most fertile soil which is considered very good for growing up of any type of tress is also been dug up for the preparation of a pitch. This digging up of top soil to cater the need of the private respondent is a great matter of concern as it will have serious impact on further growing up of trees in that particular area.

It is submitted that the acts are being conducted by the private respondent having been allotted 98 kathas of land on "as in basis" by the Respondent nos. 1 and 2 vide a letter dated 12th March, 2024 informing the said private respondent that their prayer for land allotment for cricket training has been accepted by the Board of the Respondent no. 1 and 2 and that said land is being allotted for a monthly rental charge of Rs 8311/- (Rupees Eight Thousand Three Hundred and Eleven only) commencing from 15th March, 2024 to 31st December, 2027 and that a rent agreement shall be executed for 10 years.

A copy of the said allotment letter issued by Respondent No. 1 having memo no. 342/1/EM/LXXIV/KMDA-14A/2023-24 dated 12.03.2024 along with a typed copy is annexed hereto and marked as ANNEXURE P/2.





5. On finding out the massive degradation of environment being carried out by the private respondent; the petitioner wrote to the concerned authorities informing them of the said damage to the fragile National Lake and urged them to take immediate action. However, there has been no response from the said concerned authorities till date to the representations made by the petitioner.

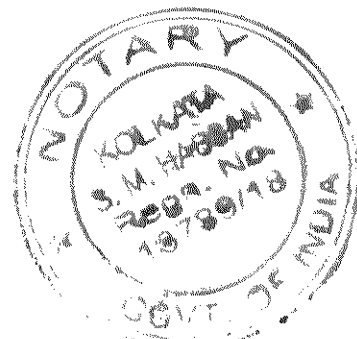
Copies of letter dated 30th April, 2024 addressed to state and central government authorities are annexed hereto and marked as ANNEXURE P/3.

6. That in spite of the letters and protests by several citizens no action has been taken to protect the environment surrounding the Rabindra Sarobar Lake and massive degradation of the green field is taking place, with the help of JCB machines, trees are being uprooted and felled. That such machinery and work is also being done at night, which have been expressly prohibited by the National Green Tribunal in multiple cases such as Original Application No. 136 of 2016 and Original Application No. 40(THC) of 2017. The petitioner craves leave to refer to the said orders at the time of hearing.

Copies of photographs showing the uprooting and felling of trees using JCB machines are being annexed hereto and marked as ANNEXURE P/4.

7. It is submitted that both the allocation of land by the Respondent No. 1 and 2 and the exercise of power to alter the nature of the land, fell trees, etc. by the private respondent are arbitrary and devoid of legal authority.

Respondent no. 1 and 2 are statutory bodies constituted under the Calcutta Metropolitan Development Authority Act, 1972 (to be referred as CMDA Act in short hereinafter) empowered to execute development plans in the Calcutta Metropolitan area through due process of law, i.e. by virtue of formulating and executing development plans, subject to state government sanctioning said plans. It is submitted that Respondent no. 1 and 2 in deciding to



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arbitrarily allotting land at rental basis for a commercial purpose such as cricket training without any plan, investigating siting criteria, stakeholder consultation and expert opinion amounts to colourable exercise of power and in complete contradictions to the provisions of the CMDA Act.

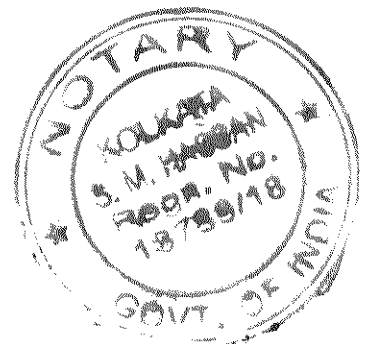
8. It is further submitted that the decision taken by the Respondent no. 1 and 2 have neither been placed in public domain nor has been provided to the petitioner, despite the members of the petitioner association seeking the same inter alia through applications under the Right to Information Act, 2005

A copy of the RTI applications dated 10.05.2024 under the Right to Information Act, 2005 is annexed hereto and marked as ANNEXURE P/5.

9. It is submitted that members of the petitioner association have also written to the Chief Minister, State of West Bengal among other statutory authorities, including the Central Government apprising them of the situation, however no action has been taken to stop and/or reconsider the decision to allot the said land to the private respondent. This shows blatant disregard for the concerns of stakeholders, which have been given utmost importance in National Environment Policy 2006 as well as in various guidelines on protecting and conserving aquatic eco-systems such as the Rabindra Sarobar Lake.

Copies of the letters dated 22nd June, 2024 to the Chief Minister and other state and central authorities are annexed hereto and marked as ANNEXURE P/6.

10. It is submitted that the Rabindra Sarobar Lake was accorded the status of a national lake in 2003 after much effort and protests of environmental activists and residents of Kolkata trying to protect the water bodies. As per a recent Environment Impact Assessment Study carried out by an expert committee led by five members, constituted by Respondent no. 5 following an





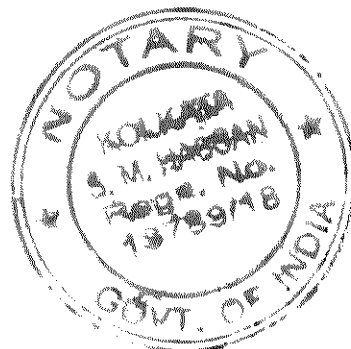
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order by the National Green Tribunal, the Rabindra Sarobar Lake is the second largest water body in Kolkata and situated in the southern part of the city (22°30'.30" -22°30'.42" N, 88°21'-88°22' E). The Lake and its vicinity are rich in floristic diversity, both aquatic and terrestrial that provides a natural Carbon Dioxide sink of the metropolitan city. The Lake also serves as a suitable habitat for a variety of amphibians, fishes, reptiles, waterfowls and migratory birds. Around 38% of the total area (73 acres) constitutes the water body while the residual area comprises of varieties of plant/tree species some of which are century old.

The Petitioner craves leave of this Hon'ble Court to produce and refer to the relevant Environment Impact Assessment study by the expert committee constituted by the Respondent No. 5 at the time of hearing.

11. It is submitted that the said expert committee constituted by Respondent no. 5 herein, conducted an in-depth study of the said Lake and its current problems and provided several recommendations for the authorities to take note of and act. Some of the relevant recommendations are:

- a) Green areas and landscaping may be developed with the trees. Indigenous plants should be given importance while introducing plants in the lake premises. Rabindra Sarovar area can be a live repository of indigenous and rare plant species of West Bengal or of Eastern India along with ornamental and avenue trees. For selection of plant species to be introduced in the Sarovar area the authority should consult with prominent Botanist/Botanical Institutes, Taxonomist/Plant conservationist and others.
- b) Wild indigenous fruit trees having larger canopy to give shelter and food for small animals and birds as well should be introduced.
- c) The land and water bodies forming open space of Rabindra Sarovar play a very important role in the metropolitan city of Kolkata. The environmental imbalance that has occurred in the Rabindra Sarobar deserves special consideration and steps have to be taken by the Rabindra Sarobar authority to control the situation and to restore the



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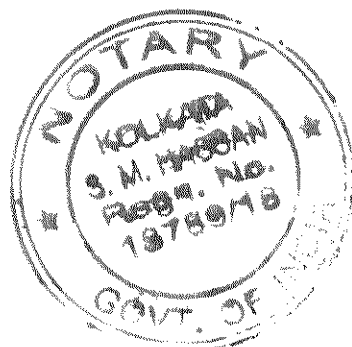
original ambience as well as aquatic and terrestrial biodiversity of the Sarovar area.

- d) No further expansion/ construction/ modifications in the Sarovar likely to cause environmental impacts shall be carried out without obtaining prior approval from the concerned.

It is submitted that the respondent authorities instead of paying heed to the recommendations of the experts are acting in an arbitrary manner by alienating the land, allowing continuous destruction of the trees, grass, and soil. Their actions completely contradict and ends up contributing to the many sources of pollution and problem plaguing the Rabindra Sarobar Lake area.

12. It is submitted that following such studies, there have been several orders of the National Green Tribunal, directing the state respondents, especially the Respondent nos. 1 and 2 to prepare phase wise Detailed Plans to implement the recommendations of the said expert committee. But instead of acting in accordance to the said order and conserving the ecosystem, the respondents through their actions of alienating land for activities such as cricket training pitch development have further degraded the environment and caused irreparable harm to the already fragile aquatic eco system of Rabindra Sarobar due to the preparation and construction activities required to undertake pitch development massive tree felling is ongoing. That construction of cricket pitch neither serves any purpose to uplift the environment of Rabindra Sarobar nor carries any public utility for which accommodation must be made. Finally, the action of alienation of land is expressly violative of the public trust doctrine, when it comes to natural resources and ecosystems as reiterated by the Hon'ble High Courts and the Hon'ble Supreme Court several times.

The petitioner craves leave to refer to the judgements of High Courts and the Supreme Court on the duties of custodian of natural ecosystems and the public trust doctrine at the time of hearing.





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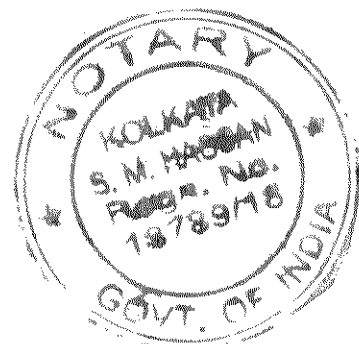
13. It is submitted that press statements have been made by the respondent no. 8 accepting their role in the current phase of construction and it appears from banners put up in the said Lake area that the ground is being allotted for celebrity cricket practice. While the veracity of these facts remains to be ascertained, as the authorities have refused to reply to the applications under the Right to Information Act, 2005, it is submitted that neither the CMDA Act, the Guidelines issued by the Respondent no. 7 and not even the expert recommendations of Respondent no. 5 justify allotment of land in Rabindra Sarobar Lake as a good ground of sound ecosystem management.

Copies of photographs depicting banners allegedly put up by Respondent nos. 1 and 2 and newspaper articles allegedly quoting the private respondent are annexed hereto and marked as ANNEXURE P/7.

14. It is submitted that in case of wetland conservation and protection, the wise use principle is followed. That the purport and meaning of the said 'wise use' principle can be derived from International Treaties such as the Ramsar Convention to which India is a party, as well as national legislations such as the Wetlands (Conservation and Management) Rules 2017 under the Environment Protection Act, 2006 and guidelines therein issued by the Respondent no. 7.

It is further submitted that one of the most important peri-urban wetlands recognized as wetlands of international importance, the East Kolkata Wetlands have a separate statute and statutory body regulating the activities that can be allowed and what consideration to keep in mind when deciding allowing an activity.

It is thus submitted that although there is no single statute regulating the Rabindra Sarobar Lake, the Guidelines for National Lake Conservation Plan 2008 issued by the Respondent no. 7 provides for Lakes to be governed by several legislations working in harmony with each other. The legislations such as Water (Prevention of Control of Pollution) Act, 1974, the Environment (Protection) Act, 1986 as well as the National Environment Policy 2006.



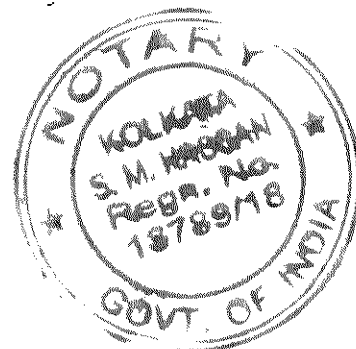
Therefore, it is submitted that a conjoint reading of the policies and acts provides for a protective legal regime for Lakes such as Rabindra Sarobar Lake where wise use principle should govern decision making process on what activity to allow or not and stakeholder concerns to be taken as prerequisite is a legal stipulation.

The petitioner craves leave to refer to the relevant provisions of the said statutes and policies at the time of hearing.

15. It is further submitted that the National Lake Conservation Plan has been merged into the National Plan for Conservation Aquatic Ecosystems by Respondent no. 7, under which states are to prepare detailed framework and integrated management plans and seek funds for the same. It is argued that instead of following these guidelines and directions of the National Green Tribunal as well expert recommendations, the Respondent nos. 1 and 2 appears to contradict them by their arbitrary exercise of power in alienating land in the National Lake region for dubious purpose, which has already caused great harm to the ecology of the region. The petitioner craves leave to produce the same as and when necessary.

16. The petitioner states that an FIR through an email an dated 22.06.2024 was lodged before the Rabindra Sarobar Police Station was lodged complaining of cutting and lush green land destruction by diesel operated heavy construction equipment's , JCB during night hours. Despite of receiving of the complaint the police authorities chose to sat tight and quiet over the said complaint and did not initiate any action. Annexed here is the email dated 22.06.2024 and marked with ANNEXURE P/8

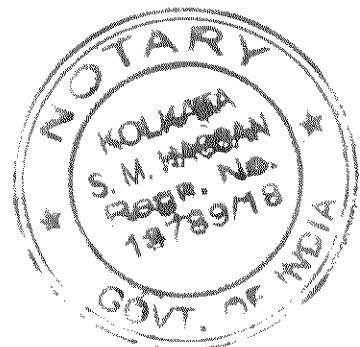
17. That under the circumstances faced with irreparable harm to the fragile aquatic ecosystem of Rabindra Sarobar because of the act and actions of the respondents, affecting the fundamental right of the citizens to clean



environment, the petitioners are deprived of any alternative avenue of redressal, and hence hereby files this petition in public interest before this Hon'ble Court on the following

G R O U N D S:

- I. For that the respondent no. 1 erred in allotting 98 chottachs of land to the private respondent inside national lake region.
- II. For that the respondent no. 1 failed to take in consideration that the 98 chottachs of land allotted to the private respondent on rental basis inside a national lake region would cause immense destruction of the greenery and would affect the fragile lake ecosystem.
- III. For that allotting land inside national lake region is in complete violation of the guidelines for national lake conservation plan as well as the updated guidelines for national plan for conservation of aquatic ecosystem and several norder passed by the National Green Tribunal.
- IV. For that the respondent authorities have failed and neglected to take necessary steps against several letters and protest by senior citizens to protect the environment surrounding the Rabindra Sarovar Lake for massive degradation of the green field for massive degradation of the green field .
- V. For that the allotment of land by respondent no. 1 to the private respondent is absolutely arbitrary without following the due process of law and absolute colouable exercise of power.
- VI. For that due to the arbitrary allotment of land there has been massive failing of trees , degradation of green field , disturbing the ecological balance.
- VII. For that the respondent no. 1 instead of drawing a plans to conserve the eco system is alienating land for the purpose of cricket training pitch development which will not work in favour of conserving the environment but has lead to irreparable harm to the already fragile aquatic ecosystem of Rabindra Sarovar Lake.



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VIII. For that the respondent no. 1 and 2 instead of following many a guidelines for preservation and protection of the fragile eco system of the Rabindra Sarovar Lake have acted in absolute contrary by alienating land in favour of private respondents which has rampantly cut off trees and caused serious damage to the already fragile aquatic ecosystem of Rabindra Sarovar lake.

18. The Petitioners crave leave to take such other or further grounds that may be available to the Petitioners at the time of hearing of the instant petition.

19. That the records of the case are lying within the jurisdiction of the Appellate side of this Hon'ble Court.

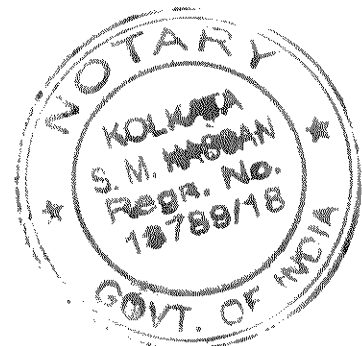
20. That the petitioner never moved any application before this Hon'ble Court or any other court of law under the writ jurisdiction on the self-same cause of action.

21. As the instant petition deals with protection of National Lake area from irreparable harm, the balance of convenience lies in favour of the petitioner and the Hon'ble Court must allow the prayer of the petitioner to restrain the private respondent from taking any further action changing the character and nature of land as well as causing any more harm to the fragile ecosystem.

22. Your petitioner suggests that there is no other alternate efficacious legal remedy and legal remedy sought for would be full, complete and adequate if granted.

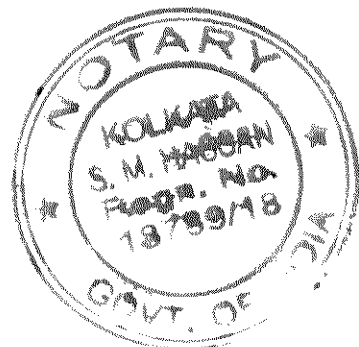
23. That this application is made bonafide and for the ends of justice.

In the facts and circumstances stated hereinabove, The Lordships may be graciously pleased to pass the following orders and/or directions:



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- A) A writ of/ or in the nature of Certiorari do issue against the Respondent authority Nos. 1 and 2 herein, quashing the allotment of land order issued by the said authority on 12th March, 2024 to the private respondent, placed as Annexure P/2 as illegal and arbitrary;
- B) A writ of/ or in the nature of Prohibition do issue against the Respondent authority Nos. 1 and 2 herein and the private respondent, prohibiting them from taking any action which results in change of character of land, erosion, degradation, cutting or felling of trees, grass, or in any way cause any harmful impact on the body and surrounding land of Rabindra Sarobar Lake;
- C) A writ of/ or in the nature of Certiorari do issue thereby directing the Respondent authorities to forthwith produce all the documents relating to the aforesaid allotment of land and subsequent agreements entered into or money received, any action related to the subject matter for a just and proper adjudication of the instant lis;



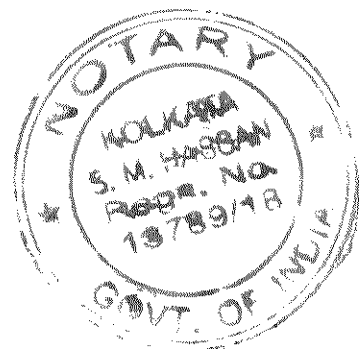
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D) A Writ of/ or in the nature of Mandamus, directing the State Government to immediately assess, map and demarcate the boundaries of the said protected Rabindra Sarobar Lake and tabulate the land use of the Lake area around the same and make full endeavours to implement the Central Government issued National Plan for Conservation of Aquatic Ecosystems Guidelines;

E) A Writ of/ or in the nature of Mandamus do issue directing the State Respondents to jointly ensure no alienation of land or encroachment and reclamation of Rabindra Sarobar Lake and/or buffer area around the said lake are carried out and to restore the said grounds in which degradation has taken place to its original status and health;

F) Rule NISI do issue as regards prayers (A) to (E) above;

G) An interim order restraining Respondent Nos. 1 to 2, 4 and private respondent no. 8, their men, agents, assigns and/or subordinates from taking any action or passing any order to undertake any activities resulting in further alienation by way of lease, rent or



sale, degradation, cutting, felling of any trees and grass, changing nature and character of land in and around the Rabindra Sarobar Lake till the disposal of this application;

H) A writ of and /or in the nature of mandamus do issue directing for constituting an expert committee by the respondent no. 5 to assess and evaluate the damage done to the green grounds, tree uprooted and felled by the private respondent and suggest compensatory measures and steps required to be taken to restore the said land and its original status.

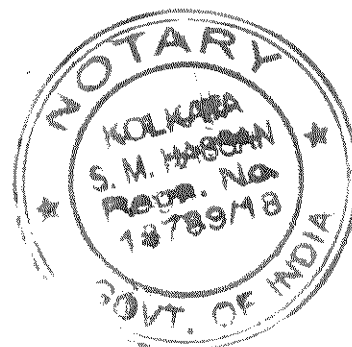
I) Ad-interim order(s) in terms of prayer G above;

J) Pass such further and/ or other order(s)/ direction(s) as may be deemed fit and proper.

And for this act of kindness, the petitioner shall, as is duty-bound, ever pray.

I certify that Naba Kumar Dutta has been duly authorised by the petitioner no. 1 and 2 to sign and affix this affidavit on their behalf
Abhishek Sikdar

Naba Kumar Dutta



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AFFIDAVIT

I, Naba Kumar Dutta, secretary and authorised representative of petitioner no.1 herein to Sabuj Mancha, S/o of late Kanai Lal Dutta, aged about 69 years, by faith Hindu, by Occupation—researcher, having his office at RA 449 Sector 4 Saltlake Kolkata – 700105, and residing at 133/2B, Raja Rajendra lal Mitra Road, Kolkata-700085 do hereby solemnly affirm and state as follows:

1. That I am the Petitioner No. 1 in the instant writ application and as such I am conversant with the facts and circumstances of the instant case and I am being duly authorised to sign and affirm this affidavit on behalf of petitioner no.1 and 2 .
2. That the statements made in paragraph No. 1 to 2 are true to my knowledge and those made in paragraph 3 to 17 derived from the records which I verily believe to be true and rest of the paragraph are my respectful submissions before this Hon'ble Court.

Prepared in my office,

Abhishek Sikdar
Advocate.

F/1512/1048/2011

Naba Kumar Dutta

The deponent is known to me,

Clerk to: Mr. Rudranil De

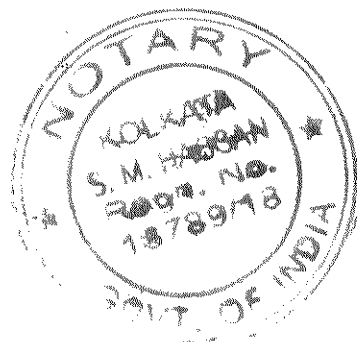
Advocate.

Solemnly affirmed before me
on this the day of June, 2024.

COMMISSIONER

I certify that all Annexures are legible.

Abhishek Sikdar
Advocate.



~~4/6~~~~Annexure - 'P₁' - 18~~

সবুজ মঞ্চ
sabuj mancha

A Platform of Organizations and People Supporting Environment
RA 449 Sector IV Salt Lake, Kolkata 700105
Contact No: 9163539073/ 9831172660
email: sabujmancha@gmail.com

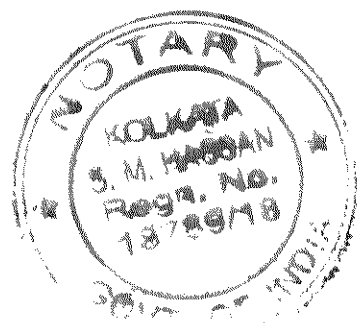
RESOLUTION

The Secretariat Meeting of Sabuj Mancha held on web on 20 June 2024 on unethical allotment of a piece of land of 1.66 acre near the gate No. 8 of Rabindra Sarovar (recognized as a National Lake) on rental basis by the KMDA to a private entity Calcutta Entertainment Club Foundation for organizing "Celebrity Cricket", a case will be filed at the Calcutta High Court demanding immediate injunction on ongoing destruction and devastation of the land and the surrounding trees.

The General Secretary of the organization, Shri Naba Kumar Dutta is entrusted to sign the petition and other case related papers till further decision.

Date :

Dr. Dulal Bose
President
Former Sheriff of Calcutta



47

Observations & remarks

KADA allowed and shall be used by the person in charge of the vehicle for physical verification if it is found that the actual measurement of the vehicle record then the rental amount will be adjusted to the bill.

The amount to be under the name of the person in charge of the vehicle.

NOTE: The person in charge of the vehicle should be present at the time of the physical verification.

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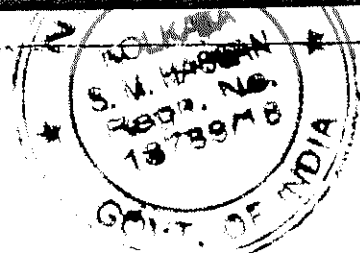
NOTE: The person in charge of the vehicle should be present at the time of the physical verification.

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NOTE: The person in charge of the vehicle should be present at the time of the physical verification.



TYPE COPY

-26

KMDA

OFFICE OF THE ESTATES MANAGER
E&M SECTOR KMMDA
1st FLOOR UNNAYAN BHAVAN
SALT LAKE KOLKATA 700091

KOLKATA
METROPOLITAN
DEVELOPMENT
AUTHORITY
Date: 12.03.2024

Memo No: 342/I/EM/LXXIV /KMDA-14A/2023-24

To,

The Director, Calcutta Entertainment Club Foundation
60/116, Haripada Dutta Lane, Near Old Better High School
Calcutta - 700033

Sub: Allotment of KMDA and rent basis measuring as area of 98 (Ninety Eight) Kathas ... Calcutta Entertainment Club Foundation at Rabindra Sarobar on "as is where is basis"
Reference (A) (i) Your letter CEFC/KMC/01/23 dtd. 07.07.2023
(ii) Your Letter no Nil dtd. 07.01.2024
(B) Approval of Hon'ble Chairman, KMDA dtd. 02.03.2024

Sir,

I am directed to inform you that your prayer for allotment of land for cricket training at Rabindra Sarobar has been considered and duly approved by the Competent Authority of KMDA. Rental charge on monthly basis for allotment of land measuring about 101 m X 65m) i.e. 98 (ninety eight) Kathas is evaluated to Rs 8311/- (Rupees Eight Thousand Three Hundred Eleven Only) including GST. This monthly rental charge is effective from 15.03.2024 and will remain valid upto 31.12.2027. The next revision of rent will be made on 01.01.2028 with escalation of 10% as desired by the Competent Authority of KMDA

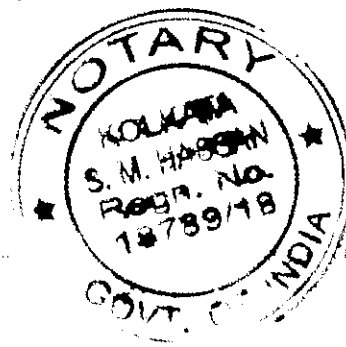
In case of preparation creation cricket pitch you have a pay additional Rs. 3000/- (Rupees Three Thousand only) per pitch per year.

Possession of ground will be handed over on 15.03.2024.

Rent agreement will be executed for a period of 10 years in upto 31.12.2032 and further renewal will be as per decision of the Authority.

Other terms & condition

1. KMDA allotted land should be used by the agency as per measurement drawing. On physical verification if it is found that the actual measurement differs from our aforesaid record then the rental amount will be adjusted in the next bill.
2. The ground is to be under occupation of the allottee during the day between day between 6am to 6pm
3. KMDA reserves the right to cancel or terminate the rental agreement without assigning any reasons thereof at any point of time.
4. No temporary or permanent structures are to be constructed on the allotted land.
5. Allottee should take permission from KMDA before organizing any type of activities beyond their routine activities. KMDA may or may not grant the permission in view of the guidelines as framed by the Hon'ble NGT/ or any other Hon'ble Court or Authority.



- 21 -

~~49~~

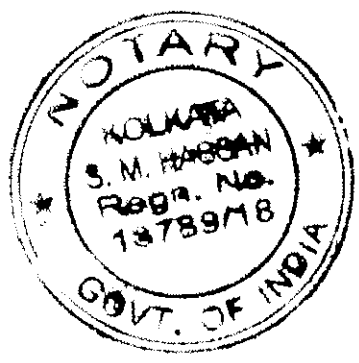
6. All activities to be taken up pertaining to the prevailing rules and regulations within Rabindra Sarobar premises.

In this connection, you are requested to pay a rent of Rs. 78,955/- (Rupees Seventy Eight Thousand Nine Hundred Fifty Five only) including applicable 18% GST i.e. (Rs. 8311/- X 9.5 months) for the year 2024 within 15 days after receiving this letter, through NEFT/RTGS in the following be account of KMDA and intimate this office:-

Bank details:-

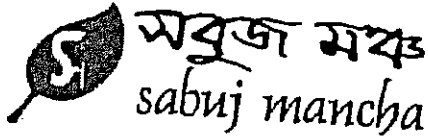
Account Holder:- KMDA A/c ESTATES SCHEMES.
Bank Name:- HDFC Bank Ltd.
A/C No.: 50100523623571

Branch: Sector-II, Salt Lake
IFSC-HDFC0000277.



~~50~~

Annexure P3

~~2~~

A Platform of Organizations and People Supporting Environment
 RA 449 Sector IV Salt Lake, Kolkata 700105
 Contact No: 9163539073/ 9831172940
 email- sabujmancha@gmail.com

SM/Rabindra Sarovar /Green Preservation/2024

Dated 30 April 2024

Mr. Firhad Hakim
 Hon'ble Minister-in-Charge,
 Urban Development and Municipal Affairs, Govt. of West Bengal
 Ex-officio Chairman, Board of KMDA
 Nagarayan, DF 8, Sector I, Salt Lake City, Kolkata - 700064
micmaudwb@gmail.com

Sub: Immediate withdrawal of the decision of handing over the ground near Gate No 8 of Rabindra Sarovar adjacent to the Southern Avenue to the Calcutta Entertainment Club Foundation and develop urban forestry

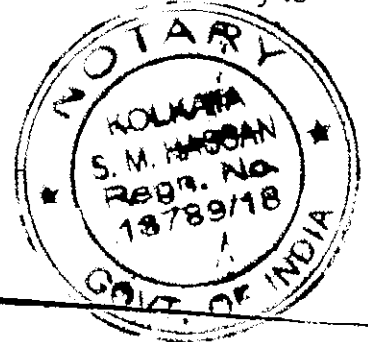
Sir,

You may be aware that Sabuj Mancha, a platform of organisations and individuals concerned for the environment, has been trying to protect the environment of the state since 2009. We are very much concerned for conservation of Rabindra Sarovar, which is recognized as a National Lake and is one of the most important water bodies in the state. It deserves the attention and privilege of National Lake Conservation Plan.

Recently, we, along with the morning walkers and lake lovers, have been surprised to see that massive grass cutting and tree trimming are taking place in the ground adjacent to the Gate No. 8 of Rabindra Sarovar. The field, measuring around 1.5 acre, is adjacent to the Southern Avenue - Lake Stadium crossing. There is a thin layer of trees along the side of the field adjacent to Southern Avenue. Already the pollution level here is very high due to least number of plants and heavy vehicular traffic movement in the surrounding area consisting of Lake Stadium, Sarat Bose Road crossing etc.

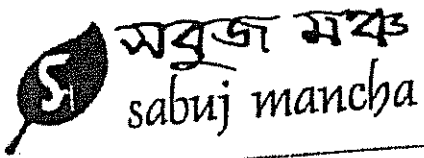
We have come to know that the field has been handed over to a private entity namely Calcutta Entertainment Club Foundation. As such, a large number of plots in the lake area had already been distributed among the private clubs and organisations. Though, the official objective of these clubs and organisations is to promote various kinds of sports, in practice the spaces are also being used for cultural functions, parties, social gatherings. These events produce lot of noise, light and waste. The surroundings of the lake including water and greeneries suffer pollution. It will not be wise to let another space be used for any other purpose other than greening.

It is to be specifically noted that Rabindra Sarovar is under the National Lake Conservation Plan. Fragmented pieces of such an important lake should not be handed over to any private party for entertainment purposes. Rather, as a custodian of the lake, KMDA should take responsibility to extend its green coverage, and improve the quality of water and air.



SI

-23-



A Platform of Organizations and People Supporting Environment
 RA 449 Sector IV Salt Lake, Kolkata 700105
 Contact No: 9163539073/9831172060
 email- sabujmancha@gmail.com

We draw your kind attention to the fact that
 (a) Kolkata had lost around 30% green coverage in 10 years as revealed by the State of the Forest Report 2021, conducted by the Forest Survey of India,
 (b) in terms of air quality index, Kolkata is one of the most polluted cities in the world,
 (c) Kolkata and its people are at the top of the hit list of climate change.

While writing this letter, we also draw your kind attention to the prolonged heat wave that is experienced by Kolkata as well as the whole of the state. It is not only the high temperature, but also the lack of moisture for such a long period that may cause disastrous effects on the health of humans and the animals.

In such a situation, it is environmentally unethical not to take the scope of developing greenery and let a national property be used for environmental purposes. We strongly demand to withdraw the decision of handing over the referred piece of land and take necessary action to develop an urban forest on the same ground, ensure improved air quality inside the lake area, ensure better water quality and raise the water level.

Hope you will kindly let us know your action in this regard,

Thanking you,

Yours sincerely,

Naba Dutta

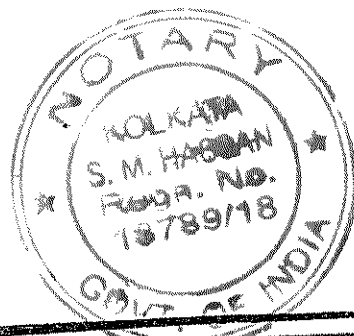
Naba Dutta, General Secretary

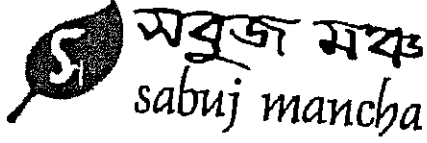
Copy to -

1. Shri Surendra Gupta, IAS, Chief Executive Officer, KMDA, CJ - 164, 2nd Avenue, DJ Block, Sector - II, Bidhannagar, Unnayan Bhawan, Kolkata - 700091, ceokmda@gmail.com
2. Smt. Nandita Ghosh, IAS, Secretary with Additional Charge of Special Secretary, KMDA, Sr. Special Secretary, UD and MA Department, Govt. of WB, secykmda@gmail.com

Naba Dutta

Naba Dutta, General Secretary





A Platform of Organizations and People Supporting Environment
 RA 449 Sector IV Salt Lake, Kolkata 700105
 Contact No: 9163539073/9831172060
 email- sabujmancha@gmail.com

SM/Rabindra Sarovar /Green Preservation/2024

Dated 30 April 2024

Smt Leena Nandan
 Secretary MoEFCC
 & Chairperson, National Wetland Committee.
 Ministry of Environment, Forest and Climate Change
 Indira Paryabaran Bhawan, Jorbag Road, New Delhi 110003
secy-moef@nic.in

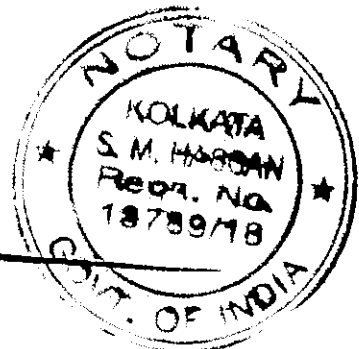
Sub: Immediate intervention against handing over the ground near Gate No 8 of Rabindra Sarovar adjacent to the Southern Avenue to the Calcutta Entertainment Club Foundation and develop urban forestry

Madam / Sir,

Greetings from Sabuj Mancha, a platform of organisations and individuals concerned for the environment. We have been trying to protect the environment of the West Bengal since 2009. We are very much concerned for conservation of Rabindra Sarovar, which is recognized as a National Lake and is one of the most important water bodies in the state. It deserves the attention and privilege of National Lake Conservation Plan. At present Kolkata Metropolitan Development Authority (KMDA) is the custodian of the lake.

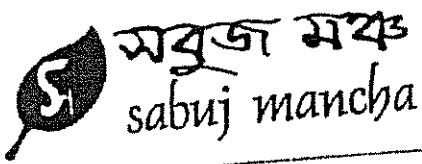
Recently, we, along with the morning walkers and lake lovers, have been surprised to see that massive grass cutting and tree trimming are taking place in the ground adjacent to the Gate No. 8 of Rabindra Sarovar. The field, measuring around 1.5 acre, is adjacent to the Southern Avenue - Lake Stadium crossing. There is a thin layer of trees along the side of the field adjacent to Southern Avenue. Already the pollution level here is very high due to least number of plants and heavy vehicular traffic movement in the surrounding area consisting of Lake Stadium, Sarat Bose Road crossing etc.

We have come to know that KMDA authority vide their Memo No. 342/1/EM/LXXIV/KMDA-14A/2023-24 dated 12.3.24 has rented the field to a private entity namely Calcutta Entertainment Club Foundation at a meagre amount of Rs. 8311/- per month which will be revised in 2028 (copy enclosed). As such, a large number of plots in the lake area had already been distributed among the private clubs and organisations. Though, the official objective of these clubs and organisations is to promote various kinds of sports, in practice the spaces are also being used for cultural functions, parties, social gatherings. These events produce lot of noise, light and waste. The surroundings of the lake including water and greeneries suffer pollution. It will not be wise to let another space be used for any other purpose other than greening.



58

-25-



A Platform of Organizations and People Supporting Environment
 RA 449 Sector IV Salt Lake, Kolkata 700105
 Contact No: 9163539073/ 9831172060
 email- sabujmancha@gmail.com

It is to be specifically noted that Rabindra Sarovar is under the National Lake Conservation Plan. Fragmented pieces of such an important lake should not be handed over to any private party for entertainment purposes. Rather, as a custodian of the lake, KMDA should take responsibility to extend its green coverage, and improve the quality of water and air.

We draw your kind attention to the fact that
 (a) Kolkata had lost around 30% green coverage in 10 years as revealed by the State of the Forest Report 2021, conducted by the Forest Survey of India,
 (b) in terms of air quality index, Kolkata is one of the most polluted cities in the world,
 (c) Kolkata and its people are at the top of the hit list of climate change.

While writing this letter, we also draw your kind attention to the prolonged heat wave that is experienced by Kolkata as well as the whole of the state during the last week of April. It is not only the high temperature, but also the lack of moisture for such a long period that may cause disastrous effects on the health of humans and the animals.

In such a situation, it is environmentally unethical not to develop greenery and let a national property be used for entertainment purposes. We strongly request you to kindly institute an enquiry and assess the condition of Rabindra Sarovar. We also request you to take immediate steps to stop renting the land for entertainment purpose and direct all concerned including the custodian to develop an urban forest in the said field.

Hope you will kindly let us know your action in this regard,

Thanking you,

Yours sincerely,

Naba Dutta

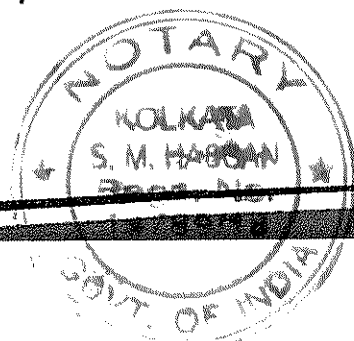
Naba Dutta, General Secretary

Copy to -

Smt. Roshni Sen, IAS, Additional Chief Secretary, Dept. of Environment, 5th floor, Pranisampad Bhawan, Block LB - II, Salt Lake, Sector III, Bidhannagar, Kolkata 700106, psecy.env-wb@gov.in

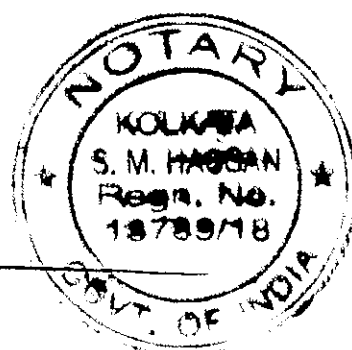
Naba Dutta

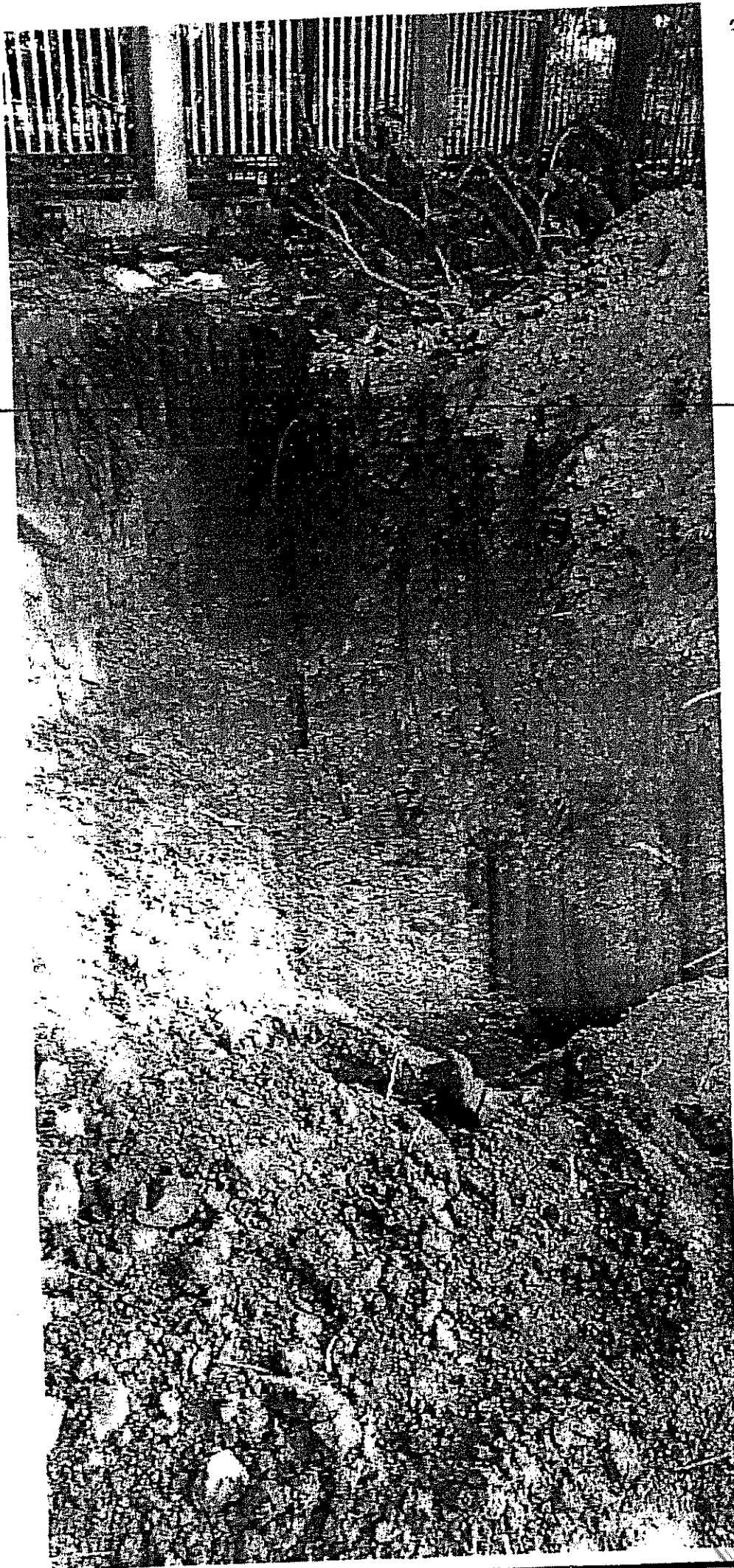
Naba Dutta, General Secretary



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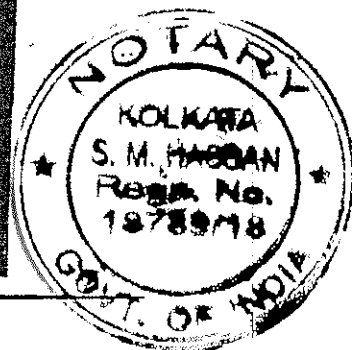
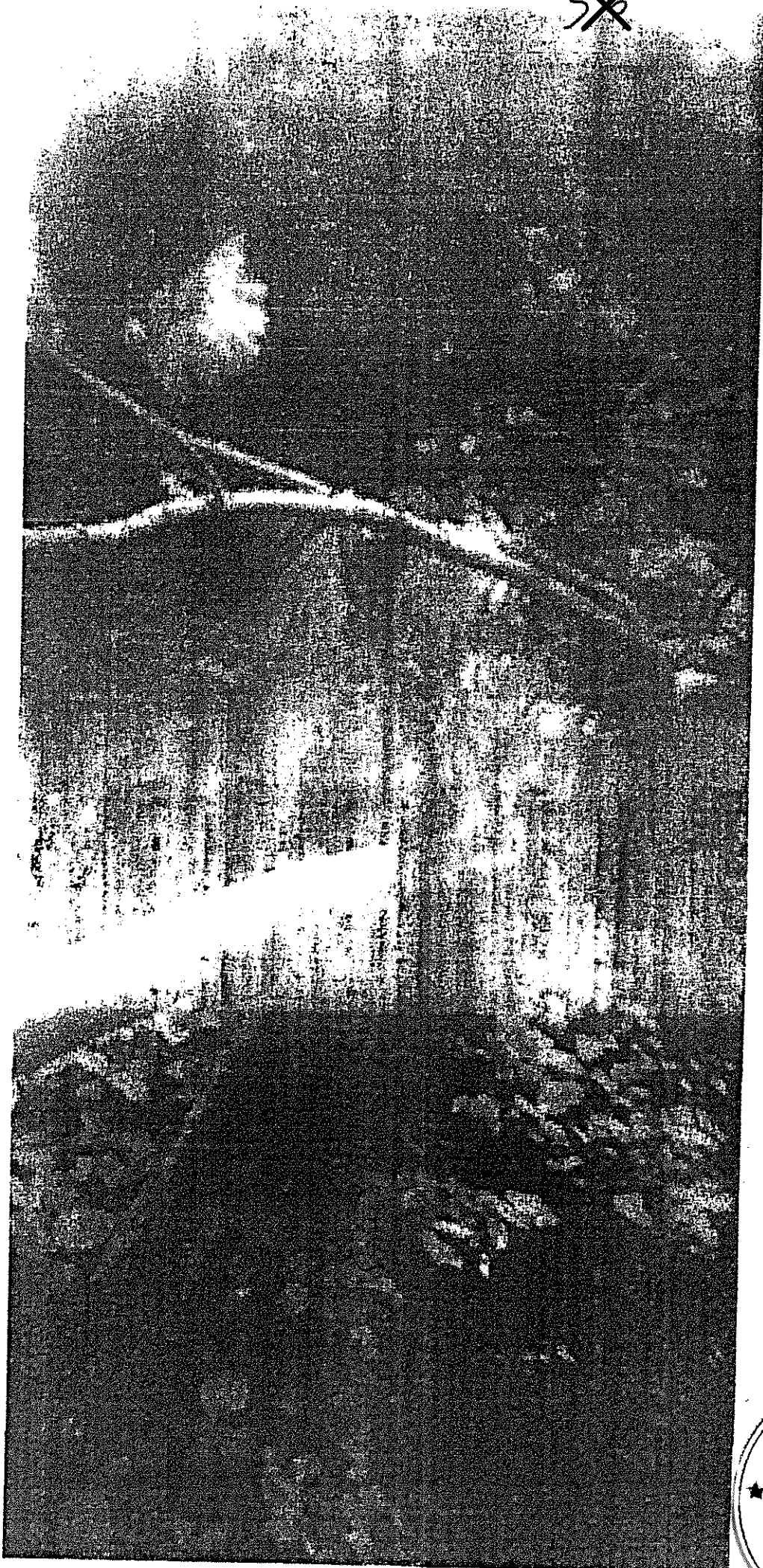


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NOTARY
KOLKATA
S. M. HASSAN
Regis. No.
18788/16

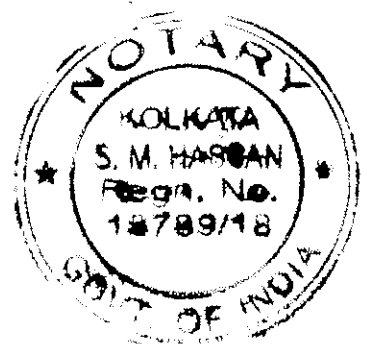
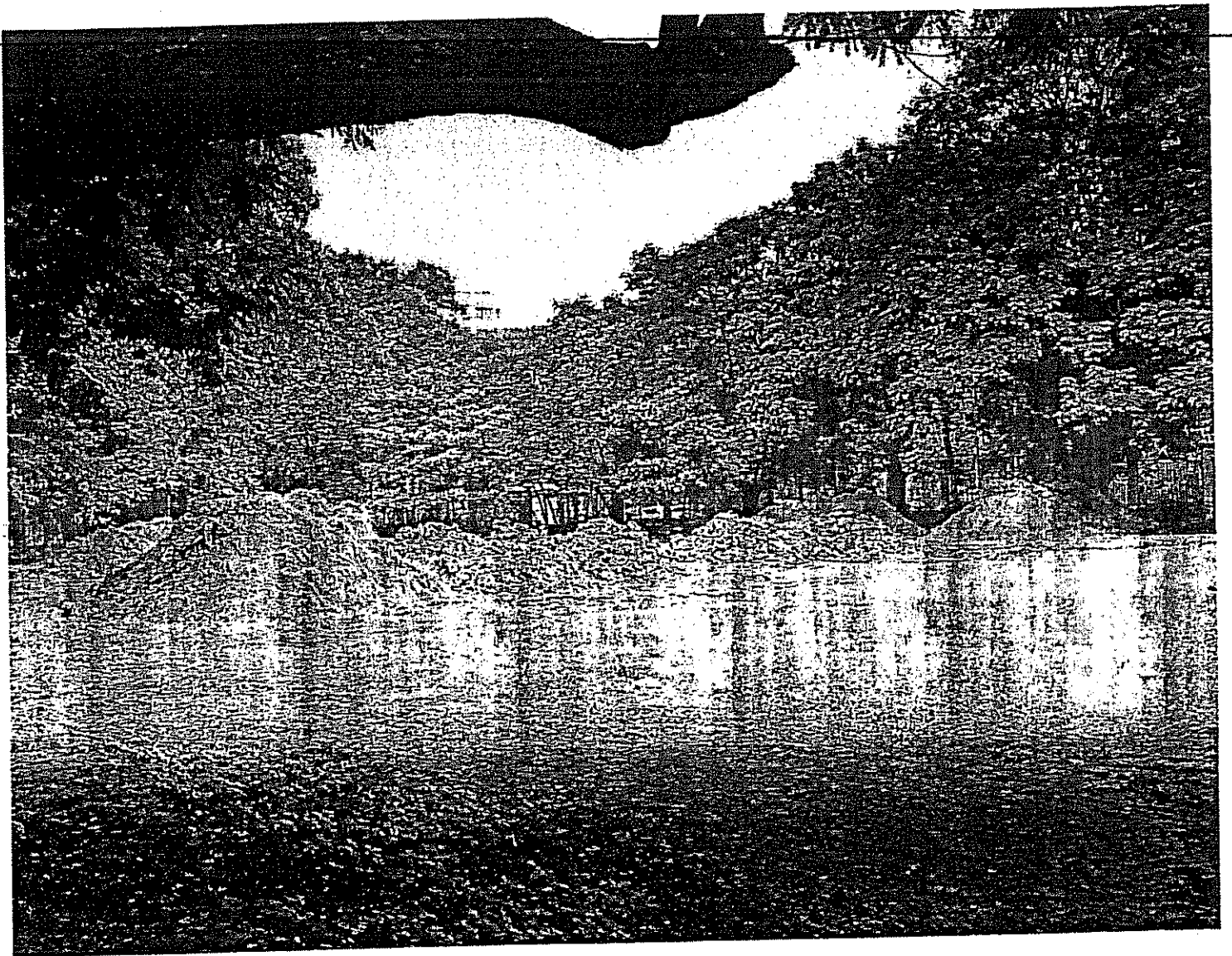
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Annexure - 15 - 30 -

O. P. JHUNJHUNWALA
 Attorney at Law and Advocate
 8th Floor, Camac Court
 Kolkata 700 016
 Mob: 91- 97488 53456
 E-Mail: opjhunjhunwala@gmail.com

10th May, 2024

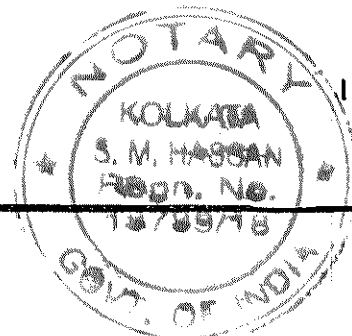
To
 The State Public Information Officer
 KMDA, Government of West Bengal
 CJ - 164, 2nd Avenue,
 DJ Block, Sector - II
 Bidhannagar, Unnayan Bhawan,
 Kolkata - 700091

Reg:- Information under the Right to Information Act, 2005

Dear Sir,

Kindly furnish us the following information with regard to National Lake Rabindra Sarobar to which you are the custodian under the appropriate laws of West Bengal:-

1. Whether KMDA is a custodian of Rabindra Sarobar under the West Bengal Town and Country (Planning and Development) Act, 1979. If not, then what is the status of KMDA vis-à-vis Rabindra Sarobar?
2. How much fund KMDA is receiving from the Ministry of Environment, Forest and Climate Change as well as from the State of West Bengal every year for development and protection of Rabindra Sarobar?
3. Please give the last three years data with regard to the fund received from both the Government from 1st April, 2021 to 31st March, 2024 ?
4. Any Environmental fund and Financial Audit done in the last 3 years while submitting Project Report for NECP FUND ?
5. Please let us know the account under which KMDA is spending funds for development, protection and preservation of Rabindra Sarobar?



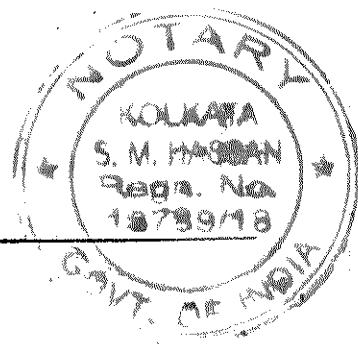
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O. P. JHUNJHUNWALA
 Attorney at Law and Advocate
 8th Floor, Camac Court
 Kolkata 700 016
 Mob. 91- 97488 53456
 E-Mail opjhunjhunwala@gmail.com

-: 2 :-

6. Please let us know what steps has been taken by KMDA for protecting and preserving the water body of Rabindra Sarobar?
7. Please let us know on what basis KMDA has given lease or on rent or transfer the land of Rabindra Sarobar to the different Clubs and how much KMDA is receiving the revenue from all the Clubs every year ? Please specify and give us the copy of the Lease or Tenancy or any transfer- deed to us.
8. Please let us know the names of the Clubs, Association or Company to whom KMDA has leased out, allotted or transferred the land of Rabindra Sarobar after taking over custody of Rabindra Sarobar in 2017 ?
9. Please let us know what steps KMDA has taken against Clubs which have illegally made construction inside the premises of the Club ?
10. Please let us know the name of the Security Agency to whom security of Rabindra Sarobar has been given and the amount of money being paid to the security agency every month ?
11. Please inform the number of workers and staff on the pay-role of KMDA for Rabindra Sarobar ?
12. Please let us know whether there is a separate water pipeline connected with KMC for inflow of water to Rabindra Sarobar ? If so, please give the status of the water pipeline.
13. Whether any action has been taken for rainwater harvesting in Rabindra Sarobar ?



O. P. JHUNJHUNWALA
 Attorney at Law and Advocate
 8th Floor, Camac Court
 Kolkata 700 016
 Mob: 91- 97488 53456
 E-Mail: opjhunjhunwala@gmail.com

-: 3 :-

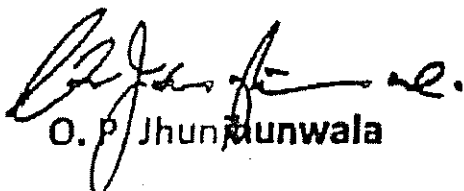
14. What is the reason that the Rabindra Sarobar Stadium at Southern Avenue has remained closed and morning walkers are not allowed to use it for morning walking, jogging, running, doing exercises and yoga ?
15. What is the reason that Rabindra Sarobar Stadium is not properly utilized for sports activity nowadays ?
16. What action KMDA has taken to implement the various orders passed by the National Green Tribunal in various matters ?
17. Is there any periodical 'MAPPING - POLICY' to find out the actual size of Green Buffers and Waterbodies shrinkaged or added in the stipulated period ?
18. What is the Action Plan for preservation and maintenance of Natural Resource of Rabindra Sarobar Lake ?

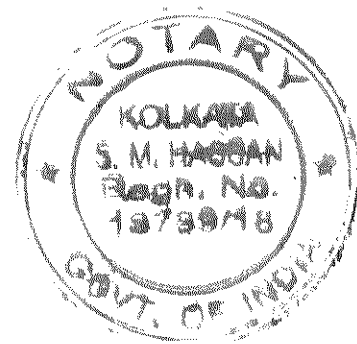
I state that the information as sought above is not exempted under Section 8 of the Right to Information Act, 2005 and as such requesting to furnish the same.

I am sending herewith a bank draft of Rs. 10/- (Rupees. Ten only) in your favour in compliance with the statutory provision of RTI Act.

Thanking you,

Yours faithfully


 O. P. Jhunjhunwala



Sign In Register

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You are here Home >> Track Consignment

Track Consignment

[Quick help](#)

* Indicates a required field

* Consignment Number

EW472638632IN

[Track More](#)

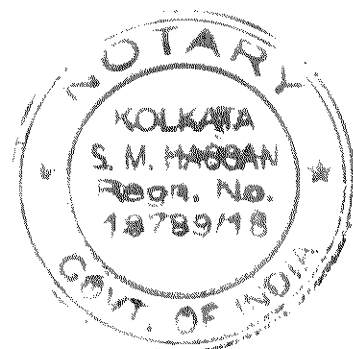
Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Tollygunge HO	10/05/2024 12:51:29	700091	41.30	Inland Speed Post	Sech Bhawan SO	14/05/2024 08:05:34

Event Details For : EW472638632IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
14/05/2024	08:05:34	Sech Bhawan SO	Item Delivered(Addressee)
13/05/2024	15:36:55	Sech Bhawan SO (Beat Number:5)	Item Delivered [To: ds (Addressee)]
13/05/2024	11:27:26	Sech Bhawan SO	Out for Delivery
11/05/2024	07:43:25	Sech Bhawan SO	Item Received
11/05/2024	06:03:49	KOLAP TMO	Item Dispatched
11/05/2024	01:55:18	KOLAP TMO	Item Received
11/05/2024	01:02:04	Kolkata NSH	Item Dispatched
11/05/2024	00:22:11	Kolkata NSH	Item Bagged
10/05/2024	22:35:26	Kolkata NSH	Item Received
10/05/2024	16:06:58	Tollygunge HO	Item Dispatched
10/05/2024	16:06:18	Tollygunge HO	Item Bagged
10/05/2024	12:51:29	Tollygunge HO	Item Booked

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- [Holidays](#)



20000024, 12.21

Track Consignment

Feedback
Right To Information

~~34~~ ~~62~~

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National Voter's Service Portal

India Code

Application Security Audit Report



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Tata Consultancy Services Ltd.

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Updated: 28 Jun 2024



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EW472638632IN IVR:69874726386

SP TOLLYGUNGE HO (700033)



Counter No:1, 10/05/2024, 12:55

To:THE SP10, KMDA

PIN:700091, Sectn Bhawan 50

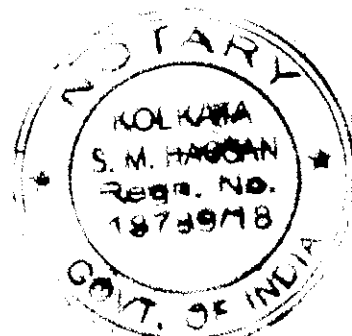
From:O P JHAIHUMALA, CAMAC COURT

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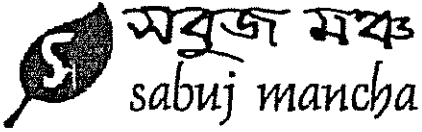
<Dial 1800266868> <Wear Masks, Stay Safe>



~~19~~

Annexure 'D'

-36-



A Platform of Organizations and People Supporting Environment
 RA 449 Sector IV Salt Lake, Kolkata 700105
 Contact No: 9163539073/ 9611172660
 email- sabujmancha@gmail.com

SM/Rabindra Sarovar /Green Preservation/2024

Dated 22 June 2024

Smt Mamata Banerjee
 Hon'ble Chief Minister of West Bengal
 Nabanna, 14th Floor
 Howrah 711102
cm-wb@nic.in

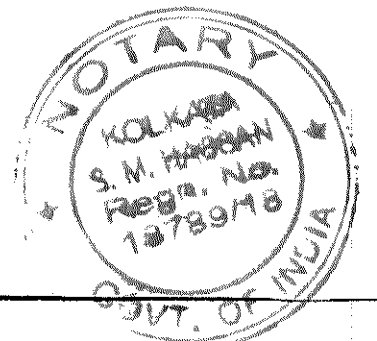
Sub: Immediate intervention against handing over the ground near Gate No 8 of Rabindra Sarovar adjacent to the Southern Avenue to the Calcutta Entertainment Club Foundation for organizing "Celebrity Cricket".

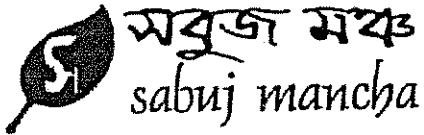
Respected Madam,

Greetings from Sabuj Mancha, a platform of organisations and individuals concerned for the environment. You may know that we have been trying to protect the environment of West Bengal since 2009. We are very much concerned for conservation of Rabindra Sarovar, which is recognized as a National Lake and is one of the most important water bodies in the state. We cherish the memory of your long battle to conserve Rabindra Sarovar with the eminent poet Subhas Mukhopadhyay to save this lake.

Recently, we, along with the morning walkers and lake lovers, have been surprised to see that massive grass cutting, land destruction and tree felling are taking place in the ground adjacent to the Gate No. 8 of Rabindra Sarovar. The field, measuring around 1.66 acre, is adjacent to the Southern Avenue - Lake Stadium crossing. There is a thin layer of trees along the side of the field adjacent to Southern Avenue. Already the pollution level here is very high due to least number of plants and heavy vehicular traffic movement in the surrounding area consisting of Lake Stadium, Sarat Bose Road crossing etc.

You must be knowing that at present Kolkata Metropolitan Development Authority (KMDA) is the custodian of the lake. KMDA has responsibility to act as per guidelines of the National Lake Conservation Authority. We have come to know that KMDA authority vide their Memo No. 342/1/EM/LXXIV/KMDA-14A/2023-24 dated 12.3.24 has allotted the above mentioned field on rental basis to a private entity, namely Calcutta Entertainment Club Foundation at a meagre amount of Rs. 8311/- per month. As such, a large number of plots in the lake area had already been distributed among the private clubs and organisations. Though, the official objective of these clubs and organisations is to promote various kinds of sports, in practice the spaces are also being used for cultural functions, parties, social gatherings. These events produce lot of noise, light and waste. The surroundings of the lake including water and greeneries suffer pollution. It will not be wise to let another space be used for any other purpose other than greening.





A Platform of Organizations and People Supporting Environment
RA 449 Sector IV Salt Lake, Kolkata 700105
Contact No: 9163539073 / 911173909
email- sabujmancha@gmail.com

It is to be specifically noted that Rabindra Sarovar is under the National Lake Conservation Plan. ~~Fragmented pieces of such an important lake should not be handed over to any private party~~ for entertainment purposes. Rather, as a custodian of the lake, KMDA should take responsibility to extend its green coverage, and improve the quality of water and air.

We draw your kind attention to the fact that

- (a) Kolkata had lost around 30% green coverage in 10 years as revealed by the State of the Forest Report 2021, conducted by the Forest Survey of India,
- (b) in terms of air quality index, Kolkata is one of the most polluted cities in the world,
- (c) Kolkata and its people are at the top of the hit list of climate change.

While writing this letter, we also draw your kind attention to the prolonged heat wave that has been experienced by Kolkata as well as the whole of the state since April 24. Particularly in Kolkata, it is not only the high temperature, but also the lack of moisture for such a long period that may cause disastrous effects on the health of humans and the animals.

In such a situation, it is environmentally unethical not to develop greenery and let a national property be used for entertainment purposes. We strongly request you to kindly institute an enquiry and assess the condition of Rabindra Sarovar. We also request you to take immediate steps to stop renting the land for entertainment purpose and direct all concerned including the custodian to develop an urban forest in the said field.

Hope you will kindly let us know your action in this regard,

Thanking you,

Yours sincerely,

Naba Dutta

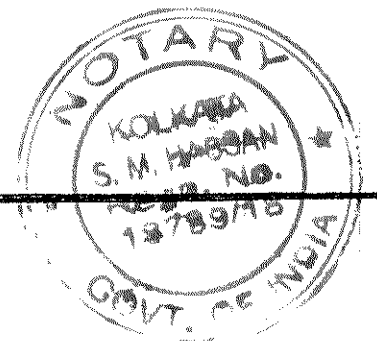
Naba Dutta, General Secretary

Copy to -

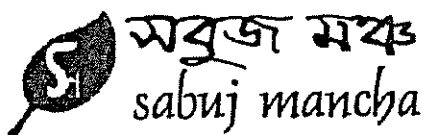
1. The Chief Secretary, Nabanna (13th Floor), Howrah - 711102, cs-westbengal@nic.in
2. Complaint Cell - cm@wb.gov.in, wbcmr@gmail.com

Naba Dutta

Naba Dutta, General Secretary



68 38



A Platform of Organizations and People Supporting Environment
RA 449 Sector IV Salt Lake, Kolkata 700105
Contact No: 9163539073 / 9831172960
email- sabujmancha@gmail.com

SM/Rabindra Sarovar /Green Preservation/2024

Dated 22 June 2024

Shri C. V. Ananda Bose
Hon'ble Governor of West Bengal
Rajbhavan Kolkata - 700 062,
governor-wb@nic.in

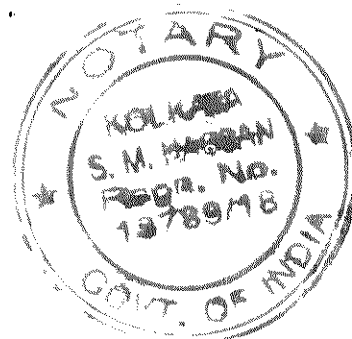
Sub: Immediate intervention against handing over the ground near Gate No 8 of Rabindra Sarovar adjacent to the Southern Avenue to the Calcutta Entertainment Club Foundation for organizing "Celebrity Cricket".

Respected Sir,

Greetings from Sabuj Mancha, a platform of organisations and individuals concerned for the environment. We have been trying to protect the environment of West Bengal since 2009. We are very much concerned for conservation of Rabindra Sarovar, which is recognized as a National Lake and is one of the most important water bodies in the state. It deserves the attention and privilege of National Lake Conservation Plan. At present Kolkata Metropolitan Development Authority (KMDA) is the custodian of the lake.

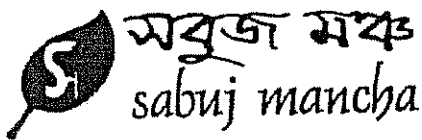
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We have come to know that KMDA authority vide their Memo No. 342/1/EM/LXXIV/KMDA-14A/2023-24 dated 12.3.24 has allotted the field on rental basis to a private entity, namely Calcutta Entertainment Club Foundation at a meagre amount of Rs. 8311/- per month. As such, a large number of plots in the lake area had already been distributed among the private clubs and organisations. Though, the official objective of these clubs and organisations is to promote various kinds of sports, in practice the spaces are also being used for cultural functions, parties, social gatherings. These events produce lot of noise, light and waste. The surroundings of the lake including water and greeneries suffer pollution. It will not be wise to let another space be used for any other purpose other than greening.



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A Platform of Organizations and People Supporting Environment
 RA 449 Sector IV Salt Lake, Kolkata 700105
 Contact No: 9163539073/ 9831172060
 email- sabujmancha@gmail.com

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We draw your kind attention to the fact that

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- (c) Kolkata and its people are at the top of the hit list of climate change.

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Hope you will kindly let us know your action in this regard,

Thanking you,

Yours sincerely,

Naba Dutta

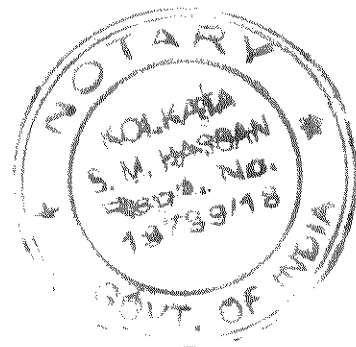
Naba Dutta, General Secretary

Copy to -

The Governor's Secretariat, Raj Bhavan, Kolkata -700062 ; secy-gov-wb@nic.in

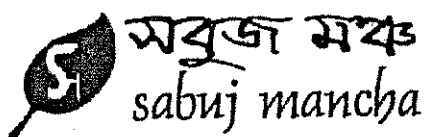
Naba Dutta

Naba Dutta, General Secretary



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A Platform of Organizations and People Supporting Environment
RA 449 Sector IV Salt Lake, Kolkata 700105
Contact No: 9163539073 / 9831172060
email- sabujmancha@gmail.com

SM/Rabindra Sarovar /Green Preservation/2024

Dated 22 June 2024

Mr. Firhad Hakim
Hon'ble Minister-in-Charge,
Urban Development and Municipal Affairs, Govt. of West Bengal
Ex-officio Chairman, Board of KMDA
Nagarayan, DF 8, Sector I, Salt Lake City, Kolkata - 700064
micmaudwb@gmail.com

Sub: Immediate withdrawal of the decision of handing over the ground near Gate No 8 of Rabindra Sarovar adjacent to the Southern Avenue to the Calcutta Entertainment Club Foundation

Sir,

Kindly refer to our earlier mail dated 30 April regarding the above-mentioned subject.

We are very much worried regarding conservation of Rabindra Sarovar. This is recognized as a National Lake and is one of the most important water bodies in the state. On 21 June, the morning walkers in Rabindra Sarovar were taken aback as some large trees were butchered and massive land destruction was taking place in the said ground of Rabindra Sarovar. KMDA as custodian is allowing such destruction to facilitate "Celebrity Cricket".

We expressed our grievance that KMDA, vide Memo No. 342/1/EM/LXXIV/KMDA-14A/2023-24 dated 12.3.24, allotted the ground of 1.66 acres in the lake on rental basis to a private entity, namely Calcutta Entertainment Club Foundation at a meagre amount of Rs. 8311/- per month for organizing "Celebrity Cricket". We ask whether a custodian can have such authority to renting out such a piece of government land in an eco-sensitive zone and in a prime area of the city for private party's interest. We also raise the ethical question, how this decision was taken when Kolkata has lost 30% of its green coverage in the last decade. During summer heat wave is being longer and severe. This ground could easily be used for urban forestry.

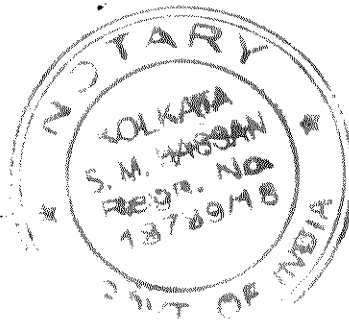
We strongly demand to withdraw the decision of handing over the referred piece of land and take necessary action to develop an urban forest on the same ground Hope you will kindly let us know your action in this regard,

Thanking you,

Yours sincerely,

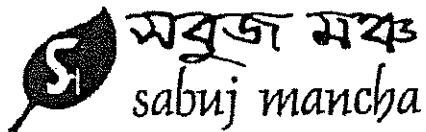
Naba Dutta

Naba Dutta, General Secretary



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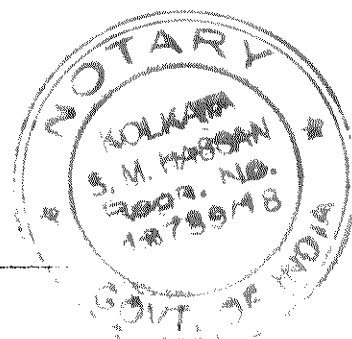
A Platform of Organizations and People Supporting Environment
 RA 449 Sector IV Salt Lake, Kolkata 700105
 Contact No: 9163539073/9831172360
 email- sabujmancha@gmail.com

Copy to -

1. ~~Shri Surendra Gupta, IAS, Chief Executive Officer, KMDA, CJ - 164, 2nd Avenue, DJ Block, Sector - II, Bidhannagar, Unnayan Bhawan, Kolkata - 700091, ceokmda@gmail.com~~
2. Smt. Nandita Ghosh, IAS, Secretary with Additional Charge of Special Secretary, KMDA, Sr. Special Secretary, UD and MA Department, Govt. of WB, secykmda@gmail.com

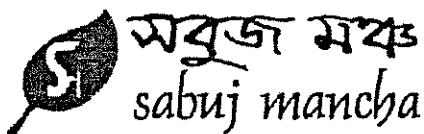
Naba Dutta

Naba Dutta, General Secretary



XO

42



A Platform of Organizations and People Supporting Environment
RA 449 Sector IV Salt Lake, Kolkata 700105
Contact No: 9163539073/ 911172060
email- sabujmancha@gmail.com

SM/Rabindra Sarovar /Green Preservation/2024

Dated 22 June 2024

Smt Leena Nandan
Secretary MoEFCC
& Chairperson, National Wetland Committee.
Ministry of Environment, Forest and Climate Change
Indira Paryabaran Bhawan, Jorbag Road, New Delhi 110003
secy-moef@nic.in

Sub: Immediate intervention against handing over the ground near Gate No 8 of Rabindra Sarovar adjacent to the Southern Avenue to the Calcutta Entertainment Club Foundation

Madam / Sir,

Kindly refer to our earlier mail dated 30 April regarding the above-mentioned subject.

We are very much worried regarding conservation of Rabindra Sarovar. This is recognized as a National Lake and is one of the most important water bodies in the state. On 21 June, the morning walkers in Rabindra Sarovar were taken aback as some large trees were butchered and massive land destruction was taking place in the said ground of Rabindra Sarovar. Kolkata Metropolitan Development Authority (KMDA) as custodian is allowing such destruction to facilitate "Celebrity Cricket".

We alleged that KMDA, vide their Memo No. 342/1/EM/LXXIV/KMDA-14A/2023-24 dated 12.3.24, allotted the ground of 1.66 acres in the lake on rental basis to a private entity, namely Calcutta Entertainment Club Foundation at a meagre amount of Rs. 8311/- per month for organizing "Celebrity Cricket", as they call it. We ask whether a custodian can have such authority to renting out such a piece of government land in an eco-sensitive zone and in a prime area of the city for private party's interest. We also raise the ethical question, how this decision was taken when Kolkata has lost 30% of its green coverage in the last decade. During summer heat wave is being longer and severe. This ground could easily be used for urban forestry.

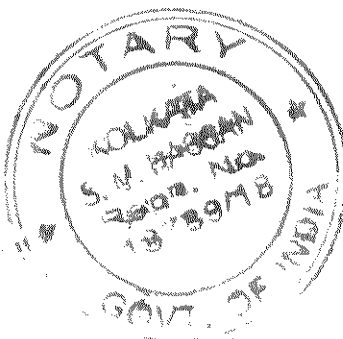
We request you to take immediate steps to stop renting out the land for entertainment purpose and direct all concerned including the custodian to develop an urban forest in the said field. Hope you will kindly let us know your action in this regard,

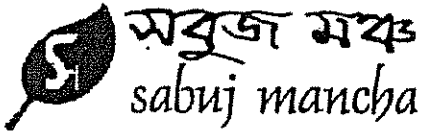
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Yours sincerely,

Naba Dutta

Naba Dutta, General Secretary



~~✗~~~~43~~

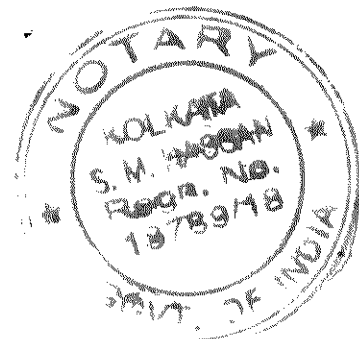
A Platform of Organizations and People Supporting Environment
 RA 449 Sector IV Salt Lake, Kolkata 700105
 Contact No: 9163539073/ 9831172060
 email- sabujmancha@gmail.com

Copy to -

Smt. Roshni Sen, IAS, Additional Chief Secretary, Dept. of Environment, 5th floor, Pranisampad Bhawan, Block LB - II, Salt Lake, Sector III, Bidhannagar, Kolkata 700106, psecy.env-wb@gov.in

Naba Dutta

Naba Dutta, General Secretary



~~72~~

**This Ground is allotted for
Celebrity Cricket matches**

এই মাঠটি জগন্নিবিড়ির ক্রিকেট প্র্যাকটিস
করার অনুমতি দেওয়া হল।

Ordered by : K.M.D.A. আঞ্চলিক পরিদপ্তর

COPT. OF INDIA
S. M. ...
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6/26/24, 6:31 PM

Kolkata news | Green activists see red over renting out of Rabindra Sarobar land parcel for celebrity cricket - Telegraph India

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RABINDRA SAROBAR

Green activists see red over renting out of Rabindra Sarobar land parcel for celebrity cricket

Custodian Kolkata Metropolitan Development Authority claims all norms have been followed during the handover, confirms that no activity will be allowed after 6pm

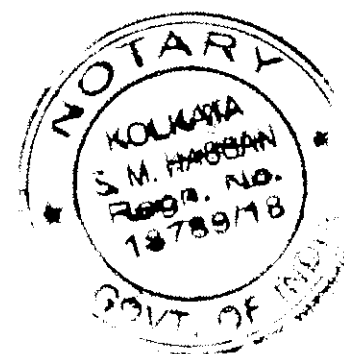
THE TELEGRAPH NEWS NETWORK | PUBLISHED 02.05.24, 06:59 PM



For representational purposes
By: Photograph

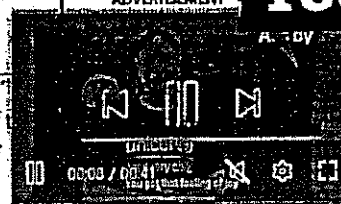
Morning walkers, environment activists and birders have opposed a recent decision of Kolkata Metropolitan Development Authority (KMDA) to rent out around five bighas of

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46

6/26/24, 6:31 PM Kolkata news | Green activists see red over renting out of Rabindra Sarobar land parcel for celebrity cricket - Telegraph India

land within the premises of Rabindra Sarobar to a commercial organisation as a celebrity cricket ground.

Nearly 1,100 people have signed a protest letter, which will soon be handed over to KMDA and officials of other government departments.

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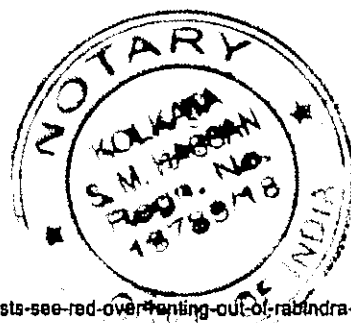
Green activists allege that renting out a portion of Rabindra Sarobar would further harm the Dhakuria Lake, referred to as the green lungs of south Kolkata, which has already been encroached upon for several non-environment related activities. "Instead of building up more greeneries and green barriers in and around the Sarobar, the authority has been pushing this site to a slow and sure death," reads the letter, a copy of which is with The Plurals.

"The nature lovers and birders strongly condemn the wrongful decision of the lake custodian (KMDA) and demand a prompt action to stop the digging on the green buffer," the letter adds.

KMDA countered the allegation, claiming that due processes have been followed in renting out the area to Calcutta Entertainment Club Foundation with effect from March 15 and that all safeguards have been taken to protect the environment. The foundation, which was set up on June 23, 2023, and has three directors linked to the Bengal film and entertainment industry, mentions 'social work' as its activity in its company profile.

The land under the scanner lies to the left of the lake after one enters the lake compound through Gate No. 8, off the road that goes towards the Lake Gardens bridge after crossing Southern Avenue.

City needs greens to counter searing heat



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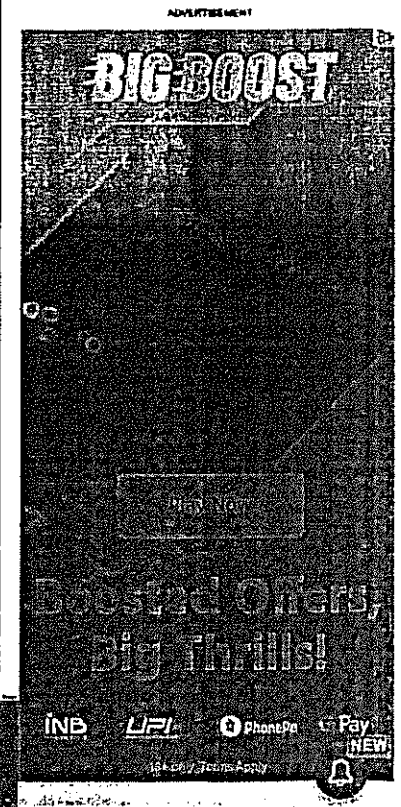
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"Rabindra Sarobar is one of the few remaining green patches in the city and there should be no effort to curtail it anymore; we are exploring all options to stop the encroachment on the greens and feel that such decisions should not be taken unilaterally by KMDA without clearance of appropriate Union government agency, as it is a national lake," said Naba Dutta, secretary of green platform Sabuj Mancha.

Sabuj Mancha, which took part in the protest march against renting out of the Lake area a few days ago along with the morning walkers, has already written to KMDA chief and state urban development minister Firhad Hakim, demanding the withdrawal of the permission. The letter referred to the city's dwindling green and present heatwave which, experts feel, has become stronger owing to the lack of greens in the city.

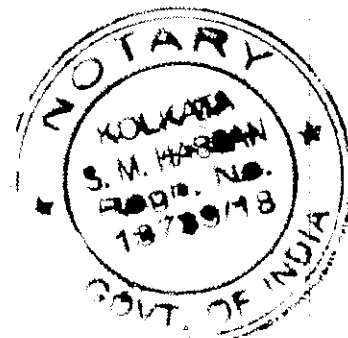
"Kolkata has the least green cover among all the six metropolitan cities and the loss of greenery has also been the maximum among these six as per the last Forest Survey of India report. It's strange that instead of increasing the greenery and perhaps, setting up of an urban forest in the land promoting biodiversity, it has been handed over to a commercial organisation, apparently into celebrity cricket, on the pretext of sports activity," said S.M. Ghosh, an environmentalist and also a morning walker. Ghosh apprehends that high-profile celebrity cricket in the area would invite a lot of cars, people and add to air and noise pollution of the area.

Apparently, the permission was sought by the organisation sometime back but got buoyed after the Bengal film star team won the National Cricket Celebrity League. "The idea is to create a cricket facility akin to small county grounds," said a source.

Permission bars any construction

Documents available with The Plurals show that nearly five bighas of land was handed over to Calcutta Entertainment Club Foundation on a rental basis for utilisation as a playground on March 15; and the given conditions bar any permanent or temporary construction in the area. The total rental period is 10 years but KMDA reserves the right to terminate the agreement at any time.

"The allegation and apprehension of the people who are opposing it (renting out the land) morning walkers and environmentalists are completely misplaced. The area was lying as an abandoned spread with unkempt grass and the land has been rented out maintaining all norms," said a senior KMDA official.



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6/26/24, 6:31 PM

Kolkata news | Green activists see red over renting out of Rabindra Sarobar land parcel for celebrity cricket - Telegraph India



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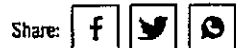
He added that though green activists have been referring to national norms and the National Green Tribunal (NGT) orders against such renting out, they could not cite any document so far. "The area has about 30 trees and not even one will be felled. Moreover, the permission is only for the duration from 6am to 6pm, so that birds do not get affected by light in the evening and all NGT orders regarding the lake will have to be maintained," said the official, reminding that land has been given to several other organisations earlier to run similar cricket camps.

"That is exactly the point. Already enough encroachments have been allowed within Rabindra Sarobar and time is ripe now to ensure that no further encroachment happens," said an environmentalist. "Let us not get into the legality of it. Solely on the sake of environmental morality, a city, grappling with climate change-triggered record temperature rise should make all efforts to add green wherever possible especially in a space like Rabindra Sarobar. The reverse is unacceptable. KMDA should review its decision," said the climate expert.

LAST UPDATED ON 02.05.24, 07:00 PM

Tags: Rabindra Sarobar, Kolkata Metropolitan Development Authority (KMDA), Environment

Dhakuria Lake, Calcutta Entertainment Club Foundation



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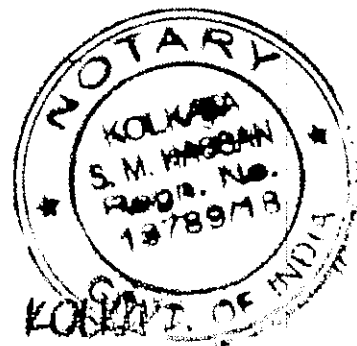
TTNK FOOD

In pictures: When Hong Kong's Tell Camellia took over the AMPM Kolkata bar

KOLKATA

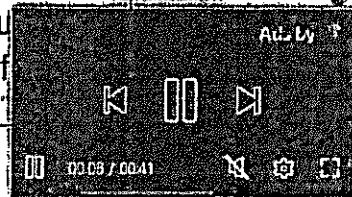
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6/26/24, 6:31 PM

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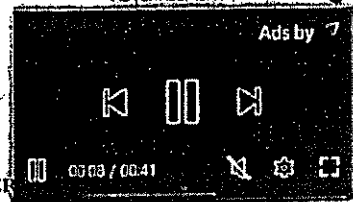
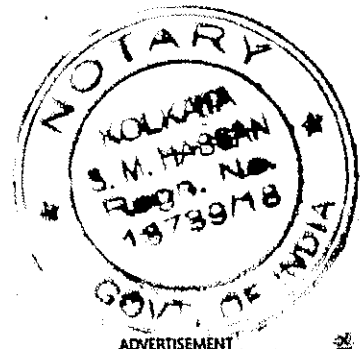
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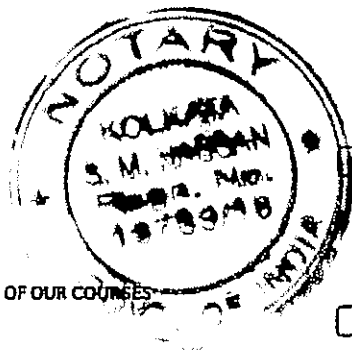
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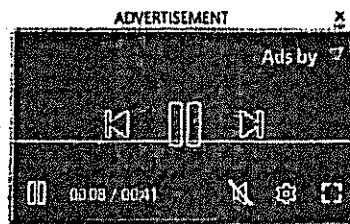
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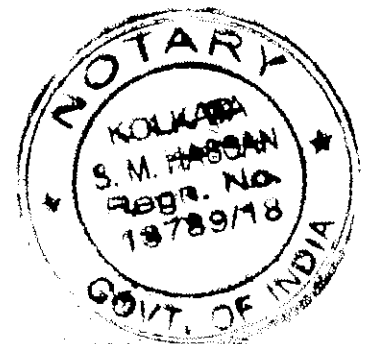
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← Air , Noise , Light pollution in ...



Me

13:38 ☆

To: rabindrasarobar@kolkatapolice.gov ✓

To,
The Officer in Charge
Rabindra sarobar P.S

Sub - Violation of NGT order dated 26th July 2017 and 15th Nov 2017 by tree cutting and lush green land destruction by Diesel operated heavy construction equipment JCB during Night Hours.

Sir,

I personally observed that big construction equipments/ earth movers were operating in Eco Sensitive Zone Rabindra Sarobar which is designated as National Lake to destroy the green buffers and uprooted some trees and dumped under the mud.

High noise , high lights with noxious smoke affected the birds and other living creatures in the eco friendly National Lake due to this project work conducted by a private entertainment club.

Please take immediate action to stop this nuisance which is not at all in environment friendly manner.

Expecting a prompt action from your end.

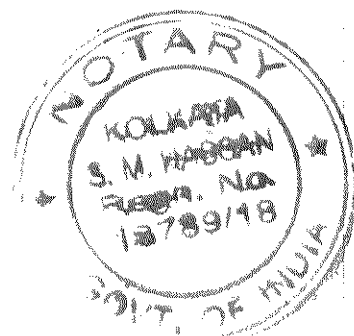
Truly Yrs,

Somendra mohan ghosh

Environmentalist & Green Technologist

[Yahoo Mail: Search, organise, conquer](#)

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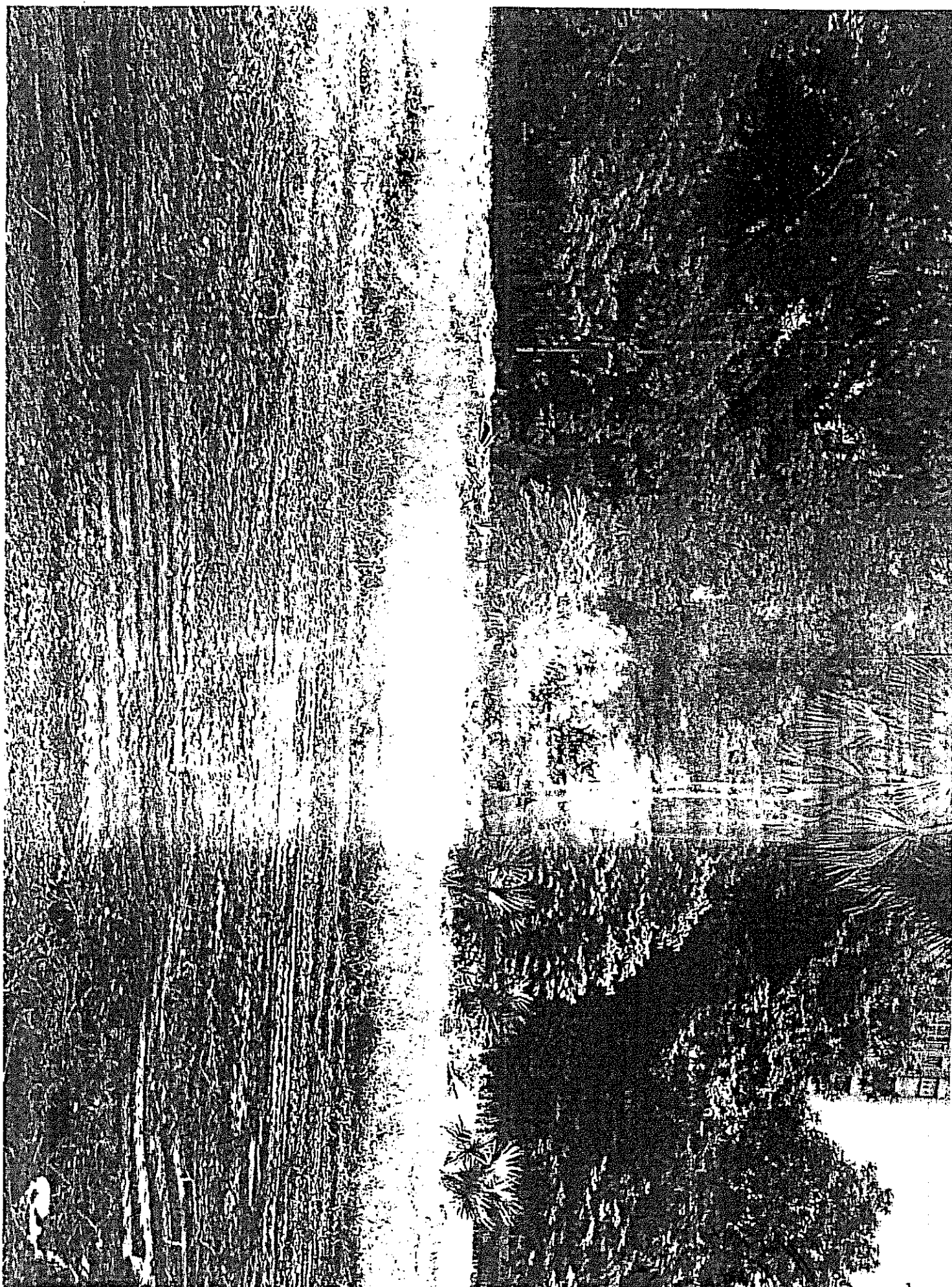
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4.7.24

DISTRICT: KOLKATA
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. (P) No. 274 of 2024

In the matter of:
Sabuj Mancha & Anr.

... Petitioners

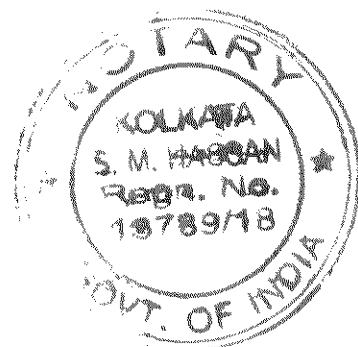
-Versus-

The Kolkata Municipal Development
Authority and Ors.

... Respondents

WRIT PETITION

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Email-sikdar.advocates@gmail.com

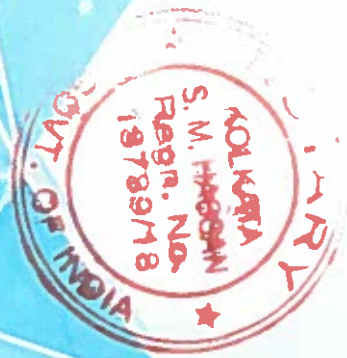


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Annexure K/2



Calcutta Entertainment Club Foundation



Content

01 Introduction

02 Objective

03 Proposal

04 Conclusion



Introduction

Calcutta Entertainment Club Foundation

(A Commitment to Our City's Sporting Heritage)

We are a non-profit organization dedicated to preserving and enhancing the sporting culture of Kolkata. As members of the entertainment industry, we have received immense love and support from the people of this state. It is our heartfelt belief that it is now our turn to give back to the community that has embraced us so warmly.

With the support of our peers in the industry, we have formed this organization to promote sports and create opportunities for underprivileged children. Our goal is to develop a premier sporting facility that will serve as a nurturing ground for future athletes.

Objective

Fostering Athletic Excellence and Community Well-Being

01 Promote Sports and Identify Talent

- Our primary objective is to lease this ground and transform it into a state-of-the-art sporting facility. We aim to promote cricket and football among children from underprivileged backgrounds. By providing professional coaching and necessary resources, we will help these young athletes develop their skills and pursue their dreams. Members of our industry will actively participate in this initiative, offering mentorship and support.

02 Enhance Urban Green Spaces

- Our facility will not only serve as a sports ground but also as a green oasis in the heart of the city. Recognizing the talent often overlooked due to financial constraints, we are committed to providing these young athletes with the opportunities they deserve. Our activities will strictly adhere to state regulations, ensuring the ground remains a dedicated sports facility.



Objective

Fostering Athletic Excellence and Community Well-Being

03 Preserve and Beautify the Environment

- We share a passion for maintaining the natural beauty of the lake area. We pledge not to cut down any trees or disturb the existing greenery. Instead, we will clear overgrown bushes, plant new grass, and introduce flowering trees to enhance the area's aesthetic appeal and provide fresh air for all.

04 Support Underprivileged Children

- Our mission includes identifying talented children from below the poverty line and offering them training under specialized coaches. Our team will conduct talent camps across the state to scout for potential athletes. Selected children will receive comprehensive support and training at our facility.





Objective

Fostering Athletic Excellence and Community Well-Being

05 Conduct Talent Hunt Camps

Regular talent hunt camps will be organized in various districts to identify promising players. Our esteemed panel of coaches and spotters will ensure that deserving children receive free training and guidance. Initially, we will support up to 20 children, gradually increasing this number as we expand.

06 Pathway to Professional Clubs

- Beyond training, we will help these children secure placements in top clubs in the city and state, providing them with pathways to professional careers in sports.



Objective

Fostering Athletic Excellence and Community Well-Being

07 Selection Process

- The children selected by our coaches for career development in our academy will primarily come from families below the poverty line. This ensures that those who need the most support receive the opportunity to develop their sporting talents.

08 Coaching Charges and Fees

- All selected children will receive free coaching to enhance their sporting abilities. The foundation will cover all expenses related to their training, including equipment, travel, and any other necessary costs.



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Proposal

Building a Premier Sporting Facility

To achieve our objectives, we propose the following developments for the ground:

- **Cricket Pitches and Practice Facilities**

- We will construct four cricket pitches along with year-round practice facilities, ensuring continuous training opportunities.

- **Multi-Sport Training Areas**

- Dedicated spaces for football training and matches.
- Installation of modern sports equipment and amenities to support rigorous training regimes.





Proposal

Building a Premier Sporting Facility

- **Community Engagement Programs**
 - Organize sports events and competitions to engage the local community and foster a culture of sportsmanship and teamwork.
- **Educational Workshops**
 - Conduct workshops on sports science, nutrition, and mental health to holistically develop young athletes.



Conclusion

A Vision for a Brighter, Healthier Future

Our initiative is driven by a genuine desire to uplift our community through sports. By transforming this ground into a premier sporting facility, we will provide underprivileged children with opportunities to excel in cricket and football, nurture their talents, and help them build promising futures.

We are committed to maintaining the ecological balance of the area and enhancing its beauty for the benefit of all. With the support of KMDA and the local government, we believe we can create a lasting positive impact on our society.

We urge you to consider our proposal favorably and join us in this noble endeavor to foster sportsmanship, nurture young talent, and preserve the green spaces of our beloved city.





Ground Status

Current Ground Pictures



Covered with Junglee Grass and Unwanted Bushes

09 X

Ground Status

Current Ground Pictures



Covered with Junglee Grass and Unwanted Bushes





Ground Status

Current Ground Pictures



Covered with Jungle Grass and Unwanted Garbage



Ground Status

Current Ground Pictures



Covered with Jungle Grass and Unwanted Garbage

REG. NO. 18789118



KARNATAKA GOVT



Ground Status

Proposed Ground Post Completion



~~181~~



Thank You

Calcutta Entertainment Club Foundation





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