



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

M. A. No. 27/2024/EZ

In

ORIGINAL APPLICATION NO. 136/2015/EZ

In The Matter of:

Subhas Datta

... Applicant

Versus

State of West Bengal & Ors.

... Respondents

COMPLIANCE REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF
THE DISTRICT MAGISTRATE & COLLECTOR, ALIPURDUAR DISTRICT.

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4.	Photocopies of two notices served to the establishments under the jurisdictional area of Buxa Tiger Reserve (East) and Buxa Tiger Reserve (West) related to commercial activities have been served by the Deputy Field Director, Buxa Tiger Reserve (East and West) Alipurduar to close all the commercial activity running within the boundary of Buxa Tiger Reserve are collectively annexed herewith	R-3	14-15
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Filed by

Sibojyoti Chakrabarti
SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

(M): 9007035534

23 SEP 2024



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

M. A. No. 27/2024/EZ

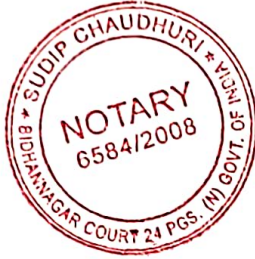
In

ORIGINAL APPLICATION NO. 136/2015/EZ

In The Matter of:

Subhas Datta

... Applicant



Versus

State of West Bengal & Ors.

... Respondents

COMPLIANCE REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF
THE DISTRICT MAGISTRATE & COLLECTOR, ALIPURDUAR DISTRICT.

I, Smt. R. Vimala, D/o G. Ranganathan, aged 46 years by faith- Hindu and by occupation-Service, presently posted as District Magistrate & Collector, Alipurduar district having office at Alipurduar, West Bengal, do hereby solemnly affirm and submit as follows:-

1. That I am presently posted as the District Magistrate & Collector, Alipurduar district, having office address at office of the District Magistrate & Collector, Alipurduar, Dooars Kanya, first floor, Pin: 736121, West Bengal, I am competent to swear and affirm this affidavit for and on behalf of myself.

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2. That this Compliance Report in the form of Affidavit is filed in compliance to the Solemn Order dated 09.07.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

3. That in paragraph number 1, in the second page of the Solemn Order dated 09.07.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata it has been inter alia observed by the Hon'ble Tribunal, that in O. A. No. 136/2015/EZ vide its Order dated 30.05.2022 this Hon'ble Tribunal has passed certain directions.

A copy of that Order has been directed to be forwarded to the Chief Secretary, West Bengal State PCB, Field Director, Buxa Tiger Reserve and District Magistrates, Jalpaiguri and Alipurduar by email for compliance.

4. That in compliance and obedience to the above mentioned order this deponent is filing this compliance report.

5. That the District Magistrate & Collector, Alipurduar had informed with respect to the compliances in O. A. No. 136/2015/EZ & M. A. No. 191/2019/EZ to the Secretary, Department of Environment, Government of West Bengal, vide letter dated 27.07.2022.

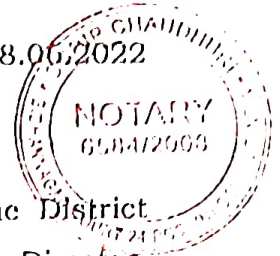
Photocopy of the letter dated 27.07.2022 written by the District Magistrate & Collector, Alipurduar to the Secretary, Department of Environment, Government of West Bengal is annexed herewith and marked with the letter 'R-1'.

6. That it is stated and submitted that with regard to the matter related to the private establishments running within Buxa Tiger Reserve the District Magistrate & Collector, Alipurduar has directed the Deputy Field Director, Buxa Tiger Reserve (East and West) to comply the

23 SEP 2024

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order vide letter no. III-RM/136 O.A/224(2)/2022 dated 28.06.2022 with a copy to Superintendent of Police, Alipurduar.



Photocopy of the letter dated 28.06.2022 written by the District Magistrate & Collector, Alipurduar to the Deputy Field Director, Buxa Tiger Reserve (East and West) with a copy to Superintendent of Police, Alipurduar is annexed herewith and marked with the letter 'R-2'.

7. That subsequently to comply with the solemn order passed by the Hon'ble Tribunal, all the establishment under the jurisdictional area of Buxa Tiger Reserve (East) and Buxa Tiger Reserve (West) related to commercial activities have been served with notices by the Deputy Field Director, Buxa Tiger Reserve (East and West) Alipurduar to close all the commercial activity running within the boundary of Buxa Tiger Reserve. Further to ensure the order of the Hon'ble NGT the Range Officers did random inspections of the identified establishment to ensure whether the establishment are commercially operationalised or not. Search Warrants were executed on receipt of information regarding commercial operations. Copy of two such Notices are enclosed herewith.

Photocopies of two notices served to the establishments under the jurisdictional area of Buxa Tiger Reserve (East) and Buxa Tiger Reserve (West) related to commercial activities have been served by the Deputy Field Director, Buxa Tiger Reserve (East and West) Alipurduar to close all the commercial activity running within the boundary of Buxa Tiger Reserve are collectively annexed herewith and marked with the letter 'R-3'.

8. That moreover a report has been sought by the District Magistrate & Collector, Alipurduar from the Deputy Field Director, Buxa Tiger Reserve (East & West) regarding the closure of all the private

23 SEP 2024

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~~7~~

establishment within the Buxa Tiger Reserve vide letter No III-RM/DM-APD/NGT/OA-136/2015/267(2) dated 19.07.2022.



Photocopy of the letter dated 19.07.2022 written by the District Magistrate & Collector, Alipurduar from the Deputy Field Director, Buxa Tiger Reserve (East & West) regarding the closure of all the private establishment within the Buxa Tiger Reserve is annexed herewith and marked with the letter 'R-4'.

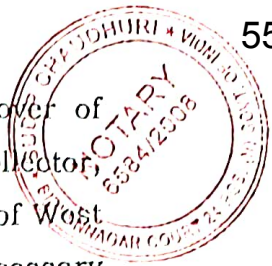
9. That accordingly a report vide letter dated 26.07.2022 has been forwarded by the Deputy field Director, Buxa Tiger Reserve (East and West) to the District Magistrate & Collector, Alipurduar wherein it is reported that all the private establishment Such as hotels lodges and restaurants etc located within the Buxa Tiger Reserve Forest Area are found to be closed & no commercial activities are going on.

Photocopy of the letter dated 26.07.2022 written by the Deputy Field Director, Buxa Tiger Reserve (East and West) to the District Magistrate & Collector, Alipurduar are collectively annexed herewith and marked with the letter 'R-5'.

10. That in furtherance to make strict monitor and surveillance to curb the illegal construction letter being number III-RM/DM-APD/OA-136/291/2022, dated 27.07.2022, has also been issued to Deputy Field Director (East) vide & Deputy Field Director (West) by the District Magistrate & Collector, Alipurduar.

Photocopy of the letter dated 27.07.2022, written by the District Magistrate & Collector, Alipurduar to the Deputy Field Director (East) & Deputy Field Director (West) is annexed herewith and marked with the letter 'R-6'.

23 SEP 2024



11. That with respect to the matter relating to the handover of tourism property at Jayanti the District Magistrate & Collector, Alipurduar issued a letter to the Secretary to the Government of West Bengal, Department of Tourism, with a request to take necessary action to comply the Order vide letter no. III-RM/136 O.A/2264/2022 dated 28.06.2022.

Photocopy of the letter dated 28.06.2022 written by the District Magistrate & Collector, Alipurduar to the Secretary to the Government of West Bengal, Department of Tourism, is annexed herewith and marked with the letter 'R-7'.

12. That as per information received from the Secretary, Tourism Department, Government of West Bengal a compliance report has been received from the Deputy Director (North Bengal) Tourism Department Regional Tourist office, Siliguri vide memo. no. RTO/124(9)/XI(42)/2022-2023, dated 19.07.2022 wherein it has been stated that the said Camping Station has already been handed over by the Tourism Department to the Forest Department, Government of West Bengal.

A Photocopy of the Writ of Handover is annexed herewith and marked with the letter 'R-8'.

13. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary Order/Orders as is deemed fit for the ends of justice and that the deponent has high regard to the Order/Orders as passed by this Hon'ble Tribunal.

Identified by me

Sibojyoti Chakrabarti
Advocate
State of West Bengal

23/09/2024
S. CHAUDHURI

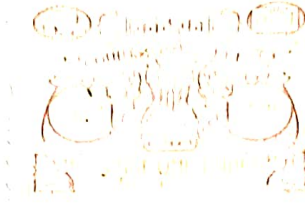
Deponent

[Signature]
District Magistrate
ALIPURDUAR

23 SEP 2024

* NOTARY *
GOVT. OF INDIA
Regd. No.-6584/08
Bidhannagar Court
Dist.-North 24 Pgs

BEFORE THE NOTARY PUBLIC
AT BIDHANNAGAR
DIST.-NORTH 24 PARGANAS



VERIFICATION:

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

Verified at Kolkata on the 23rd Day of September, 2024.

Identified by me

Subojati Chakrabarti
Advocate
State of West Bengal
23/09/2024

Deponent

[Signature]
District Magistrate
ALIPURDUAR

[Signature]
S. CHAUDHURI
NOTARY
GOVT. OF INDIA
Regd. No.-6584/08
Bidhannagar Court
Dist.-North 24 Pgs

23 SEP 2024



R-1

GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE & COLLECTOR, ALIPURDUAR
DOOARS KANYA, RM SECTION, 1ST FLOOR, ROOM No. 103.
E-mail: jm.rm.apd20@gmail.com

Memo No: III-RM/DM-APD/OA-136/293/2022

Dated: 27/07/2022

To,

✓ The Secretary
to the Govt. of West Bengal
Department of Environment
Prani Sampad Bhawan
5th Floor, LB-2, Sect-III
Saltlake City, Kolkata-106

Sub : Compliance of Order date 30/05/2022 passed by the Hon'ble Green Tribunal vide O.A. No. 136/2015/EZ & M.A. no. 191/2019/EZ in the matter of Subhash Datta-vs-State of West Bengal & Ors.

Ref : Your memo. no. 1072/EN//3C-05/2016, dt. 09/06/2022.

Sir,

In compliance of the Hon'ble NGT Order dated 30.05.2022 in O.A. No. 136/2015/EZ & M.A. No. 191/2019/EZ in the matter of *Subhash Datta-vs-State of West Bengal & Ors.* The undersigned has undertaken the following activities to implement the above mentioned order:-

With regard to the matter related to the private establishment running within Buxa Tiger Reserve the undersigned has directed the Deputy Field Director, Buxa Tiger Reserve (East and West) to comply the order vide letter no. III-RM/136 O.A/224(2)/2022 dated 28/06/2022 with a copy to Superintendent of Police, Alipurduar. Copy of the said letter is enclosed herewith as **Annexure I**.

Accordingly to comply with the solemn order passed by the Hon'ble Tribunal, all the establishment under the jurisdictional area of Buxa Tiger Reserve (East) and Buxa Tiger Reserve (West) related to commercial activities are served with notices by the Deputy Field Director, Buxa Tiger Reserve (East and West) Alipurduar to close all the commercial activity running within the boundary of Buxa Tiger Reserve .Further to ensure the order of the Hon'ble NGT the range Officers did random inspections of the identified establishment to ensure whether the establishment are commercially operationalised or not. Search Warrants were executed on receipt of information regarding commercial operations. Sample copy of two such Notices is enclosed herewith as **Annexure II**.

Contd.P2/-

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P-2

Further a report has been sought from this end regarding the closure of all the private establishment within the Buxa Tiger Reserve vide letter No III-RM/DM-APD/NGT/OA-136/2015/267(2) dated 19.07.2022. Copy of the said letter is enclosed herewith as **Annexure III**.

Accordingly a report has been received by the undersigned from the Deputy Field Director, Buxa Tiger Reserve (East and West) and it is reported that all the private establishment such as hotels, lodges and restaurants etc located within the Buxa Tiger Reserve Forest Area are found to be closed & no commercial activities are going on.

Copy of the compliance report of Deputy Field Director, Buxa Tiger Reserve (East) and copy of the compliance report of the Deputy Field Director, Buxa Tiger Reserve (West) is enclosed as **Annexure IV & V**.

Further strict instruction to monitor and surveillance to curb the illegal construction has also been issued to Deputy Field Director (East) vide letter no III-RM/DM-APD/ OA136/290/2022, dt:27/07/2022 & Deputy Field Director (West) vide letter no III-RM/DM-APD/ OA-136/291/2022, dt:27/07/2022, from the end of undersigned.

Copy of the said letter is enclosed as **Annexure VI & VII**

With regard to the matter related to the handover of tourism property at Jayanti the undersigned issued a letter to the Secretary to the Government of West Bengal with a request to take necessary action to comply the Order vide letter no. III-RM/136 O.A/226A/2022 dated 28.06.2022. Copy of the letter is enclosed herewith as **Annexure VIII**.

As directed by the Secretary to the Govt of West Bengal a compliance report received from the Deputy Director (North Bengal) Tourism Deptt., Regional Tourist Office, Siliguri vide memo. no. RTO/124(9)/XI(42)/2022-2023, dt. 19/07/2022 wherein stated that the said Camping Station has already been handed over by the Tourism Department to the Forest Department, Govt. of West Bengal. Copy of the **Writ of Handover** is enclosed herewith as **Annexure-IX**

Thus the solemn order of the Hon'ble Tribunal is complied.

This is for favour of your kind your information and perusal.

Encls: As stated.

Yours faithfully

(2)
27/7/2022
District Magistrate
Alipurduar

Contd.P3/-


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P-3

Memo No: III-RM/DM-APD/OA-136/293/1(7)/2022

Dated: 27/07/2022

Copy forwarded for your kind information and taking necessary action:-

1. The Additional Chief Secretary to the Govt of W.B., Department of Environment.
2. The Additional Chief Secretary to the Govt. of West Bengal, Deptt. of Forest.
3. The Principal Chief Conservator of Forest, Wild Life and Chief Wild Life Warden, W.B.
4. The Superintendent of Police, Alipurduar.
5. The Deputy Field Director, Buxa Tiger Reserve(East).
6. The Deputy Field Director, Buxa Tiger Reserve(West).
7. Office Copy.


District Magistrate
Alipurduar

R-2



GOVERNMENT OF WEST BENGAL

OFFICE OF THE DISTRICT MAGISTRATE AND COLLECTOR, ALIPURDUAR

[JM SECTION]

INTEGRATED ADMINISTRATIVE BUILDING, DOOARS KANYA (1ST FLOOR), ALIPURDUAR, PIN- 736122.

EMAIL ID- jm.m.apd20@gmail.com

Memo No: III-RM/136 O.A/22(2)/2022

Dated: 28/06/2022

To : 1. Deputy Field Director, Buxa Tiger Reserve (East), Alipurduar.
2. Deputy Field Director, Buxa Tiger Reserve (West), Alipurduar.

Sub: Order dt 30.05.2022 passed by Honble National Green Tribunal, Special Bench in original Application No 136/2015/EZ with M.A. 191/2017/EZ (Subhas Dutta vs State of West Bengal & Ors.)

Ref: 1. Department of Environment, Memo No 1072 EN/3C-05/2016 dated 09/06/2022.
2. Department of Directorate of Forests, Memo No 1526/WL/3R-87/2022 dated 14/06/2022.

With reference to the above subject, that as per the Order dated 30.05.2022 in the matter of O.A No 136/2015/EZ (Subhash Dutta Vs State of west Bengal & Ors) the Tribunal has directed that the private establishment running within forest area shall be closed within two months from the date of order following due process for which responsibility has been bestowed upon State P.C.B, Field Director, Buxa Tiger Reserve and District Magistrate, Alipurduar.

This is for favour of your kind information & taking necessary action.

Encl: As stated

District Magistrate
Alipurduar

Memo No: III-RM/136 O.A/ 224/2(6)/2022

Dated: 28/06/2022

Copy forwarded for information to:

1. The Additional Chief Secretary to the Govt Of W.B, Department of Forests,
2. The Secretary to the Govt of W.B, Department of Environment.
3. The Principal Chief Conservator of Forest, Wild Life and Chief Wild Life Warden, WB
4. Field Director, Buxa Tiger Reserve.
5. The Superintendent of Police, Alipurduar.
6. Office Copy

District Magistrate
Alipurduar



Government of West Bengal
 Directorate of Forests
 Office of the Deputy Field Director
 Buxa Tiger Reserve (East) Division
 Alipurduar West Bengal - 736 122



Tel. No. (03564) - 259155 (office); 03564-257269 (FAX); 03564-255969; E-mail: dyfob-wb@nic.in

No. _____/15-230

Dated, Alipurduar, the ___/___/2022.

NOTICE

In compliance with order of Hon'ble National Green Tribunal.
 (OA No.136/2015/EZ MA No.191/2017/EZ, date of hearing 30.05.2022)

Name: Pradip Dey, S/o Annada Charan Dey,
 Name of Establishment : 'AALTAPARI',
 Address: Vill + PO - Jainty, PS- Kalchini,
 Block - Kalchini, G.P. - Rajabhatkhawa,
 District - Alipurduar, WB, 735227.

Attention: - Pradip Dey, S/o Annada Charan Dey

1. Whereas, the Hon'ble National Green Tribunal, Eastern Zonal Bench, Kolkata passed on an order on 30.05.2022 in O.A. No.136/2015/EZ & M.A. No.191/2017/EZ Subhas Dutta Vs. State of West Bengal & Ors. and Review Application No.23/2017/EZ. In Original Application no.136/2015/EZ & M.A. 320/2017/EZ. The Department of Tourism, Govt. of West Bengal Versus Subhas Dutta & Anr.
2. Whereas the said order issued clear direction to close down all commercial establishment running within the boundary of Buxa Tiger Reserve following due process of law within a specified period;
3. Therefore, in compliance with the order of Hon'ble National Green Tribunal, Eastern Zonal Bench, Kolkata, you are hereby directed to close down the commercial establishment - if not already done - running in your premises/ ownership with immediate effect. Failing to comply with this direction will invite action as per Acts and Rules in vogue without any further reference.

Enclosure: Copy of the order passed by NGT.

Pradip Dey 27/7/22

(Jiju Jaesper J. IFS)
 Deputy Field Director
 Buxa Tiger Reserve (East) Division

Dated, Alipurduar, the 27/06/2022.

(Jiju Jaesper J. IFS)
 Deputy Field Director
 Buxa Tiger Reserve (East) Division

No. 1336/15-230

Copy forwarded for information to:

1. The District Magistrate, Alipurduar District.
2. The Superintendent of Police, Alipurduar District.



GOVERNMENT OF WEST BENGAL
 DIRECTORATE OF FORESTS
 OFFICE OF THE DEPUTY FIELD DIRECTOR
 BUXA TIGER RESERVE (WEST) DIVISION
 ALIPURDUAR COURT * 736 122, DIST. ALIPURDUAR.
 Phone: 03564-255129, Fax: 03564-255129, E-mail: dfdbtrw-wb@nic.in

Memo. No. / 18-5

Dated : /06/2022

NOTICE

In compliance with order of Hon'ble National Green Tribunal.
 (OA No. 136/2015/EZ MA No. 191/2017/EZ., date of hearing 30.05.2022)

Name : Francis Toppo

Address : Panijhora F.V., under East Damanpur Range.

Attention : Francis Toppo

1. Whereas, the Hon'ble National Green Tribunal, passed on an order on 30.5.2022 in O.A. No. 136/2017 & M.A. 191/2017/EZ Subhas Datta Vs State of West Bengal & Ors. and Review Application No.23/2017/EZ In Original Application no. 136/2015/EZ & M.A. 320/2017/EZ The Department of Tourism, Govt. of West Bengal Versus Subhas Datta & Anr.
2. Whereas, the said order issued clear direction to close down all commercial establishment running within the boundary of Buxa Tiger Reserve following due process of law within a specified period;
3. Therefore, in compliance with the order of Hon'ble National Green Tribunal, you are hereby directed to close down the commercial establishment - if not already done -running in your premises/ownership with immediate effect. Failing to comply with this direction will invite action as per Acts and Rules in vogue without any further reference.

Enclosure- Copy of the Order passed by NGT.

Sd/- Parveen. IPS
 Deputy Field Director
 Buxa Tiger Reserve (West) Division.

Memo. No. 864/ 18-5

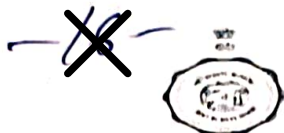
Dated : 28/06/2022

Copy forwarded for information to :-

1. The Conservator of Forests & Field Director, Buxa Tiger Reserve.
2. District Magistrate Alipurduar District.
3. Superintendent of Police, Alipurduar District.

Deputy Field Director
 Buxa Tiger Reserve (West) Division.

Francis Toppo
 28/6/2022



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE & COLLECTOR, ALIPURDUAR
(RM SECTION)
DOOARS KANYA, 1ST FLOOR, ROOM No. 103.
E-mail: jm.rm.apd20@gmail.com

Memo No: III-RM/DM-APD/NGT/OA-136/2015/267(2)

Dated: 19/07/2022

To

1. The Deputy Field Director
Buxa Tiger Reserve (East) Division
Alipurduar.
2. The Deputy Field Director
Buxa Tiger Reserve (West) Division
Alipurduar.

**Sub: Original Application No. 136/2021/EZ in the matter of
(Subhash Dutta-vs-State of West Bengal & Ors).**

***Ref: 1. Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata
Order dated 30/05/2022 .***

***Ref: 2. This office letter no III-RM/136 O.A/224(2)/2022 dated
28/06/2022.***

As you are well known regarding the direction of the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata vide above cited reference.


Hence, keeping in view the direction of the Hon'ble Bench, you are requested to submit a compliance report for onwards submission before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata as directed therein.

This will be treated as **MOST URGENT.**


District Magistrate
Alipurduar



20.07.22


 Government of West Bengal
 Directorate of Forests
 Office of the Deputy Field Director
 Buxa Tiger Reserve (East) Division
 Alipurduar West Bengal - 736 122



Tel. No. (03564) - 259155 (office); 03564-257269 (FAX); 03564-255969; E-mail: dyfdb-wb@nic.in

Dated, Alipurduar, the 26/07/2022.

No. 1890 /15-230

To
The District Magistrate,
Alipurduar.

Sub: Compliance of Hon'ble NGT order dated 30.05.2022 in O.A. No.136/2015/EZ & M.A. No.191/2017/EZ Subhas Dutta Vs. State of West Bengal & Ors. and R.A. No.23/2017/EZ.
Ref: Your memo no. III-RM/DM-APD/NGT/OA-136/2015/267(2), dated - 19/07/2022.

Sir,

The undersigned has undertaken the following activities in compliance of Hon'ble NGT order dated 30.05.2022 in O.A. No.136/2015/EZ & M.A. No.191/2017/EZ Subhas Dutta Vs. State of West Bengal & Ors. and R.A. No.23/2017/EZ to implement the above mentioned order:

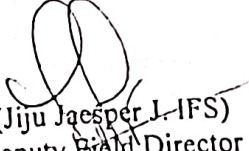
1. Notices were served to establishments related to commercial activities i.e. hotel, restaurants etc. for compliance of the order of the Hon'ble NGT order dated 30.05.2022 in O.A. No.136/2015/EZ & M.A. No.191/2017/EZ Subhas Dutta Vs. State of West Bengal & Ors. and R.A. No.23/2017/EZ. (Annexure A)

2. All such establishments are found closed & no commercial activities are going on. (Annexure B)

3. On 19/07/2022, Jainty Tourist Lodge (Camping Station) at Jainty has been handed over to this Division by the Deputy Director of Tourism (North Bengal), WBTDCL, in compliance to the Hon'ble NGT order dated - 30/05/2022. (Annexure C)

This is for your kind information & necessary perusal, please.

Encl: As stated above.


 (Jiju Jaesper J.IFS)
 Deputy Field Director
 Buxa Tiger Reserve (East) Division

No. _____ / 15-230

Copy forwarded, for information to the Conservator of Forests & Field Director, Buxa Tiger Reserve.

Sd/-
 (Jiju Jaesper J.IFS)
 Deputy Field Director
 Buxa Tiger Reserve (East) Division



~~SECRET~~

GOVERNMENT OF MADHYA PRADESH
DIRECTORATE OF FORESTS
OFFICE OF THE DEPUTY FIELD DIRECTOR
BUXA TIGER RESERVE (WEST) DIVISION

ALIPURDUAR COURT * 735 122, Dist. ALIPURDUAR
Phone: 03564 255129, Fax: 03564 255129, E-mail: dffdr@buxa.org.in



Memo No: 18-5

Dated 2022

To : The District Magistrate,
Alipurdwar District.

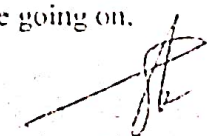
Sub : Compliance of order of the Hon'ble National Green Tribunal (O.A. No. 136/2015/EZ & M.A. No. 191/2017/EZ)- Regarding closure of Commercial establishments (Hotel, Resorts, Restaurant, Home stay etc. within Buxa Tiger Reserve.

Ref : Your letter no.III-RM/DM-APD/NGT/OA-136/2015/267(2), dated 19.07.2022.

Sir,

In reference to the letter number quoted above, please find the report regarding 17 parties who were served the notices for closure of commercial activities at their establishments.

1. Notices were served to establishments related to commercial activities i.e. Hotel, restaurants etc. for compliance the order of Hon'ble National green tribunal dated 30.5.2022 (O.A. No. 136/2015/EZ & M.A. No. 191/2017/EZ)- (list, Annexure-A)
2. All such establishments are found closed & no commercial activities are going on. (Annexure-B)



Deputy Field Director,
Buxa Tiger Reserve (West).

Dated 26.07.2022

Memo No: 1073 /18-5

Copy to :

1. The Conservator of Forests & Field Director, Buxa Tiger Reserve.


Deputy Field Director,
Buxa Tiger Reserve (West).



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE & COLLECTOR, ALIPURDUAR
(RM SECTION)
DOOARS KANYA, 1ST FLOOR, ROOM No. 103.
E-mail: jm.rm.apd20@gmail.com

Memo No: III-RM/DM-APD/ OA-136/ 290 /2022

Dated: 27/07/2022

To

The Deputy Field Director
Buxa Tiger Reserve (East) Division
Alipurduar.

Sub: Compliance of Order date 30/05/2022 passed by the Hon'ble Green Tribunal vide O.A. No. 136/2015/EZ & M.A. no. 191/2019/EZ in the matter of Subhash Datta-vs-State of West Bengal & Ors.

Ref: Your memo no 1890/15-230, dated 26/07/2022.

With reference to the above with regard to the commercial establishment which has been closed as reported from your end, you are further requested to strictly monitor and increase the surveillance of the Buxa Tiger Reserve so that no further illegal construction shall come up in future.

This is issued for strict compliance.

Thanking You


27/7/2022
District Magistrate
Alipurduar



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE & COLLECTOR, ALIPURDUAR
(RM SECTION)
DOOARS KANYA, 1ST FLOOR, ROOM No. 103.
E-mail: jm.rm.apd20@gmail.com

Memo No: III-RM/DM-APD/ OA-136/ 291 /2022

Dated: 27/07/2022

To

The Deputy Field Director
Buxa Tiger Reserve (West) Division
Alipurduar.

Sub: Compliance of Order date 30/05/2022 passed by the Hon'ble Green Tribunal vide O.A. No. 136/2015/EZ & M.A. no. 191/2019/EZ in the matter of Subhash Datta-vs-State of West Bengal & Ors.

Ref: Your memo no 1073/18-5, dated 26/07/2022..

With reference to the above with regard to the commercial establishment which has been closed as reported from your end, you are further requested to strictly monitor and increase the surveillance of the Buxa Tiger Reserve so that no further illegal construction shall come up in future.

This is issued for strict compliance.

Thanking You


27/7/2022
District Magistrate
Alipurduar

R-7

~~5-2~~

GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE AND COLLECTOR, ALIPURDUAR
 [JM SECTION]
 INTEGRATED ADMINISTRATIVE BUILDING, DOOARS KANYA (1ST FLOOR), ALIPURDUAR, PIN- 736122.
 EMAIL ID- jma.m.apd20@gmail.com

Memo No: III-RM/136 O.A/2264/2022

Dated: 28/ 06/2022

To : The Secretary to the Government of West Bengal
 Department of Tourism, New Secretariat Building 1,
 3rd Floor, K. S. Roy Road, Kolkata, West Bengal 700001

Sub: Order dt 30.05.2022 passed by Honble National Green Tribunal, Special Bench in original Application No 136/2015/EZ with M.A. 191/2017/EZ (Subhas Dutta vs State of West Bengal & Ors.)

Ref: 1. Department of Environment, Memo No 1072 EN/3C-05/2016 dated 09/06/2022.
 2. Department of Directorate of Forests, Memo No 1526/WL/3R-87/2022 dated 14/06/2022.

Sir

With reference to the above subject, that as per the Order dated 30.05.2022 in the matter of O.A No 136/2015/EZ (Subhash Dutta Vs State of west Bengal & Ors) the Tribunal has directed that the 'Camping Station' operated by the Tourism department be handed over to the forest department to be used as interpretation - Cum - Training Center for Nature Conservation and Management if the establishment is not transferred to the Forest Department within two months from the date of the judgment the same will be demolished by District Magistrate, Alipurduar.

This is for favour of your kind information & taking necessary action.


Thank You

Encl: As stated


Memo No: III-RM/136 O.A/^{226A/1(E)}/2022
 Copy forwarded for information to:

1. The Additional Chief Secretary to the Govt Of W.B, Department of Forests,
2. The Secretary to the Govt of W.B. Department of Environment.
3. Deputy Field Director, Buxa Tiger Reserve (East)
4. Deputy Field Director, Buxa Tiger Reserve (West)
5. Office Copy

Yours faithfully


 District Magistrate
 Alipurduar

Dated: 28/ 06/2022


 District Magistrate
 Alipurduar



Government of West Bengal
Department of Tourism
Regional Tourist Office

Mainak Tourism Property Complex

Mallaguri, Pradhan Nagar, Hill Cart Road, Dist: Darjeeling, Siliguri – 734 003

Phone: (0353)251-1979

E-Mail ID: jdnorthtourism@gmail.com

Web Site: www.wbtourism.gov.in

Memo No.: RTO/124/ XI(42) /2022-23

Date: 19.07.2022

To
The Managing Director,
WBTDCL Ltd.,
Udayachal Tourist Lodge Complex,
Salt Lake City, Kolkata – 700 091.

Sub: Communication Regarding Handing over of Jayanti Tourist lodge at Jayanti, Alipurduar District.

Ref:

1. Memo No. 589/WBTDCL/2022 dated 08.07.2022 of the Managing Director WBTDCL Ltd.
2. Memo No. 1801/15-230 dated 18.07.2022 of the Deputy Field Director, Buxa Tiger Reserve (East) Division.
3. No. 1344-TW/IT-22/2022 dated 28.06.2022 of the Secretary to the Govt. of West Bengal, Tourism Department.

Respected Sir,

In reference to the above memo in Sl.1 and as per direction mentioned therein the Jayanti Tourist Lodge at Jayanti, Alipurduar district was handed over to Shri Arnab Ghosh (WBFS), Assistant Divisional Forest Officer, Buxa Tiger Reserve (East) and was taken over by him as the authorised representative on behalf of Forest Department, Govt. of West Bengal on 19th day of July 2022 at Jayanti Tourist Lodge at Jayanti.

As such, Sir, I am attaching herewith the *Writ of Handover* and other required documents for your kind perusal. All the relevant documents are enclosed herewith for your kind convenience also.

Thanking you,

Yours faithfully,

[Signature]
19-07-2022
Deputy Director (North Bengal)
Tourism Department
Regional Tourist Office, Siliguri.

Encl.: As stated above.

Memo No.: RTO/124(9)/ XI(42) /2022-23


Date: 19.07.2022

Copy forwarded for kind information and taking necessary action please:

1. The Managing Director, WBTDCL Limited, Udayachal Tourism Lodge Complex, Salt Lake City, Kolkata – 700 091.
2. The Chief Conservator of Forest & Field Director, Buxa Tiger Reserve, Forest Department, Government of West Bengal, Buxa Forest, West Bengal- 735226.
3. The District Magistrate, Alipurduar, 'Dooarskanya', Integrated Administrative Building, District Alipurduar.
4. The OSD to HMoS, Tourism Department, Govt. of West Bengal, N.S. Buildings, Kolkata – 700 001.
5. The Deputy Field Director (East), Buxa Tiger Reserve (East), Govt. of West Bengal.
6. The General Manager-I, WBTDCL.
7. General Manager (North), WBTDCL.
8. The P.S. to the Secretary to Govt. of West Bengal, Tourism Department, N.S. Building, Kolkata-700001.
9. The Manager, Jayanti Tourism Property, WBTDCL.

[Signature]
19-07-2022
Deputy Director (North Bengal)
Tourism Department
Regional Tourist Office, Siliguri.

R-8


Government of West Bengal
Tourism Department
Regional Tourist Office

Mainak Tourism Property, Hill Cart Road, Dist.: Darjeeling, Siliguri - 734 003

Phone: (0353)251-1979

E-Mail ID: ldnorthtourism@gmail.com

Web Site: www.wbtourism.gov.in

WRIT OF HANDOVER

Handing Over - Jayanti Tourist Lodge at Jayanti, Buxa Tiger Reserve, District - Alipurduar

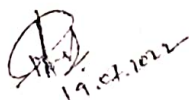
In compliance with the order by Hon'ble National Green Tribunal, dated May 30, 2022, in the matter of Original Application No. 136/2015/EZ, MA No. 191/2017/EZ and with reference to the communications received from (1) the Secretary of Tourism Department, Govt. of West Bengal vide No. 1344-TW/IT-22/2022, Dated 28.06.2022, (2) the Managing Director, WBTDCL vide memo no. 589/WBTDCL/2022, Dated 08.07.2022, and (3) the The Deputy Field Director, Buxa Tiger Reserve (East) vide letter No 1801/15-230, Dated, 18/07.2022, the Jayanti Tourist Lodge (WBTDCL) situated at the outskirts of Jayanti village, adjacent to Jayanti Forest Range Office, within Buxa Tiger Reserve, falling under Alipurduar district, is hereby being handed over by the Dy Director of Tourism Department (North Bengal), Govt. of West Bengal on behalf of Tourism Department to the Asst Divisional Forest Officer, Buxa Tiger Reserve (East), the authorised representative Forest Department, Govt. of West Bengal today, i.e., on the 19th day of July-2022 at the Jayanti Tourist Lodge, at Jayanti, District, Alipurduar.

The following structures lies inside the above mentioned property:

List of immovable property					
Sl No.	Building Type (Camping facility/ Office/ Water Tank etc.)	Nature of the structure (Foundation/ Flooring/ Wall/ Roof)	No of Rooms	Floor space (m2)	Present condition (Good/ Requires minor /Major maintenance)
1.	Cottage with attached toilet - 05 Nos.	Foundation - Concrete pillar, Flooring - Tiles, Wall - Prefabricated, Roof - Metal Sheet.	02 Nos of Room for each	50.165	Requires minor Maintenance.
2.	Office building - 01 No.	Foundation - Concrete pillar, Flooring - Tiles, Wall - Prefabricated, Roof - Metal Sheet.	02 Nos. of Room	50.165	
3.	One (01) Kachha shade for powered generator	Kachha shade with wooden post	N.A.	8.50	
4.	One (01) overhead water tank with installed pump set	Concrete pillar structure	N.A.	12.075	
5.	Two (02) kachha Gazebos with Tin shade	Wooden post structure with Tin shade	N.A.	(a) 12.34 (b) 9.94	
6.	Pump Set Room	Room with brick walls and concrete Roof	01 Room	9.21	

List of movable property				
Sl No.	Item	Brand	Capacity	Nos.
1.	Diesel Generator Set	Ashok Leyland	65 KV	01


19.07.2022


19.07.2022

Handed over the possession as follows : ~~2~~

HADED OVER BY

TAKEN OVER BY

1.

Shri Jyoti Ghosh (WBCS Exe.)
Deputy Director of Tourism (North Bengal),

On behalf of
 Jyoti Ghosh, WBCS (Exe)
 Tourism Department, Tourism Deptt
 Govt. of West Bengal, Regional Tourist Office, Siliguri
 Region, Govt Of West Bengal

Witness:

Nabe
 19/7/22

Manager

Aranya T. P

For West Bengal Tourism Dev. Corp. Ltd

Jyoti
 19/07/22

Memo No. RTO/ 123(B)/XI(42)/2022-23

2.

Shri Arnab Ghosh, (WBFS) (Exe.)
Asst Divisional Forest Officer,
Buxa Tiger Reserve (East),
 On behalf of
 Forest Department, Govt. of West Bengal.

Witness:

1.

Arnob
 19/7/22
 Asst. Divisional Forest Officer
 Buxa Tiger Reserve
 B.T.R. (East) Division

2. *Janya Roy* 19/7/22
 FRD

Datd: 19.07.2022

Copy forwarded for kind information to:

1. The Secretary to Govt. of West Bengal, Tourism Department, N.S. Buildings, Kolkata - 700 001.
2. The Director of Tourism, Tourism Department, Govt. of West Bengal, N.S. Buildings, Kolkata - 700 001.
3. The Managing Director, WBTDC Limited, Udayachal Tourism Lodge Complex, Salt Lake City, Kolkata - 700 091.
4. The Chief Conservator of Forest & Field Director, Buxa Tiger Reserve, Forest Department, Government of West Bengal, Buxa Forest, West Bengal- 735226.
5. The District Magistrate, Alipurduar, 'Dooarskanya', Integrated Administrative building, P.O. Alipurduar Court, District Alipurduar.
6. The OSD to HMOs, Tourism Department, Govt. of West Bengal, N.S. Buildings, Kolkata - 700 001.
7. The Deputy Field Director, Buxa Tiger Reserve (East), Govt. of West Bengal.
8. The Asst Divisual Forest Officer, Buxa Tiger Reserve (East), Govt. of West Bengal.
9. The General Manager-I, WBTDC.
10. The Manager, Aranya Tourism Property, WBTDC.
11. Office Copy.

Jyoti
 19-7-2022
Deputy Director of
Tourism (North Bengal)
Govt. of West Bengal

Jyoti Ghosh, WBCS (Exe)
 Dy. Director, Tourism Deptt
 Regional Tourist Office, Siliguri
 Govt Of West Bengal

10
X

BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH,
KOLKATA

M. A. No. 27/2024/EZ

In

O. A. NO. 136/2015/EZ

In The Matter of:

Subhas Datta

... Applicant

Versus

State of West Bengal & Ors.

... Respondents

COMPLIANCE REPORT IN THE
FORM OF AFFIDAVIT ON
BEHALF OF THE DISTRICT
MAGISTRATE & COLLECTOR,
ALIPURDUAR DISTRICT.

SIBOJYOTI CHAKRABARTI
Advocate

For The State of West Bengal
Email: subho.advocate@gmail.com
(M): 9007035534.

23 SEP 2024

