

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

**MEMORANDUM OF APPLICATION**

**(under section 18(1) read with sections 14 and 15 and  
under Section 18 (2) of National Green Tribunal Act  
2010)**

**Original Application no- ...../ 2024/EZ**

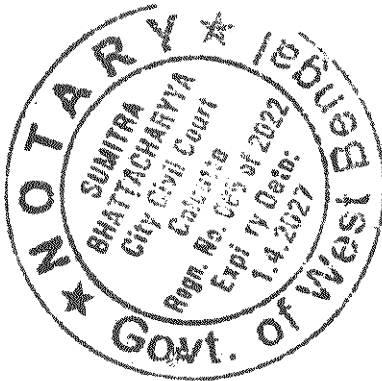
Sri Debasis Das

.... Applicant

Versus

The State of West Bengal & Ors

..... Respondents



**Compilation-I**

SI. NO.	Particulars	Page No.
1.	Synopsis	11-13
2.	List of Dates	14-16

*Debasis Das.*

13 NOV 2024

3.	<b>Original Application</b>	15- <del>40</del> 38
4.	<b>Verification</b>	39

*Debasis Das*

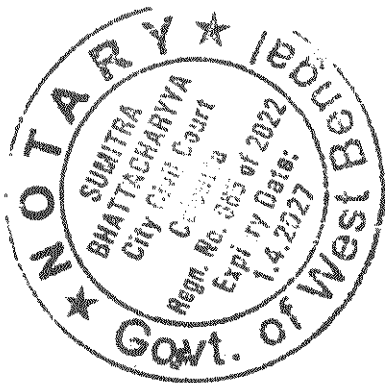
**Debasis Das**

**Represented by its Advocate**

**Mr. Vikram Ojha (**  
**Advocate)**

**Mobile No.- 9681108929**

**E-mail: vikramojha2007@gmail.com**



*Debasis Das*

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

**MEMORANDUM OF APPLICATION**

**(under section 18(1) read with sections 14 and 15 and  
under Section 18 (2) of National Green Tribunal Act  
2010)**

**Original Application no- ...../ 2024/EZ**

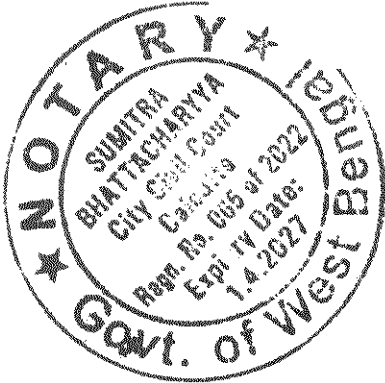
Sri Debasis Das

.... Applicant

Versus

The State of West Bengal & Ors

..... Respondents



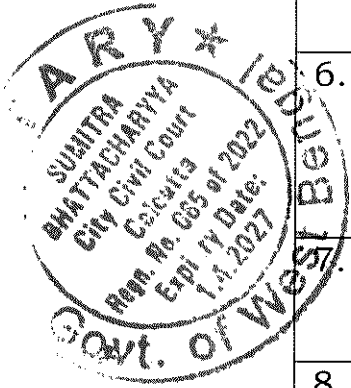
**Compilation-II**

<b>Sl. NO.</b>	<b>Particulars</b>	<b>Annexures and Page No.</b>
1.	The copy of the letter written by the Advocate of the applicant	"P-1"  41-44

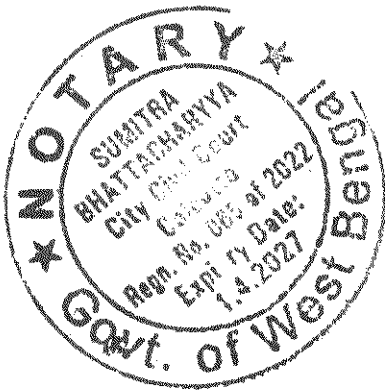
*Debasis Das*

2.	Copy of the letter of reply by the DFO.	"P-2" 45-46
3.	The copy of the application in FORM 1(B) dated 20/03/204 by the said RLDA being Respondent no-9.	"P-3" 47
4.	The copy of the photographs	"P-4" and its series
5.	The clearance given by the DFO to RLDA on 29/04/2024 vide its Memo no-01/CC/HD/B/24-25.	"P-5" 51-52
6.	Copy of the letter by the applicant's Lawyer.	"P-6" 53-55
	Copy of reply by DFO,Howrah	"P-7" 56-57
8.	The copy of enquiry report in FORM-II by the DFO	"P-8" 58-63
9.	Copy of the "3 <sup>rd</sup> RTI"	"P-9" 64-66

Debasis Das



10.	Copy of the "3 <sup>rd</sup> Reply"	"P-10" 67
11.	The copy of the Second clearance given by the DFO, Howrah	"P-11" 68-69
12.	Copy of the "4 <sup>th</sup> RTI"	"P-12" 70-72
13.	Letter of the complainant and the said reply given by the DFO, Howrah shall hereinafter be referred to as the "4 <sup>th</sup> Reply"	"P-13" 73
14.	The copy of the "Second Permit"	"P-14" 74-75



Debasis Das

**Debasis Das**

**Represented by its Advocate**

**Mr. Vikram Ojha ( Advocate)**

**Mobile No.- 9681108929**

**E-mail:vikramojha2007@gmail.com**

Debasis Das

**Before The Green Tribunal , Eastern Zone Branch At  
Kolkata**

**MEMORANDAM OF APPLICATION**

**[Under saction 18(1) read with section 14 & 15 and  
under section 18 (2) of the national green tribunal act  
, 2010]**

**Original Application No ...../2024/EZ**

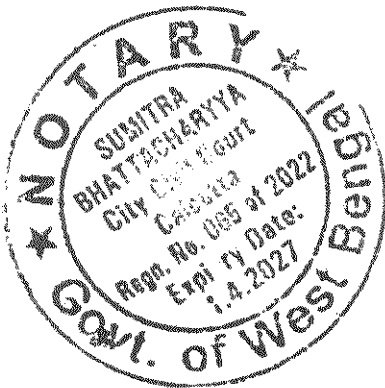
IN THE MATTER OF:

DEBASIS DAS son of Sri Jawhar  
Das , residing at 115 G.T.Road ( N ) , Salkia , Post Office – Salkia ,  
Police Station- Golabari, District-  
Howrah - 711106

.....Applicant

-VERSUS-

1. The State Of West Bengal  
Represented By The Chief  
Secretary, Government Of West

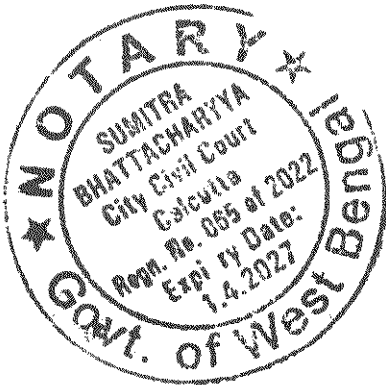


Debasis Das

Bengal having its office at NABANNA ( 13<sup>TH</sup> Floor ), 325, Sarat Chatterjee Road, Shibpur , Howrah -711102.

Email: [cs-westbengal@nic.in](mailto:cs-westbengal@nic.in)

2. Ministry of Environment Forest and Climate Change , Government of India service through its Deputy Director General , Integrated Regional Office, Kolkata, IB-198 Sector-III, Salt Lake City, Kolkata - 700106. Email: [iro\\_kolkata-mefcc@gov.in](mailto:iro_kolkata-mefcc@gov.in)

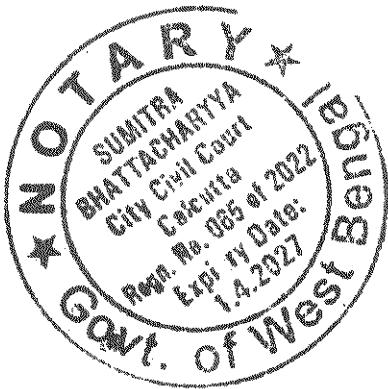


3. Central Pollution Control Board represented by its member secretary having its office at PARIVESH BHAVAN, East Arjun Nagar Delhi- 110032 email: [mccb.cpcb@nic.in](mailto:mccb.cpcb@nic.in)

Debasis Das

4. Department of environment, government of West Bengal through its principal secretary having office at PRANISHAMPAD BHAWAN, Block (5<sup>th</sup> floor), lb-II, salt lake, sector-III, Bidhannagar, Kolkata-700106. Email: [prsecy.env-wb@gmail.com](mailto:prsecy.env-wb@gmail.com)

5. West Bengal pollution control board represented by its member secretary having office at PARIBESH BHAVAN, 10A, Block – 1,a., sector-III, salt lake city Kolkata-700106 email; [ms.wbpcb-wb@bangla.gov.in](mailto:ms.wbpcb-wb@bangla.gov.in)



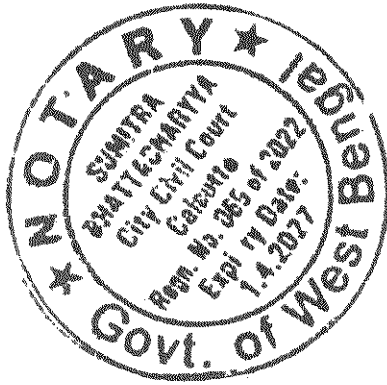
6. The District Magistrate, District-Howrah having its office at 6 Rishi Bankim Chandra Road , Post & PS – Howrah , District-Howrah – 711101. email: [dm-how-wb@nic.in](mailto:dm-how-wb@nic.in)

Debasis Das

7. The Commissioner of Howrah Municipal Corporation having its office at 4 Mahatma Gandhi Road, Post & PS-Howrah, District - Howrah-711101.

Email:

[commissioner.howrah@gmail.com](mailto:commissioner.howrah@gmail.com)



8. Principal Chief Conservator of Forests & HoFF, West Bengal having its office at Aranya Bhawan, LA-10A Block, Sector-III, Salt Lake, Kolkata - 700106.

Email: [pccfhoff-wb@nic.in](mailto:pccfhoff-wb@nic.in)

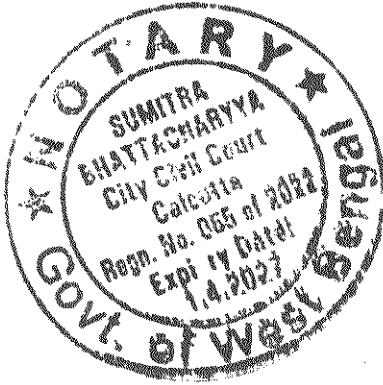
9. The Chief Project Manager of Rail Land Development Authority having its office at Unit no- 702 -B, 7<sup>th</sup> Floor, Konnectus Tower -II, DMRC

*Debasis Das*

building Ajmeri Gate, New Delhi  
-110002.

Email: [secy@rlda.railnet.gov.in](mailto:secy@rlda.railnet.gov.in)

10. M/s PS, Group Realty Pvt.  
Ltd., represented through its  
Chairman Prashant Chopra and  
its Managing Director Gaurav  
Dugar, having their registered  
office at, 1002 EM Bypass,  
Kolkata, West Bengal 700105.  
Email address: [cs@psgroup.in](mailto:cs@psgroup.in).



11. The Divisional Forest  
Officer, Howrah Division, having  
office at 5, M.G. Road, Dalmia  
Park, Stadium Complex, 1<sup>st</sup>  
Floor, Howrah - 711101.

Email: [dfohowrah@gmail.com](mailto:dfohowrah@gmail.com)

*Debasish Das*

**TO**

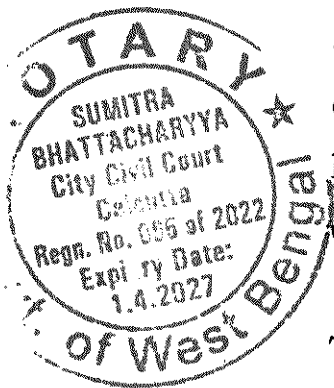
THE HON'BLE CHAIRMAN AND HIS COMPANION  
MEMBERS OF THE GREEN TRIBUNAL  
HUMBLE APPLICATION SUBMITTED BY THE  
APPLICANT ABOVENAMED.

Synopsis

The instant application has been filed by the applicant against illegal cutting and felling of trees at a large scale at the property situated at premises no - 1 Acharya Tulsi Marg, Police Station - Golabari, District- Howrah (also known as property situated at H80V + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station-, District- Howrah - 711106) measuring 1300 cottahs of land which has been lying untouched since last 70 years and there had been more than 1000 of trees of different species present at the said property.

The trees at the said property have been illegally cut and felled without any proper clearance or permission without holding any proper inquiry of the said property and upon the objection by the applicant in form of RTI through its Advocate the respondent and the authorities

*Debasish Das*

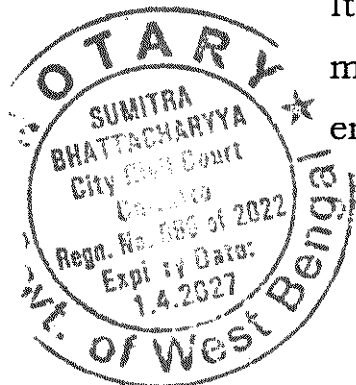


have tried their best to cover their misdeed and fill up the Lacuna.

That more than 1000 trees have been cut and felled at the said property without having any permission from the concerned authorities and damages to the such number of trees cannot be overlooked keeping in mind the global warming which we are facing.

The private respondents in connivance with the authorities have illegally cut and felled the trees giving false number of trees present in the said property so that they did not need to plant five times of the cut and felled trees at the said property, the same causing serious environmental damages keeping in mind the global warming, the government has framed rules and regulation for protection of the plants trees in the non forest area but the same has been overlooked and not complied with just for the personal gain and profit.

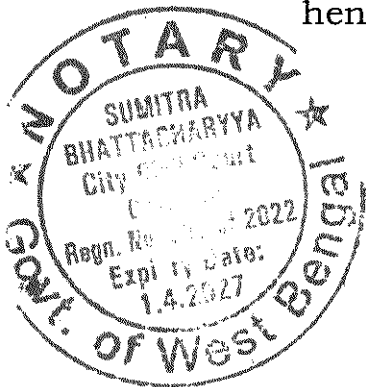
It Is submitted that the present application has been made for restitution of the damages done to the environment by cutting and felling of huge number of



Debasis Das

trees without abiding the rules and regulations as framed by the law.

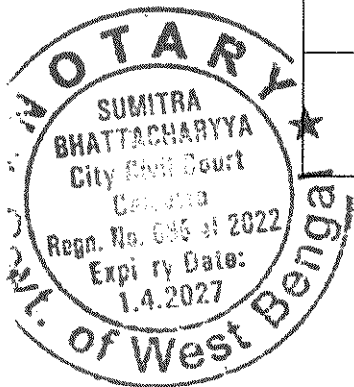
Gross violation of the environmental norms is observed, on one hand the central government and the state government are spending thousands of crores of rupees in preserving the trees and environment and on the other hand errant developers in connivance with the state authorities are flamboyantly cutting and felling the trees in utter disregard of government's wishes and policies and endeavours. The in action of the respondent authorities have resolved in this menace of the trees being numbers more than in 1000 have been cut and felled and in spite of having the knowledge the authorities are trying to cover up the Lacuna by fabricating and manufacturing documents and giving clearance as well as permission to the private respondent without complying the procedure of law which not only result to the damages of the environment but will also promote threat and danger to the environment henceforth.



Debasish Das

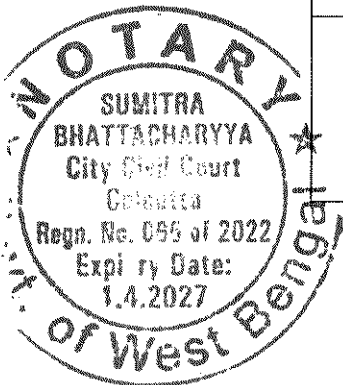
**List of Dates**

NO.	DATE	
1.	20/03/2024	The RLDA (Respn no-9) filed an application praying for felling of trees to the DFO, Howrah (Respn no-11) under Form-I (B) of WB Trees (P & C) Rules 2007
2.	29/04/2024	Clearance under Rule 7(5) of WBT(C& P) Rules in 2007, given by DFO, Howrah( 1 <sup>st</sup> Clearance)
3.	09/04/2024	The Respondent no 9 and 10 started cutting and felling of trees at the said property.
4.	02/7/ 2024	1 <sup>st</sup> RTI written by the applicant's Lawyer to the Divisional Forest Officer, Howrah .
5.	02/07/2024 & 08/07/ 2024	Enquiry and spot visit by the officer of DFO, Howrah at the said Property.



Debasis Das

6.	10/07/2024	letter given by WBPCB regarding the clearance for permission for cutting and felling of trees at the said property.
7.	23/07/2024	2 <sup>nd</sup> RTI given by the Applicant to the DFO, Howrah (Resp-11)
8	01/08/2024	Reply to the 2 <sup>nd</sup> RTI by DFO, Howrah.
	20/08/2024	DFO, Howrah issued Second clearance to the RLDA cancelling its previous clearance dated 29/04/2024.
	20/08/2024	DFO, Howrah issued Second permission being <b>SECOND</b> permit no- 23/FP/HD/B/24-25 to RLDA for cutting and felling trees cancelling its previous permission being <b>FIRST</b> permit no- 26/FP/HD/2024 dated 31/08/2024.
9.	29/08/2024	3 <sup>rd</sup> RTI by the Applicant Lawyer to the DFO, Howrah.



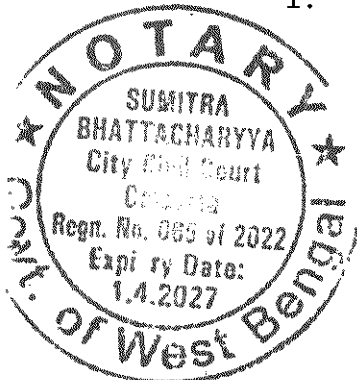
Debasis Das

	31/08/2024	DFO , Howrah issued first permission being the <b>FIRST</b> permit no- 26/FP/HD/2024, dated 31/08/2024.
	04/09/2024	4 <sup>th</sup> RTI to the DFO , Howrah by the applicant Lawyer
	10/09/2024	4 <sup>th</sup> reply to the RTI of the applicant's Lawyer
10.	18/09/2024	Reply to the 3 <sup>rd</sup> RTI sent by the DFO, Howrah to the Applicant.

**FACTS IN BRIEF**

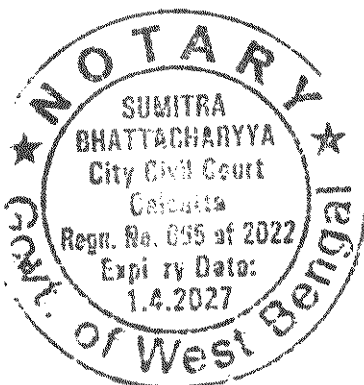
Most Respectfully sheweth:

1. The address of the Applicant is given above for the service of notices of this application.



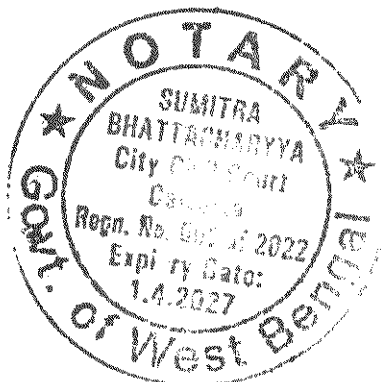
Debas Das

2. The addresses of the Respondents are given herein above for the service of notices of the application.
3. The Applicant abovenamed begs to present the Memorandum of Application on the grounds set out hereunder:
  - 4(a) That all that piece and parcel of land measuring 88300 sqmtr comprised of full fledged greenery consisted of thousand of trees within the stretch of 88300 sqmtr , at a property situated at 1 Acharya Tulsi Marg , Police Station – Golabari , District-Howrah (also known as H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station-, District- Howrah – 711106) the same shall hereinafter be referred to as the **“Said Property”**, the ongoing illegal cutting and uprooting of trees thereat is the subject matter of the complaint herein. Be it pertinent to mention here that the said property originally belongs to the “Rail Land Development Authority” ( the same shall hereinafter be referred to as the **“RLDA”** ) being the Respondent no-9 herein.



Debas Das

- (b) That the said property originally belonged to the “Indian Railways” which was used to transport salt from one place to the other and hence the bank of Ganga just beside the said property was and is known as “Namak Gola Ghat” and the said property was laid unused since the Independence and since there was already extended greenery within the said property thus during course of time the said greenery became more full and fledged.
- (c) That the said property being full covered within comprising thousands of grown of trees within span of time of nearly 77 years since Independence and that was not only source of fresh air to the residents of North Howrah District but also a beautiful place for morning walkers , the said property being full fledged greenery can be evident from several photographs and video graphed of the said property that shows it was full fledged greenery and the same can also be ascertained through the extract of the Google Map that shows that there had been thousand of trees within the entire stretch of the said property.

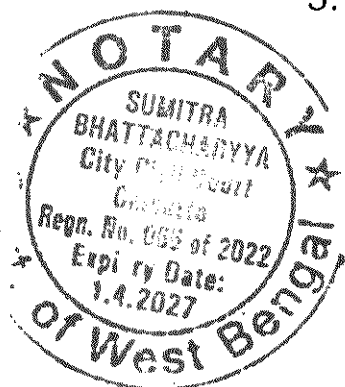


Debasis Das

- (d) That the said “RLDA” being the respondent no-10 engaged and appointed one developer firm being **PS Group Realty Pvt. Ltd.** , having its registered office at , 1002 EM Bypass, Kolkata, West Bengal 700105, being the respondent no- 10 herein ( hereinafter shall be referred to as the said “Developer”) for development of the said property.
- (e) That there had been thousand of trees since independence within the said property and the entire property was left and not in use and the respondent no-10, in the month of April 2024 started cutting and felling the trees at the said property in a large scale and in full fledged manner.
- (f) That respondent no.10 is a Developer firm and engaged by the RLDA for development of the said property and it is the promoter who are engaged into cutting and felling of the trees within the said property.

5. That thereafter the applicant through its appointed advocate on 2<sup>nd</sup> July 2024 wrote a letter to the Divisional Forest Officer ( hereinafter be referred to as

Debasis Das



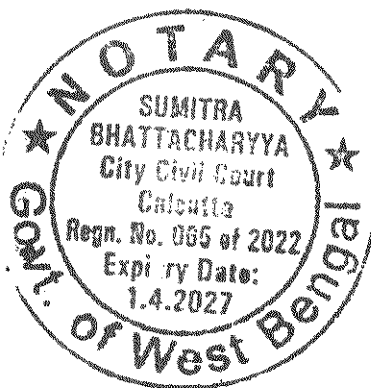
the said “DFO” Howrah) , being the respondent no-11, intimating the said cutting of trees and at the same time the complainant sought certain information under Section 6 of the Right To information Act 2005. The copy of the said letter written by the Advocate of the applicant is annexed herewith and marked as **Annexure -P 1** .The same shall hereinafter be referred to as the “**1<sup>st</sup> RTI**”

6. That the Divisional Forest Officer ( hereinafter shall be referred to as the DFO ) through its letter dated **15<sup>th</sup> July 2024** answered the questions of the complainant as mentioned in the 1<sup>st</sup> RTI, the copy of the said letter of reply by the DFO is annexed herewith as and marked as **Annexure - P 2**. ( The same shall hereinafter be referred to as the “**1<sup>st</sup> Reply**”.

7. That the DFO being the respondent no.11 , answered questions to the said RTI not only false manner but also in very ambiguous ways, the same has been dealt and mentioned clearly in following paragraph:

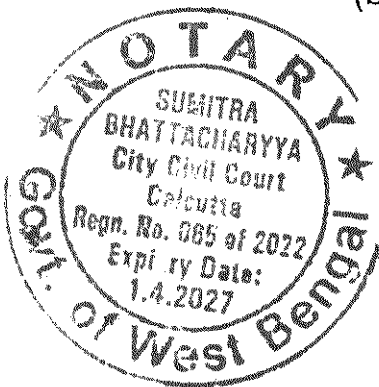
(a) The DFO being the respondent no- 11 very cunningly answered regarding the question of

*Debasis Das*



numbers of trees present in the said property answered that there are only **75 numbers** of trees present in the said property which is itself contradicting as the RLDA being the respondent no- 9, in its application in **FORM 1(B) dated 20/03/2024** , seeking permission for cutting has written and mentioned that there are nearly **235 trees** present in the said property then how come the DFO has mentioned that there are only **75 nos. of trees** present in the said property , which clearly indicates that the respondents are acting hand gloves to mention the number of trees less in numbers from the actual so that the developer will have to plant less numbers of trees. The copy of the said application in FORM 1(B) dated 20/03/204 by the said **RLDA** being Respondent no-9, is annexed herewith and marked as **Annexure – P 3.**

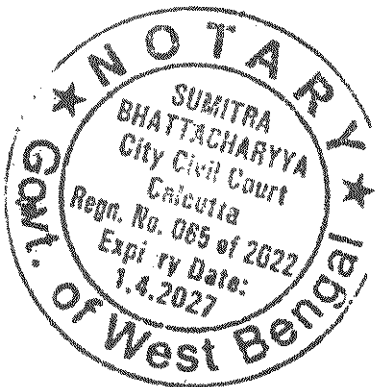
- (b) That the numbers of trees can easily be ascertain and assumed to be more than thousand as the said property is nearly more than 1300 cottahs of land and the same was



Debasish Das

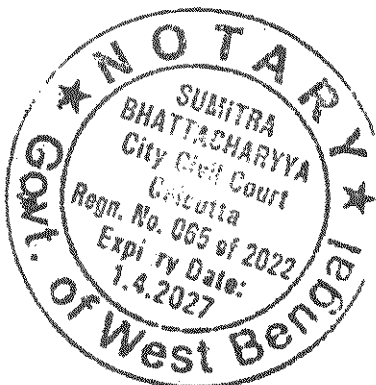
entirely covered with different species of trees and the same can be reflected through the photographs and video recording done by the applicant while the cutting of trees was ongoing process in the said property. The copy of the said photographs are annexed herewith as **Annexure- P 4 and its series**. The video recording can be place before the Learned Tribunal as when directed and order so.

- (c) It can be very well assumed and calculated that a property of nearly 1300 cotthas lying vacant and unused for nearly more than 75 years will surely going to have more than thousands of trees and the same can easily verified with local residents residing thereat nearby the property and the same time it can also be verified scientifically by appointing experts in this matter if it is done in due time , but the DFO ,Howrah needless to verify the truth intentionally or non intentionally reasons best known to them.



*Debasish Das*

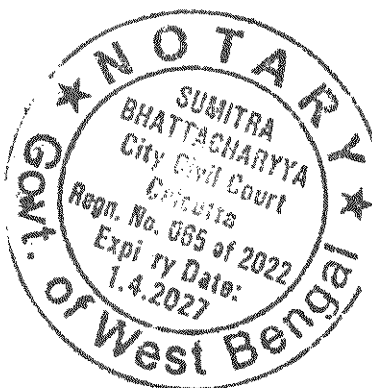
- (d) That the DFO , Howrah in its reply dated 15/07/2024 stated that no permission has been granted to the respondent no- 9 being the RLDA for cutting and felling the trees at the said property but did nothing to stop the illegal cutting of trees at the said property.
- (e) That regarding the question of permission from West Bengal Pollution control Board, the DFO, Howrah forwarded a letter dated **10<sup>th</sup> July 2024** from West Bengal Pollution control Board ( the same shall hereinafter be referred to as the WBPCB) being the respondent no-5 herein, which states that the RLDA being respondent no-9 `Wrote a letter dated **6<sup>th</sup> July 2024** to the WBPCB for its permission, very interestingly after the 1<sup>st</sup> RTI letter dated **2nd July 2024** sent by the applicant's advocate to the DFO, Howrah, the said lacuna of permission from WBPCB is being tried to be covered up the respondents. The dates of letters exchanged if compared one can come to the conclusion that the respondents have all along tried to fill and cover up the lacuna and they have not adhered



Debasis Das

and abided to the rules and regulations and have illegally cut and felled at the said property.

- (f) That very interestingly the DFO, Howrah on **29/04/2024** has given clearance under Rule 7(5) vide its **memo no- 01/CC/HD/B/24-25** , without getting any concurrence from the WBPCB and without going into any field enquiry by the any of the officer of the DFO , Howrah and they have illegally and adapting malpractice has issued the clearance to the RLDA being the Respondent no-9, who in turn started to fell and cut down the entire greenery present in the said property without going or verifying the exact numbers of the trees present in the said property , which is assumed to be more than thousands of trees. The clearance given by the DFO to RLDA on **29/04/2024** vide its Memo no-**01/CC/HD/B/24-25** is annexed herewith as **Annexure -P 5**, and the same shall hereinafter be referred to as the **“First Clearance”**. Be it pertinent to mention here that the said clearance was issued without any

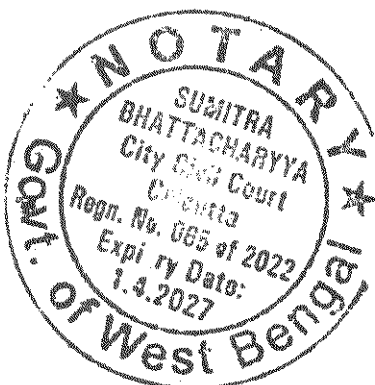


Debasis Das

field enquiry and concurrence from the West Bengal Pollution Control Board , the same has been issued without abiding the rules of law.

8. That the applicant again on **23<sup>rd</sup> July 2024** , wrote a letter of complaint through its lawyer inter alia seeking certain information regarding the said property to the DFO , Howrah the copy of the said letter is annexed herewith as annexure and marked as **Annexure – P 6** and the same shall hereinafter be referred to as the “**2<sup>nd</sup> RTI**” and the respondent no-11 being the DFO again replied in a very ambiguous manner and the same has been described as the following :

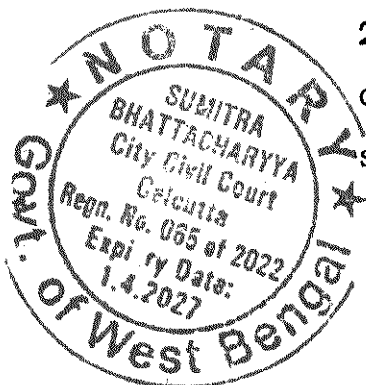
- (i) In response to the question of the complaint regarding the counting process of the trees present in the said property the respondent no-11 being the DFO , Howrah replied the same vide its letter date **1<sup>st</sup> August 2024**. The said reply is annexed herewith as **Annexure – P 7**. The same shall hereinafter be referred to as the “**Second Reply**”.



Debasish Das

- (ii) In its second reply the DFO has stated that the field enquiry for ascertaining the number of trees in the said property has been done on 02/07/2024 and 08/07/2024 , whereas very surprisingly the clearance has already been given by the DFO to the RLDA on 29/04/2024 ( being referred as the First clearance being annexure -A 5 herein ) , thus it becomes crystal clear that the said clearance dated 29/04/2024 given by the DFO was issued illegally and without counting number of trees present in the said property and the respondents are trying to cover up the lacuna after the 1<sup>st</sup> RTI by the complainant. The copy of said enquiry report in FORM-II by the DFO is Annexed herewith as **Annexure -P 8** (the same shall hereinafter be referred to as the said **“Enquiry report”**).

9. That the complainant though its lawyer again on **29/08/2024** wrote a letter u/s 6 of the RTI seeking certain information from the DFO in respect of the said property , the same shall herein after be referred

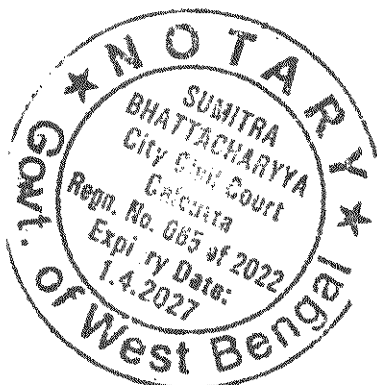


Debasis Das

to as the “**3<sup>rd</sup> RTI**” the copy of the same is annexed herewith as “**Annexure – P 9**”. And the same is particularly described and dealt in the following paragraphs:

(a) That the said DFO replied to the said 3<sup>rd</sup> RTI on **18/09/2024**, the said reply shall hereinafter be referred to as the “**3<sup>rd</sup> Reply**”, the copy of the same is annexed herewith as **Annexure -P 10**.

(b) That in the said 3<sup>rd</sup> reply , the DFO has annexed a new clearance certificate vide certificate no- **05/CC/HD/B/24-25 dated 20/08/2024** (hereinafter shall be referred to as the “**Second Clearance**”) whereby the DFO has very surprisingly cancelled its previous clearance certificate dated **29/04/2024** vide its Memo no-**01/CC/HD/B/24-25** given to the respondent no- 9 without assigning any reason for doing so, its apparently on record its evidently becomes very clear that the said “**First Clearance**” being previous clearance given by the DFO , Howrah was illegal and not issued according to the rules and laws



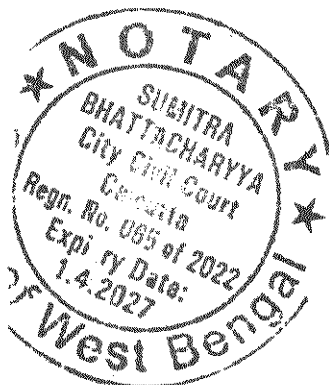
*Debasis Das*

prescribed , it is only after the complainant raised the objection pointed out the illegality in the said First clearance then the DFO , Howrah to fill up the said lacuna had issued the said “Second Clearance”. The respondents in connivance with each other had already cut and felled the entire greenery giving false numbers of trees present in the said property so that they need to plant fewer number of new plant and using the maximum area for their development. The copy of the said Second clearance given by the DFO , Howrah is annexed herewith as **Annexure – P 11.**

- (c) That its very shocking that how come the DFO, Howrah who is entrusted to protect and preserve the greenery is acting in gloves with the other respondents and eventually causing serious damages to the environment.

10. That the complainant through its lawyer again on 04/09/2024 wrote a letter to the DFO , Howrah seeking certain information as enunciated in the said letter and the same shall herein after be referred to as

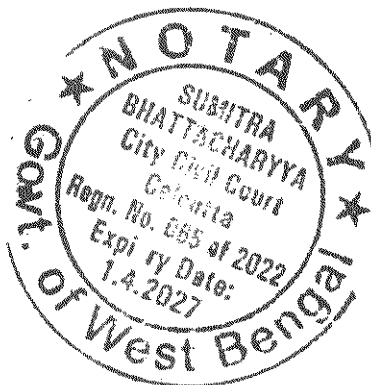
Debasish Das



the “4<sup>th</sup> RTI” and the same is annexed herewith as “Annexure -P 12”.

(a) That the DFO, Howrah on 10/09/2024 gave reply to the said letter of the complainant and the said reply given by the DFO, Howrah shall hereinafter be referred to as the “4<sup>th</sup> Reply”. And the same is annexed herewith as **Annexure P-13**.

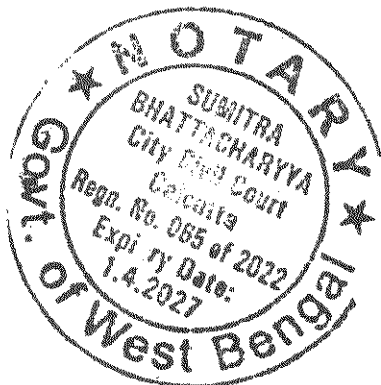
(b) That in the said 4<sup>th</sup> reply , the DFO , Howrah has annexed a letter dated **20/08/2024** vide permit no- **23/FP/HD/B/24-25** ( hereinafter shall be referred to as the “**Second Permit**” )being allegedly a permit under Rule 5(2) given to the other respondents for cutting and felling the trees at the said property inter alia cancelling its previous permit issued on **31/08/2024** vide permit no- **26/FP/HD/B/2024** ( herein after the same shall be referred to as the “**First Permit**”).



(c) That the said conducts of the DFO , Howrah and other respondents again reflects and shows

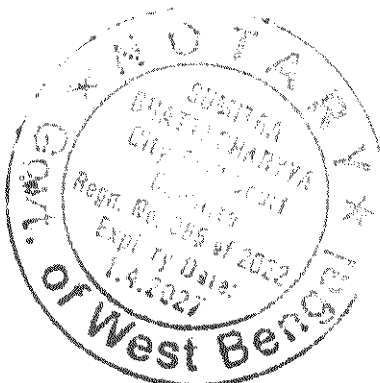
*Debasid Das*

that they are acting in gloves and trying to cover up their illegal act of cutting and felling the trees at the said property as DFO , Howrah has issued the said **“Second permit”** on **20/08/2024** cancelling its **“First Permit”** issued on **31/08/2024**, the dates itself reflects that how come the DFO , Howrah on 20/08/2024 can cancel the alleged First permit issued on future date i.e. 31/08/2024. The said conduct of the DFO, Howrah and other respondents makes abundantly clear that in haste to cover their illegal activities and conducts are stating one false statements after another , even if assume that the date of First permit has been typographically mistaken written as 31/08/2024 which will be again a false statements by the respondent ,as the RLDA being respondent no- 2, has made its first initial application on 20/03/2024, then there lies no doubt that any permission cannot be granted prior to the date of application. The copy of the said **“Second Permit”** is annexed herewith as **“Annexure -P 14”**.



Debasis Das

- (d) The alleged permission being the Second permit clearly indicates that the Respondents have cut and fell the entire greenery at the said property without any permission causing serious damages to the environment nevertheless to mention that there had been more than thousands of trees within the said property which has been malafidely not taken into consideration through proper counting just to provide the wrongful gains to the other respondents by the DFO,Howrah, thus a stern punitive actions are required to be taken by the Learned Tribunal against the respondents.
- (e) That the respondents have cut and felled the entire greenery being thousands of trees at the said property without any permission to do so and to cover their said illegal conduct have manufactured documents in connivence with each other to cover their said illegal deeds.

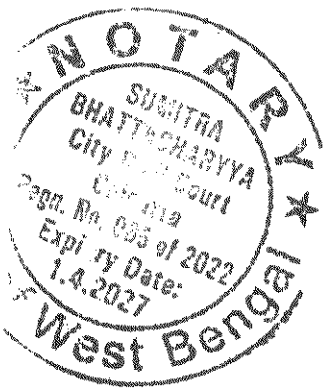


Debasis Das

**11. Grounds :**

- (i) That the instant complaint is in regard to the violation of The West Bengal Trees ( Protection and Conservation in Non forest Areas) Act 2006 and The West Bengal Trees ( Protection and Conservation in Non forest Areas) Rules 2007.
- (ii) That the respondents without counting the actual numbers of trees present in the said property have cut and felled the entire trees present in the said property, the DFO, Howrah being the respondent no-3 on **29/04/2024** has given clearance under Rule 7(5) of the West Bengal West Bengal Trees ( Protection and Conservation in Non forest Areas) Rules 2007 vide its **memo no- 01/CC/HD/B/24-25** , without getting any concurrence from the WBPCB and without going into any field enquiry by the any of the officer of the DFO , Howrah. The clearance given by the DFO to RLDA on **29/04/2024** vide its Memo no- **01/CC/HD/B/24-25** is annexed herewith as **Annexure - 125** and the same is mentioned and referred above to as the **"First Clearance"**. Be it pertinent to mention here that the said clearance was

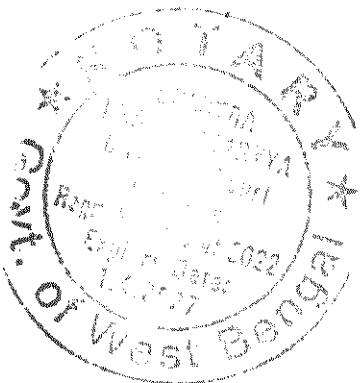
*Debasis Das*



issued without any field enquiry and concurrence from the West Bengal Pollution Control Board , the same has been issued without abiding the rules of law.

- (iii) That in its second reply to the RTI , the DFO has stated that the field enquiry for ascertaining the number of trees in the said property has been done on 02/07/2024 and 08/07/2024 , whereas very surprisingly the clearance has already been given by the DFO to the RLDA on 29/04/2024 ( being referred as the First clearance being annexure-P-5 herein) , thus it becomes crystal clear that the said clearance dated 29/04/2024 given by the DFO was issued illegally and without counting number of trees present in the said property. The copy of said enquiry report in FORM-II by the DFO is Annexed herewith as **Annexure -P 7** (the same is referred above as the said “Enquiry report”).

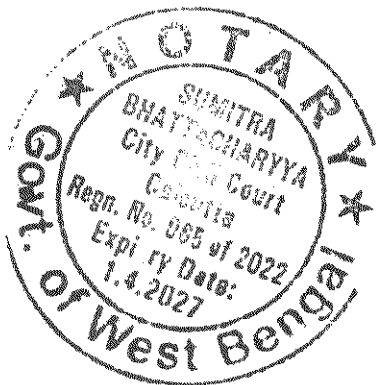
- (iv) That the “First Clearance” issued by the DFO being respondent no- 3, is in complete violation of provisions of Section 9 of West Bengal West Bengal Trees ( Protection and Conservation in Non forest



*Debasish Das*

Areas) Act 2006 and Rule 7 (4) of West Bengal West Bengal Trees ( Protection and Conservation in Non forest Areas) Rules 2007

- (v) That in the said 3<sup>rd</sup> reply to the RTI by the applicant , the DFO has annexed a new clearance certificate vide certificate no- **05/CC/HD/B/24-25 dated 20/08/2024** (herein above be referred to as the “**Second Clearance**”) dated 20/08/2024 whereby the DFO has very surprisingly cancelled its previous clearance certificate dated **29/04/2024** vide its Memo no-**01/CC/HD/B/24-25** given to the respondent no- 2 , its evidently very clear that the said “First Clearance” being previous clearance given by the DFO , Howrah was illegal and not issued according to the rules and laws prescribed and the entire greenery has been felled and cut by the respondent no-9 and 10 by then. And the very same day i.e. 20/08/2024 the DFO , Howrah issued a Second permit whereby its cancelled the First permit dated 31/08/2024 being the future , the all conducts specifically signifies malpractice adapted by the respondent authorities.

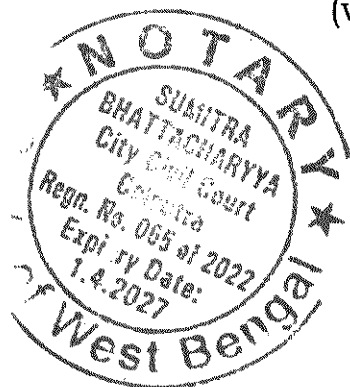


Debasish Das

(vi) That in its 4<sup>th</sup> reply to the RTI , the DFO , Howrah has annexed a letter dated **20/08/2024** vide permit no- **23/FP/HD/B/24-25** ( hereinafter shall be referred to as the **“Second Permit”** )being allegedly a permit under Rule 5(2) WBT( C&P) Rules 2007 ,given to the other respondents for cutting and felling the trees at the said property inter alia cancelling its previous permit issued on **31/08/2024** vide permit no- **26/FP/HD/B/23-24** ( herein after the same shall be referred to as the **“First Permit”**). Whereas the facts remains that no such clearance was ever issued to the respondents to cut and fell the trees at the said property , it is after the applicant raised its objection only then the respondents started to manufacture and create documents to cover their illegal deeds and lacuna. And the respondents have cut and felled the entire greenery consisting of thousands of trees at the said property lying there since long more than 70 years.

(vii) That the respondents have cut and felled thousands of trees at the said property giving false numbers of trees present and without going

Debasis Das



through the proper procedure of regulation have cause serious damage to the environment and conservation at the large.

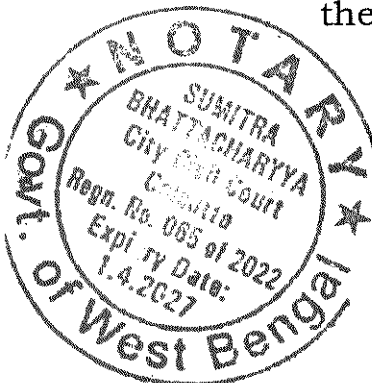
**12. Limitations:**

- (i) That the cause of action this application arose on 20<sup>th</sup> April 2024 when the respondent no-1 started to cut and fell the trees at the said property and on 2<sup>nd</sup> July 2024 when the applicant first intimated the said cutting and felling of tree to the concerned authorities. and the same is continuing daily at the said property.
- (ii) That the instant application is within the limitation.

**13. Prayer :**

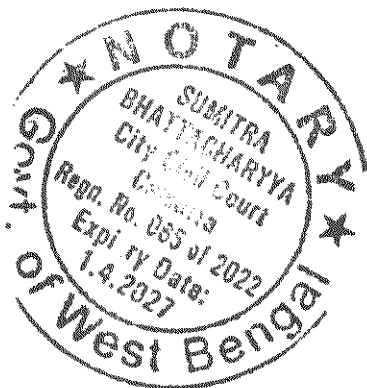
In the light of aforesaid circumstances it is prayed that the Hon'ble Tribunal be pleased to:

- (a) Admit this Application and issue notice upon the Respondents.



*Debasis Das*

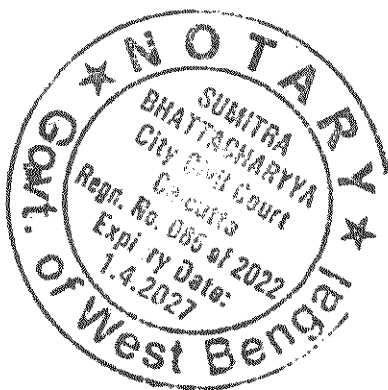
- (b) Direct the Respondent authorities to immediately cause an inspection of the "Said Property" appointing experts for ascertaining the actual numbers of trees that were present at the said property before being cut and felled.
- (c) Direct the respondent authorities to issue direction to the private respondent to immediately stop causing further excavation or constructions work until proper inspection of the number of trees are done by the appointed experts and the report pertaining to the same has been submitted before the Hon'ble Tribunal.
- (d) Direct the respondent authorities to cancel its permissions and clearances issued as the same has been done illegally and malafidely, the said clearance and permission for felling the trees at the said property has been done without complying the rules and orders of the West Bengal Trees ( Protection and Conservation in Non forest Area ) Act 2006 and its Rules.



Pebasis Das

- (e) Direct the respondents authorities for the restitution of the environment for such area being the said property as defined and described above.
- (f) Direction to impose exemplary penalty upon the perpetrators for cutting and felling the trees in a large scale at the said property.

And pass any such further order or orders as this Hon'ble Tribunal may deem fit and proper and necessary upon considering the facts and circumstance of the case.



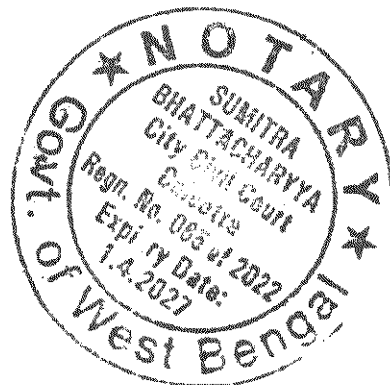
Debasis Das

VERIFICATION

I , Debasis Das son Sri Jawhar Das , aged about 38 years , by faith- Hindu , residing at 115 G.T.- Road (N) , Police Station- Golabari , District- Howrah state that I am the applicant of this application . I do hereby verify the contents of paragraphs no.1 to 12, and the rest are true to the best of my humble prayers before your lordship and I have not suppressed any material facts herein.

Debasis Das

Identified by *WKS*  
*WKS*  
Advocate  
*WKS*



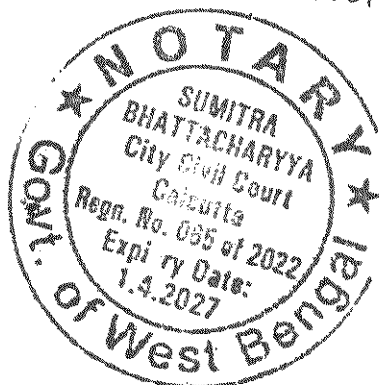
AFFIDAVIT

I, Debasis Das son of Sri Jawhar Das, aged about 38 years, by faith Hindu , residing at 115 G.T.-Road (N), police station- Golabari, District- Howrah, pin code- 711106. State that I am the Applicant of this Application and I am well conversant with the facts and circumstances of the instant Original Application and I confident to swear and affirm this Affidavit, I do hereby verify the contents of paragraph no.1 to 12, and are my humble prayers before to the best of my knowledge, and are my humble prayers before your Lordship and I have not suppressed any material facts herein.

Identified by me

Debasis Das  
Deponent

Vikram Chakraborty  
Advocate WB/1974/2003



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

Sumitra Bhattacharyya  
Notary

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

*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road  
Salkia, Ho

Mobile: 968110... 98929  
E-mail: vikramojha2007@gmail.com

41 - Annexure - P-3

Date : .....

Ref. No. : .....

*alc*

Dated: 2<sup>nd</sup> July 2024

To  
The Special Public Information Officer  
District Forest Officer  
No-5, 1<sup>st</sup> Floor, Stadium complex,  
Grand Trunk road ,  
M.G. Road , Post Office – Howrah  
Police Station – Howrah  
District – Howrah  
Pin Code – 711101

**Ref:**

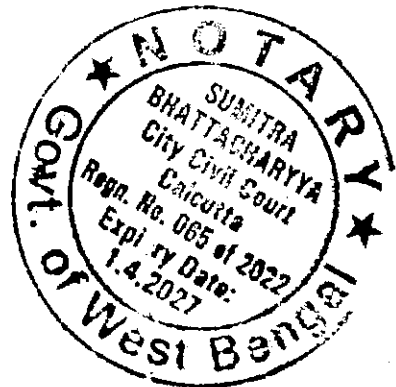
An application under section 6 of the Right to Information Act 2005

**Subject:**

Request for information regarding the permission for felling trees as required under West Bengal Trees ( Protection & Conservation in Non forest Area ) Act 2006 and its Rules 2007, in respect of development project at a property situated at H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station-, District- Howrah – 711106. under Right to Information Act 2005.

Received contents without verification  
*03/07/2024*  
Head Clerk  
Divisional Forest Officer  
Howrah Division

*alc*



13 NOV 2024

*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road (North),  
Salkia, Howrah- 711106 (W.B.)

Mobile: 9681108929 | 9674908929  
E-mail: vikramojha2007@gmail.com

Ref. No. : .....

- 42 -

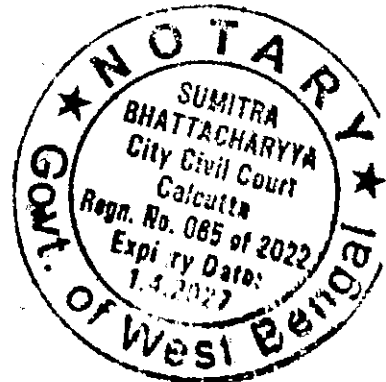
Date : .....

Sir,

That since a very big project of multi storied building with multi facilities is coming with proposed construction and accordingly the trees and entire greenery is being cut and felled at the property with proposed construction as mention above and since there is full fledged greenery consisting of thousand of trees within the stretch of 88300 sqmtr , at a property situated at H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station-, District- Howrah - 711106 the same shall hereinafter be referred to as the "Said Property", I would like have certain information as following:

1. The details of permission sought/filed by the promoters/stake holders/ lessee/Owner by way any application for getting the permission under the provisions of the West Bengal Trees ( Protection & Conservation in Non Forest Areas) Act 2006 and its Rules 2007, for felling and cutting trees in respect of the said property being situated at H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station-, District- Howrah - 711106 as mentioned above.
2. Please provide me the copy of the said application filed by the promoters/stake holders/ lessee/Owner for getting the

*Ajha*



*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. I. Road (North),  
Salkia, Howrah- 711106 (W.B.)

Mobile: 9681108929 | 9674908929

E-mail: vikramojha2007@gmail.com

Ref. No. : .....

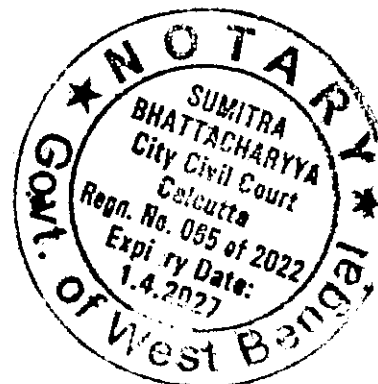
- 43 -

Date : .....

permission under the provisions and rules of the West Bengal Trees ( Protection & Conservation in Non Forest Area) Act 2006 and its Rules 2007, for cutting and felling the trees at the said property as mentioned above.

3. Please provide me the details of the permission granted to the promoter/stake holder / lessee/ Owner for cutting and felling the trees at the property as mentioned above.
4. Please provide the copy of the said permission if at all granted by competent authority as mentioned in paragraph no-3 of this instant application.
5. Please provide the number of trees and species of trees cut/ felled or proposed to be cut /felled for the proposed construction at the said property as mentioned above.
6. Please provide the details of the undertaking gave by the Promoters/ stake holders/ Lessee / Owner to plant the number of trees felled and or cut during the course of construction and or proposed construction. And also provide the copy of the said undertaking.

*[Handwritten Signature]*



*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road (North),  
Salkia, Howrah- 711106 (W.B.)

Mobile: 9681108929 | 9674908929

E-mail: vikramojha2007@gmail.com

Ref. No. : .....

- 44 -  
Date : .....

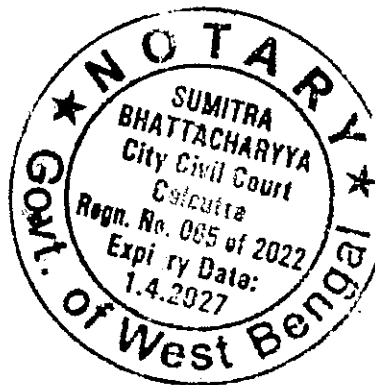
7. Please provide the details of clearance as granted by the Pollution Control Board if in case the permission is granted for cutting and felling the trees in the said property.

So kindly do the needful by providing me the information as asked above.

( By receiving this letter you hereby acknowledge to have received the requisite fees for providing the information as asked above, the requisite fees in form of court fees has been affixed with these instant letter.)

Thanking You

Yours Sincerely



*Vikram Ojha*  
Sr.



Government of West Bengal  
Directorate of Forests  
Office of the Divisional Forest Officer, Howrah Division  
5 M.G. Road, Dalmia Park, Stadium Complex (1<sup>st</sup> floor), Howrah-711101.  
Phone & Fax-033-2641-1772, E-mail : [dfohowrah@gmail.com](mailto:dfohowrah@gmail.com)

45 -  
Annexure - 'P.2'



Memo No.: 2556 /28-17/2024

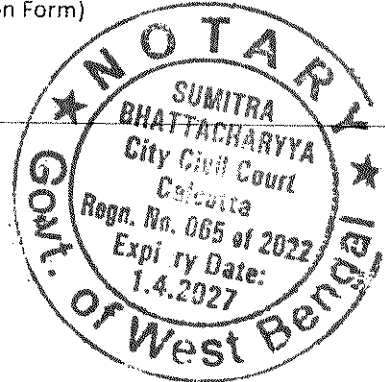
Dated: 15.07.2024

To : Vikram Ojha,  
Advocate, High Court Calcutta & Judge Court Howrah  
115, G.T. Road (North), Salkia, Howrah- 711106, (W.B)

Sub : Your application dated.02.07.2024-U/s RTI Act, 2005, received on 03.07.2024 by this office.


With reference to the above, as you wanted the information under Right to Information Act, 2005, this is to reply the following:

Sl. No.	Information required	Reply thereof
1.	Your complains are as follows: The details of permission sought/filed by the promoters/ stake holders/ lessee/ owner by way any application for getting the permission under the provision of the West Bengal Trees (Protection & Conservation in Non-Forest Areas) Act 2006 and its Rules 2007, for felling and cutting trees in respect of the said property being situated at H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station, District, Howrah-711106 as mentioned above.	In question of felling permission in respect of Rail Land Development Authority for felling 75 nos. of Trees for construction Residential cum Commercial Building (Mouza/Ward-13, J.L No./ Part No./ Plot No. 1, Acharya Tuls Marg, Area of Land 83466.005 sm. Applied by Chief Project Mannager Rail Land Development Authority, Kolkata on 20.03.2024 on the basis of Form -1 (B).
2.	Please provide me the copy of the said application filed by the promoters /stake holders lessee / owner for getting the permission under the provision and rules of the West Bengal Trees (Protection & Conservation in Non-Forest Areas) Act 2006 and its Rules 2007, for cutting and felling the trees at the said property as mentioned above.	Find enclosed herewith the Application for Felling of Trees in Non-Forest Areas By Rail Land Development Authority
3.	Please provide me the details of the permission granted to the promoter / stake holder / lessee / owner for cutting and felling the trees at the property as mentioned above.	No Permission regarding felling of trees has yet been given
4.	Please provide the copy of the said permission if at all granted by competent authority as mentioned in paragraph no-3 of this instant application.	NA
5.	Please provide the number of trees and species of trees cut/ felling or proposed to be cut / felled for the proposed construction at the said property as mentioned above.	75 Nos. of different Trees. (Enclosed as stated in the Application Form)



46

6. Please provide the details of the undertaking given by the promoters / stake holders / lessee / owner to plant the number of trees felled and or cut during the course of construction and or proposed construction. And also provide the copy of the said undertaking.	As per plantation plan 75*5= 375 Nos. trees to be planted. 1203 Nos. of Trees. (Enclosed as stated)
7. Please provide the details of clearance as granted by the Pollution Control Board if in case the permission is granted for cutting and felling the trees in the said property.	Find enclosed herewith the Letter issued by Chief Engineer (Plantation) West Bengal Pollution Control Board vide his letter no. 36(1)/2n-193/2004 (Vol- III), Dated: 10.07.2024, which will speak for itself.

  
(Shri D.K. Mandal, WBFS)  
Divisional Forest Officer &  
State Public Information Officer  
Howrah Division

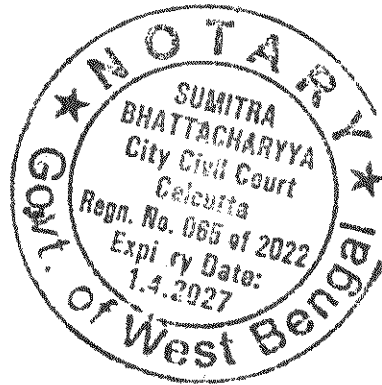
Memo No.: 2556 /28-17/2024

Dated: 15.07.2024

Copy forwarded for kind of information to:

1. The conservator of Forests, Parks & Gardens Circle, West Bengal.
2. The Dy. Conservator of Forests, Legal & SPIO, West Bengal.

Sd/- D. K. Mandal  
(Shri D.K. Mandal, WBFS)  
Divisional Forest Officer &  
State Public Information Officer  
Howrah Division



## Form I (B)

\*Application For Felling of Trees in Non-Forest Areas / Certificate of Clearance  
in respect of a Developer

[See rule 4 (a) (2) and 7 (2)]

- (1) Name of the Person / Agency / Department : RAIL LAND DEVELOPMENT AUTHORITY
- (2) Full Postal Address : Unit No 702-B, 7th Floor, Konnectus Tower-II, DMRC Building  
Ajmeri Gate, New Delhi - 110002
- (3) Nature of proposed developmental work : Residential cum commercial.
- (4) Land Details :
- (a) Block / Panchayat / Municipality / Corporation / Others : HOWRAH MUNICIPAL CORPORATION
- (b) Mouza / Ward : 13
- (c) J.L. No. / Part No. / Plot No. : 1, ACHARYA TULSI MARG
- (d) Area of Land : 83466.005 SQ MTR
- (e) Plan of land / Map of the Land :
- (d) Total no of trees present in the land (Species and Number) : 235 Nos.

## (5) Details of Trees to be felled / disposed off :-

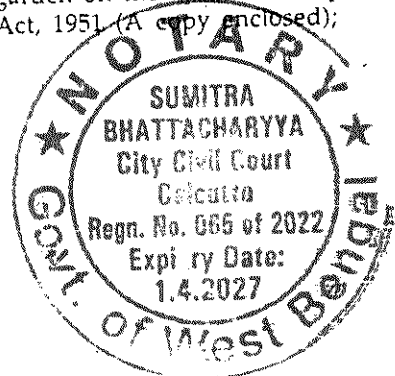
Number of Trees	Plot No.	Species	DBH (cm)	Approx Hight (Metre)	Natural or Planted	Approx Age	Physical condition

- (6) Purpose of Felling : (To be authenticated with detailed project report including total financial outlay)
- (7) Plantation Plan (On 1 : 100 scale showing location, species, timeframe, financial outlay, maintenance etc. to be submitted in quadruplicate )
- (8) Particulars of previous felling of trees : (On the same plot of land, if any)

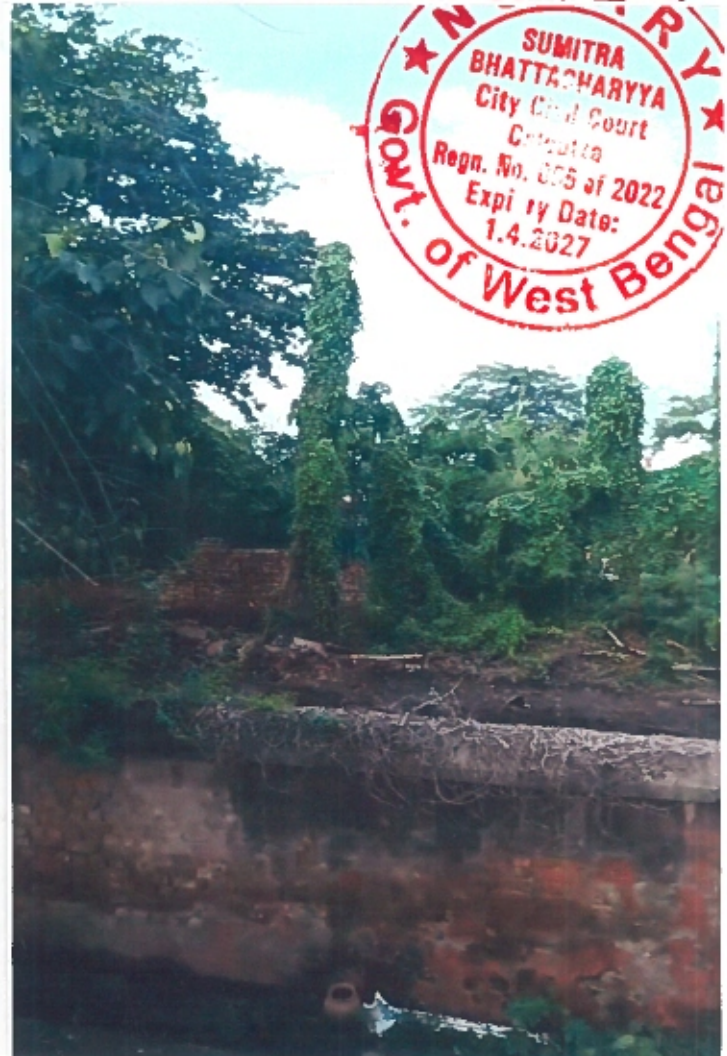
Plot No.	Date	Species	Number of Trees	References of permission from Competent Authority

- (9) A copy of the conversion certificate obtained from the Collector under section 4 C of the West Bengal Land Reforms Act, 1955, is attached.

- (10) [Only in case of Tea Gardens]  
I, hereby declare that the sale proceeds from the felling of trees in question will be utilized strictly for the purpose of welfare of the labourers of the tea garden on the basis of the specific scheme framed under the provision of the Plantation Labour Act, 1951. (A copy enclosed);







NOTARY  
 ★ SUMITRA BHATTACHARYYA ★  
 City Civil Court  
 Calcutta  
 Regn. No. 655 of 2022  
 Expiry Date:  
 1.4.2027  
 Govt. of West Bengal

SL. NO - 03 (1B) 2024-2025

- 51 -

Form IV

Form for Certificate of Clearance for Developers  
[ See Rule 7 (5) ]

Annexure - 'P-5'

Certificate No. 01/CC/HD/B/24-25

Dated : 29.04.2024

MR. DUDI CHALAPATI RAO (Authorised Signatory)

Whereas the developer, Sri/Smt./Messrs. (Rail Land Development Authority, Kolkata)

Address : Unit No. 702-B, 7th floor, Konnectus Tower-11, DMR Building  
Ajmer Gate, New Delhi - 110002

has submitted an application with the prescribed fee on 20.03.2024 for

Certificate of : Clearance for the following developmental project :

- (a) Nature of Project : Residential cum Commercial Building
- (b) Location : Howrah Municipal Corporation, Ward No-13
- (c) Details of Plot(s) of Land : Sheet No-33, KH No-3, Dag No-28 to 42, Sheet No-34, KH No-1, Dag No-177 to 199, 196 to 202, 200/215, Sheet No-41, KH No-7, Dag No-100 to 140, Sheet No-42, KH No-4, Dag No-1 to 62, 191, 60/CA, 61/65, 212/CC, Sheet No-43, KH No-5, Dag No-127/3A, 6/5
- (d) Total Area (in Ha.) : 8.3461794 (Hectares)

AND Whereas the aforesaid developer has also submitted a plantation plan in the prescribed format;

AND Whereas the undersigned has approved the said plantation plan after satisfying himself on proper scrutiny of the plan and completing the field inquiry that the proposed plantation of trees as shown in the plantation plan is in accordance the provisions of the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006, and the rules made thereunder;

AND Whereas the concurrence of the West Bengal Pollution Control Board has been obtained vide their letter No. X dated X

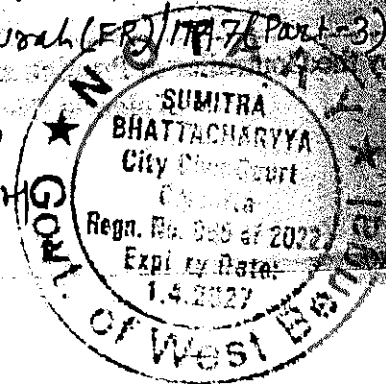
Now, therefore, the undersigned issues this Certificate of Clearance in favour of the aforesaid developer in accordance with sub-section (4) of section 9 of the West Bengal Trees (Protection and Conservation in Non-Forest areas) Act, 2006, subject to the following conditions :-

- 1. This Certificate is non-transferable.
- 2. The developer shall take up plantation of trees over 16.693201 (Hectares) ha (subject to a minimum of times the trees, if any, to be felled) in the same plot(s) of the land being developed in accordance with the approved plantation plan and complete the same within the completion of project months(s) from the date of sanction of the building / construction plan by the sanctioning authority.

01/CC/HD/B/24-25 / BD/Salt Grah, Howrah (FR) / 177/7A Part-3

2024-04-29

Received  
May 29/04/24



51 A

Form IV  
Form for Certificate Clearance for Developers  
[See Rule 7 (5)]

Annexure - 'P-5'  
Dated: 29.04.2024

Certificate No. : 01/CC/HD/B/5/24-25

Whereas the developer, Sri/Smt./Messrs: MR. DUDI CHALAPATI RAO (Authorized signatory), Rail Land Development Authority, Kolkata, address Unit NO. 702-B, 7<sup>th</sup> floor, Konnectus Tower – HDMR (Building), Ajoniri Gate, New Delhi – 110002, has submitted an application with the prescribed fee on 20.03.2024 for certificate of clearance for following developmental project:

- (a) Nature of project: Residential cum commercial building;
- b) Location : Howrah Municipal Corporation, Ward No. 13;
- c) Details of plot(s) of Land : Sheet No.- 33, KH NO. 2, Dag No. 28 to 42, (2) Sheet No. 34, Kh NO.- 1, dag no – 177 to 144, 196
- d) Total area (In Ha 8.34461244 (Hectors)

AND Whereas the aforesaid developer has also submitted a plantation plan in the prescribed Format;

AND Whereas the undersigned has approved the said plantation plan after satisfying himself on Proper scrutiny of the plan and completing the field enquiry that proposed plantation of trees as shown in the plantation plan is in accordance the provision of the West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2006 and the rules made thereunder;

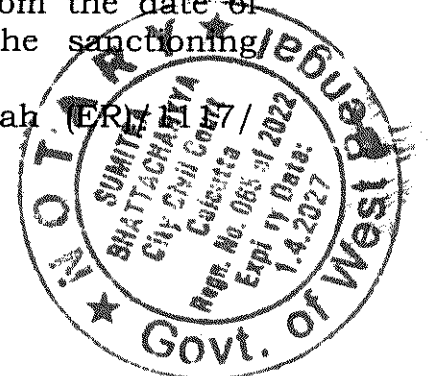
AND Whereas the occurrence of the West Bengal Pollution Control Board has been obtained vide their letter No- ...dated.....

Now, Therefore the undersigned issues this Certificate of Clearance in favour of the aforesaid developer in accordance with sub-section (4) of section 9 of the West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2006, Subject to the following conditions:-

1. This Certificate is non-transferable.
2. The developer shall take up plantation of trees over 16.693201 (Hectors) has (subject to a minimum of 5 times the trees, If any, To be felled) in the same plot(s) of the land being developed in Accordance with the approved plantation plan and complete the same within the completion of project month(s) from the date of sanction of the building/construction plan by the sanctioning authority.

Vide No. RIDA/2018/Coml./8D/Salt Galah, Howrah, ER  
Part-3.

Dated 16.04.2024

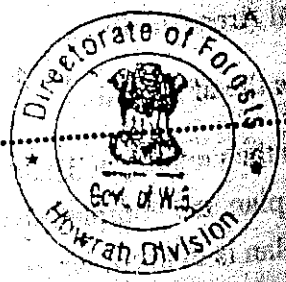


- 3. As provided in the proviso to sub-section (9) of section 9 of the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act 2007, the plantation has to be implemented before the development project is initiated;
- 4. Formal permission for selling of trees on the land being developed, if necessary, will be granted only after the sanction of the building / construction plan;
- 5. This Certificate shall cease to be valid if the building / construction plan is rejected by the sanctioning authority or if the plantation work is not completed within the period as specified in the Condition No. 2 above.

\* After the plantation is done in prescribed manner information to be shared with the O/O Divisional Forest Officer, Howrah Division & verification has to be done through this office.

*[Signature]*  
 Divisional Forest Officer  
 Howrah Division  
 (Signature of the Competent Authority)

Name: SRI DIPAK KUMAR MANDAL W.B.F.S.  
 Designation: Divisional Forest Officer  
Howrah Division

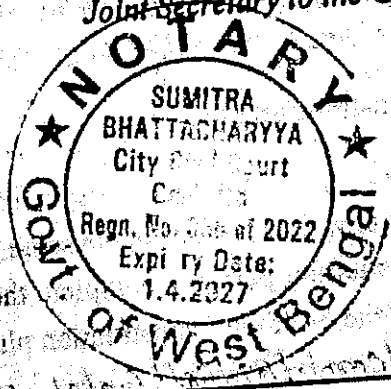


Official Seal : .....

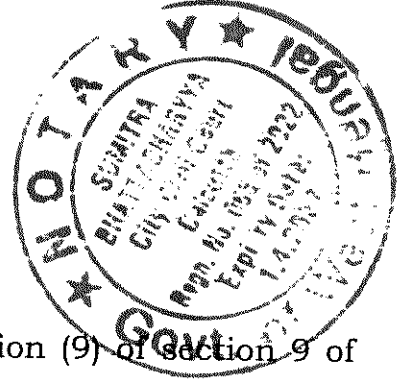
By Order of the Governor,

Sd/-  
 Smt. Shila Nag

Joint Secretary to the Govt. of West Bengal



52A



3. As provided in the provision to sub-section (9) of section 9 of the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act 2007, The plantation has to be Implemented before the development project initiated;

4. Formal permission for selling of trees on the land being developed if necessary, will be granted only after the sanction of the building/ construction plan;

5. This Certificate shall cease to be valied if the building/construction plan is rejected by the Sanctioning authority of if the plantation work is not completed within the period as specified in the condition No. 2 above.

After the plantation is done in prescribed manner information take charged with the O/O division forest officer Howrah Division verification has to be done through this office.

Divisional Forest Officer

(signature of Howrah Division Authority)

Name : SRI DIPAK KUMAR NANDAL W.B.F.S.

Designation: Divisional Forest Officer

Howrah Division

Official Seal: .....

By order of the Governor

Sd/-

Smt Shila Nag

Joint Secretary to the Govt. of West Bengal

Vikram Ojha

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road  
Salkia, Howrah- 711101

Mobile: 9681108929 | 9674908929  
E-mail: vikramojha2007@gmail.com

2nd

Ref. No. : .....

o/c - 53 -

Date : .....

Annexure - P-6

Dated: 23rd July 2024

To  
The Special Public Information Officer  
District Forest Officer  
No-5, 1st Floor, Stadium complex,  
Grand Trunk road ,  
M.G. Road ,Post Office - Howrah  
Police Station - Howrah  
District - Howrah  
Pin Code - 711101

**Ref:**

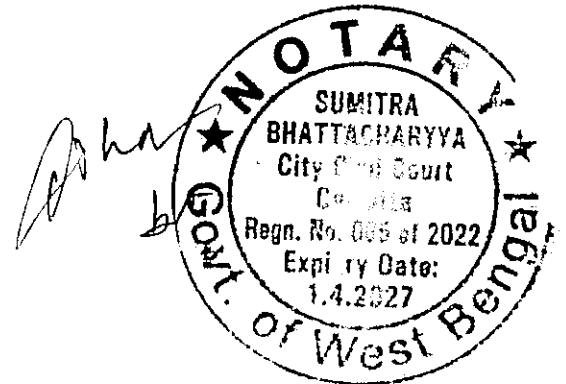
An application under section 6 of the Right to Information Act 2005

**Subject:**

Request for certain information regarding the premises no - 1 Acharya Tulsi Marg, Police Station - Golabari , District- Howrah(also known as property situated at H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station-, District- Howrah - 711106). Under Right to Information Act 2005.

Received contents without verification

23/07/2024  
Head Clerk  
Divisional Forest Officer  
Howrah Division



*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road (North),  
Salkia, Howrah- 711106 (W.B.)

Mobile: 9681108929 | 9674908929  
E-mail: vikramojha2007@gmail.com

- 54 -

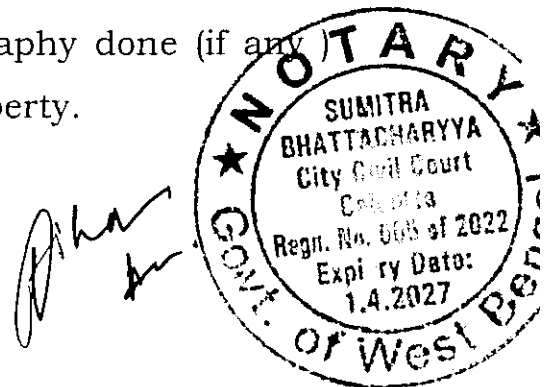
Ref. No. : .....

Date : .....

Sir,

That since a very big project of multi storied building with multi facilities is coming with proposed construction and accordingly the trees and entire greenery may be cut and felled at the property with proposed construction as mention above and since there is full fledged greenery consisting of thousand of trees within the stretch of 88300 sqmtr, at a property situated at 1 Acharya Tulsi Marg , Police Station – Golabari , District- Howrah (also known as H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station-, District- Howrah – 711106) the same shall hereinafter be referred to as the **“Said Property”**, I would like to have certain information as following:

1. Please provide me the number of trees existing in the said property.( prior to proposed cutting and felling of the trees)
2. Please provide me the details and procedure of counting of the said trees within the said property.
3. Please provide me the name of authority and/or agency involved in the said counting of the trees within the said property.
4. Please provide me the photography / videography done (if any) while counting of the trees within the said property.



*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road (North),  
Salkia, Howrah- 711106 (W.B.)

Mobile: 9681108929 | 9674908929  
E-mail: vikramojha2007@gmail.com

Ref. No. : .....

- 55 -

Date : .....

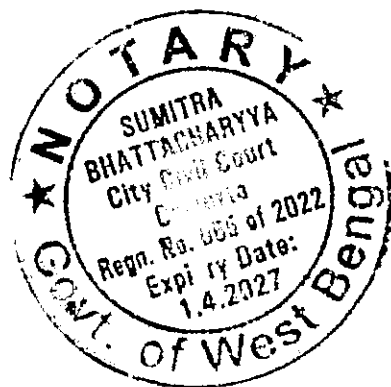
5. That if the other procedure are adopted for counting of the trees then please mention and elaborate the same.
6. That how authentic is the counting procedure adapted for counting of the trees within the said property and the reasons for accepting the counting of the said trees. Please provide me the copy ( digital or manual) of the field inspection for counting of the trees within the said property.
7. Please provide me the information or details banking upon which you have concluded the process of counting of trees and also the reason for the same being non disputed or challegnged from your end.

*( By receiving this letter you hereby acknowledge to have received the requisite fees for providing the information as asked above, the requisite fees in form of court fees has been affixed with these instant letter.)*

Thanking You

Yours Sincerely

*Vikram Ojha*  
Av.





Annexure - P-7

- 56 -

Government of West Bengal  
Directorate of Forests

Office of the Divisional Forest Officer, Howrah Division  
5 M.G. Road, Dalmia Park, Stadium Complex (1<sup>st</sup> floor), Howrah-711101.  
Phone & Fax: 033-2641-1772, E-mail: [dfohowrah@gmail.com](mailto:dfohowrah@gmail.com)



Memo No.: 2686/28-17/2024

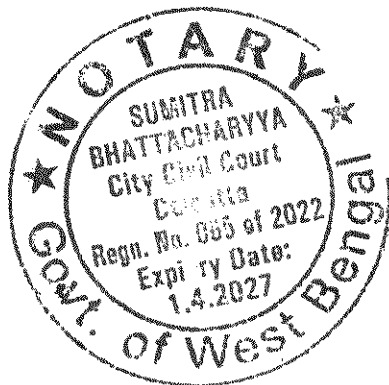
Dated: 01.08.2024

To : Vikram Ojha,  
Advocate, High Court Calcutta & Judge Court Howrah  
115, G.T. Road (North), Salkia, Howrah- 711106. (W.B)

Sub : Your application dated. 23.07.2024-U/s RTI Act, 2005, received on 23.07.2024 by this office.

Sir/Madam,  
With reference to the above, as you wanted the information under Right to Information Act, 2005, this is to reply as follows:-

Sl. No.	Information required	Reply thereof
1.	Please provide me the number of trees existing in the said property. (Prior to proposed cutting and felling of the trees)	75 Nos. of different trees. (Find enclosed herewith the Application along with (1)B for Felling of Trees in Non-Forest area applied by Chief Project Mannager Rail Land Development Authority, Kolkata on 20.03.2024.
2.	Please provide me the details and procedure of counting of the said trees within the said property.	Find Enclosed herewith the Enquiry Report as well as the list of trees both party sign which had mentioned counting of the said trees.
3.	Please provide me the name of authority and /or agency involved in the said counting of the trees within the said property.	Rail Land Development Authority, Kolkata, Applied on 20.03.2024
4.	Please provide the photography / videography done (if any) while counting of the trees within the said property.	Find Enclosed herewith the still photography while conducting the enquiry by the Range Officer Howrah Urban S.F. Range
5.	That if the other procedures are adopted for counting of the trees then please mention and elaborate the same.	No
6.	That how authentic is the counting procedure adapted for counting of the trees within the said property and the reasons for accepting the counting of the said trees. Please provide me the copy ( digital or manual) of the field inspection for counting of the trees within the said property.	Counting the trees manually (Enclosed Enquiry Report)
7.	Please provide the information or details banking upon which you have concluded the process of counting of trees and also the reason for the same being non disputed or challenged from your end.	The physical counting has been done upon the demarcation of Rail Land Development Authority, Kolkata's submitted list.  The process was done as per rule and completed in presence of Forest and Rail Land Development Authority.



(Shri D.K. Mandal, WBFS)  
Divisional Forest Officer &  
State Public Information Officer  
Howrah Division

- 57 -

Memo No.: 2686 / 28-17/2024

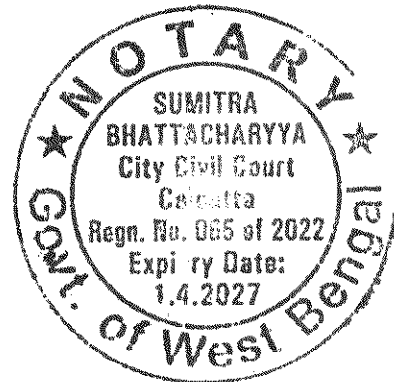
Dated: 01.08.2024

Copy forwarded for kind of information to:

1. The conservator of Forests, Parks & Gardens Circle, West Bengal.
2. The Dy. Conservator of Forests, Legal & SPIO, West Bengal.

**Sd/- D. K. Mandal**

(Shri D.K. Mandal, WBFS)  
Divisional Forest Officer &  
State Public Information Officer  
Howrah Division



Annexure - P-8

58

Form II

Inquiry Report / Inquiry For Certificate of Clearance For Felling of Trees in Non-Forest Areas [See Rules 4(3) (f) and 7 (4)]

- (1) Date of Receipt of the Application in Form I (A) / Form I (B)
- (2) Enquiry conducted on: 02.07.2024, 08.7.2024
- (3) Enquiry conducted at: 2, Acharya Tulsig Morg, ward: 13; P-3-Gulabari, S.L.N: 01, Howrah
- (4) Enquiry conducted in presence of:

Name	Identity	Signature with date
MANAV SONY	Applicant	<i>[Signature]</i>
	Local prominent person	M. Sony

- (5) Findings: [General]
- (a) Land Verification; AS per documents submitted
  - (b) Tree Verification (Annexure Enclosed); YES
  - (c) Verification of ownership; AS per documents submitted
  - (d) Verification of purpose of Felling;
  - (e) Comments on ecological / Historical Significance of the trees (if any); NA
  - (f) Whether nature of land may change due to proposed felling.

[ Developmental Agency ]

- (a) comments on Plantation plan. NO
  - (b) Whether the said project can be carried out by felling lesser no of trees. NO
- (6) Comments of Inquiry Officer on the contents of Form I (C);
- (7) Recommendation :
- (i) Recommended / not recommended with specific reasons;
  - (ii) A list of trees recommended for felling is enclosed.

PLACE :

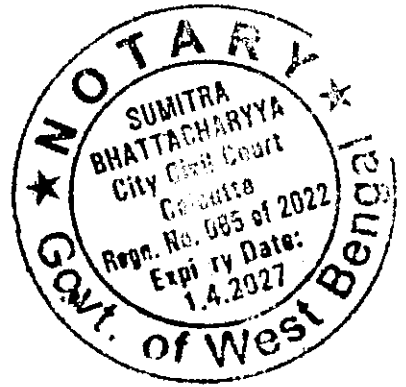
DATE :

SUBMITTED BY

Signature : *[Signature]*  
 Name : Sanat K. Bhattacharjee  
 Designation : Beat officer

Beat Officer  
Howrah Urban S.F. Range

Official Seal : .....





LIST OF TREES TO BE REMOVED

No. of Trees	Plot No.	Species	GBH (cm) Approx	Height (Meter) Approx	Natural/ Planted	Approx Age	Physical condition
1	Eastern Railway	Ashut	190	6	Natural	Not Known	Bad/Dry
2	Eastern Railway	Ashut	150	8	Natural	Not Known	Bad/Dry
3	Eastern Railway	Ashut	350	5	Natural	Not Known	Bad/Dry
4	Eastern Railway	Ashut	102	8	Natural	Not Known	Bad/Dry
5	Eastern Railway	Ashut	116	6	Natural	Not Known	Bad/Dry
6	Eastern Railway	Banyan	70	9	Natural	Not Known	Bad/Dry
7	Eastern Railway	Banyan	235	10	Natural	Not Known	Bad/Dry
8	Eastern Railway	Banyan	150	7	Natural	Not Known	Bad/Dry
9	Eastern Railway	Banyan	90	9	Natural	Not Known	Bad/Dry
10	Eastern Railway	Banyan	130	12	Natural	Not Known	Bad/Dry
11	Eastern Railway	Mango	124	8	Natural	Not Known	Bad/Dry
12	Eastern Railway	Mango	50	10	Natural	Not Known	Bad/Dry
13	Eastern Railway	Mango	225	6	Natural	Not Known	Bad/Dry
14	Eastern Railway	Mango	47	5	Natural	Not Known	Bad/Dry
15	Eastern Railway	Mango	161	6	Natural	Not Known	Bad/Dry
16	Eastern Railway	Mango	30	8	Natural	Not Known	Bad/Dry
17	Eastern Railway	Mango	69	9	Natural	Not Known	Bad/Dry
18	Eastern Railway	Gamhar	123	9	Natural	Not Known	Bad/Dry
19	Eastern Railway	Gamhar	83	5	Natural	Not Known	Bad/Dry
20	Eastern Railway	Gamhar	85	7	Natural	Not Known	Bad/Dry
21	Eastern Railway	Gamhar	112	8	Natural	Not Known	Bad/Dry
22	Eastern Railway	Gamhar	180	9	Natural	Not Known	Bad/Dry
23	Eastern Railway	Gamhar	165	8	Natural	Not Known	Bad/Dry
24	Eastern Railway	Cluster fig	40	8	Natural	Not Known	Bad/Dry
25	Eastern Railway	Cluster fig	50	6	Natural	Not Known	Bad/Dry
26	Eastern Railway	Cluster fig	45	9	Natural	Not Known	Bad/Dry
27	Eastern Railway	Cluster fig	40	12	Natural	Not Known	Bad/Dry
28	Eastern Railway	Devil Tree	250	10	Natural	Not Known	Bad/Dry
29	Eastern Railway	Devil Tree	166	7	Natural	Not Known	Bad/Dry
30	Eastern Railway	Devil Tree	143	8	Natural	Not Known	Bad/Dry
31	Eastern Railway	Devil Tree	180	6	Natural	Not Known	Bad/Dry
32	Eastern Railway	Devil Tree	96	8	Natural	Not Known	Bad/Dry
33	Eastern Railway	Gulmohar	120	7	Natural	Not Known	Bad/Dry
34	Eastern Railway	Gulmohar	132	6	Natural	Not Known	Bad/Dry
35	Eastern Railway	Gulmohar	180	8	Natural	Not Known	Bad/Dry
36	Eastern Railway	Gulmohar	162	5	Natural	Not Known	Bad/Dry
37	Eastern Railway	Gulmohar	93	6	Natural	Not Known	Bad/Dry
38	Eastern Railway	Ashoka	135	6	Natural	Not Known	Bad/Dry

**NOTICE**

SUDHRA  
BHATTACHARYA  
City Civil Court  
Calcutta  
Rem. No. 103 of 2022  
Expi. Date: 1.4.2027

Govt. of West Bengal

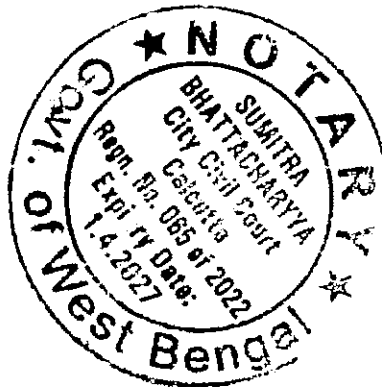
S.B.  
Beat Officer  
Municipal Corporation

*[Signature]*

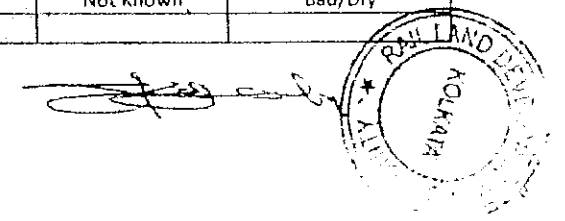
MUNICIPAL CORPORATION  
CALCUTTA

61-

J No.	No. of Trees	Plot No.	Species	GBH (cm) Approx	Height (Meter) Approx	Natural/ Planted	Approx Age	Physical condition
39	1	Eastern Railway	Ashoka	162	7	Natural	Not Known	Bad/Dry
40	1	Eastern Railway	Ashoka	129	8	Natural	Not Known	Bad/Dry
41	1	Eastern Railway	Ashoka	99	8	Natural	Not Known	Bad/Dry
42	1	Eastern Railway	Ashoka	85	6	Natural	Not Known	Bad/Dry
43	1	Eastern Railway	Ashoka	81	9	Natural	Not Known	Bad/Dry
44	1	Eastern Railway	Ashoka	75	9	Natural	Not Known	Bad/Dry
45	1	Eastern Railway	Red silk-cotton tree	85	9	Natural	Not Known	Bad/Dry
46	1	Eastern Railway	Red silk-cotton tree	94	9	Natural	Not Known	Bad/Dry
47	1	Eastern Railway	Red silk-cotton tree	103	7	Natural	Not Known	Bad/Dry
48	1	Eastern Railway	Chinese date	94	6	Natural	Not Known	Bad/Dry
49	1	Eastern Railway	Chinese date	123	8	Natural	Not Known	Bad/Dry
50	1	Eastern Railway	Chinese date	105	8	Natural	Not Known	Bad/Dry
51	1	Eastern Railway	Chinese date	75	5	Natural	Not Known	Bad/Dry
52	1	Eastern Railway	Gingerbread plum	96	6	Natural	Not Known	Bad/Dry
53	1	Eastern Railway	Gingerbread plum	60	7	Natural	Not Known	Bad/Dry
54	1	Eastern Railway	Wild almond tree	112	8	Natural	Not Known	Bad/Dry
55	1	Eastern Railway	Wild almond tree	90	10	Natural	Not Known	Bad/Dry
56	1	Eastern Railway	Wild almond tree	110	12	Natural	Not Known	Bad/Dry
57	1	Eastern Railway	Wild almond tree	135	13	Natural	Not Known	Bad/Dry
58	1	Eastern Railway	White frangipani	60	8	Natural	Not Known	Bad/Dry
59	1	Eastern Railway	White frangipani	40	7	Natural	Not Known	Bad/Dry
60	1	Eastern Railway	White frangipani	54	8	Natural	Not Known	Bad/Dry
61	1	Eastern Railway	White frangipani	42	6	Natural	Not Known	Bad/Dry
62	1	Eastern Railway	White frangipani	68	5	Natural	Not Known	Bad/Dry
63	1	Eastern Railway	Indian blackberry	104	6	Natural	Not Known	Bad/Dry
64	1	Eastern Railway	Indian blackberry	125	5	Natural	Not Known	Bad/Dry
65	1	Eastern Railway	Woman's tongue	93	7	Natural	Not Known	Bad/Dry
66	1	Eastern Railway	Woman's tongue	140	6	Natural	Not Known	Bad/Dry
67	1	Eastern Railway	Indian almond	60	7	Natural	Not Known	Bad/Dry
68	1	Eastern Railway	Indian almond	85	9	Natural	Not Known	Bad/Dry
69	3	Eastern Railway	Cotton tree	123	6	Natural	Not Known	Bad/Dry
70	1	Eastern Railway	Cotton tree	112	5	Natural	Not Known	Bad/Dry
71	1	Eastern Railway	Cotton tree	85	7	Natural	Not Known	Bad/Dry
72	1	Eastern Railway	Cotton tree	63	6	Natural	Not Known	Bad/Dry
73	1	Eastern Railway	Cotton tree	104	8	Natural	Not Known	Bad/Dry
74	1	Eastern Railway	Cotton tree	84	9	Natural	Not Known	Bad/Dry
75	1	Eastern Railway	Cotton tree	60	7	Natural	Not Known	Bad/Dry
TOTAL = 75								

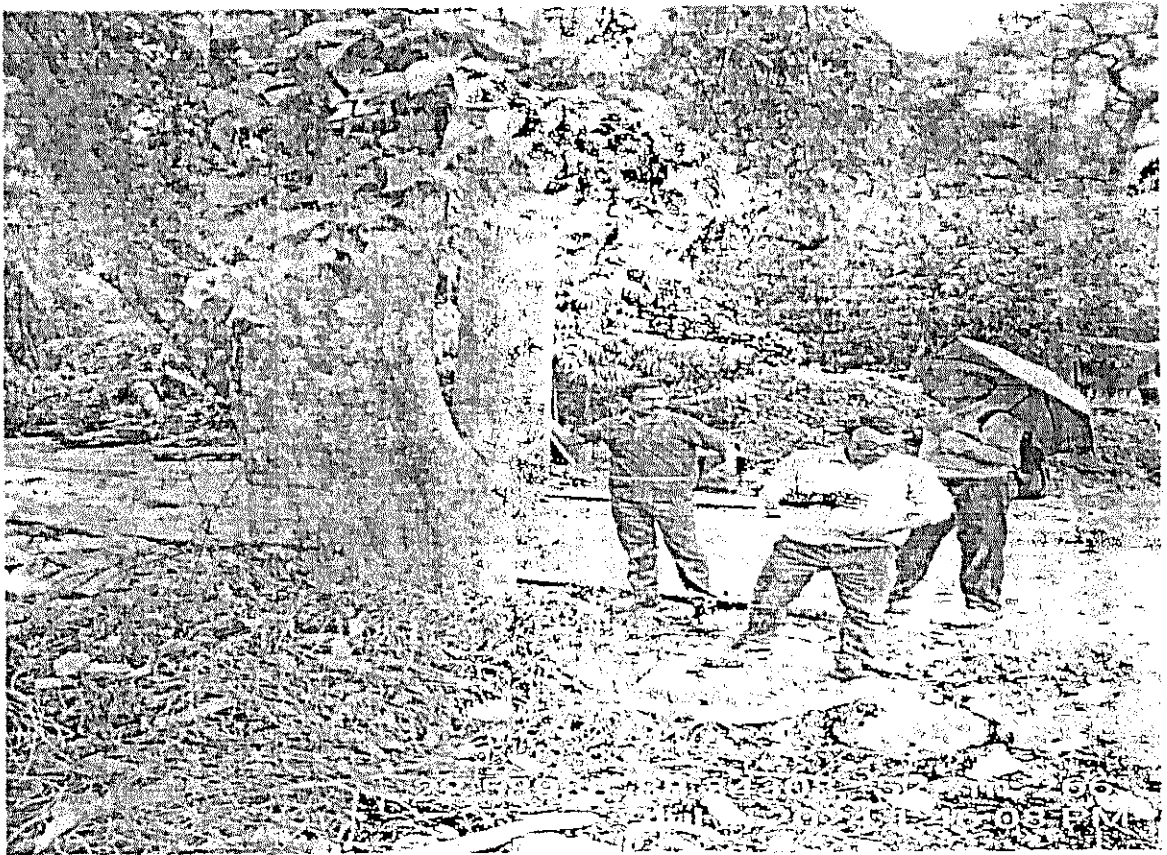


SKB  
Beat Officer  
Howrah Urban S.F Range

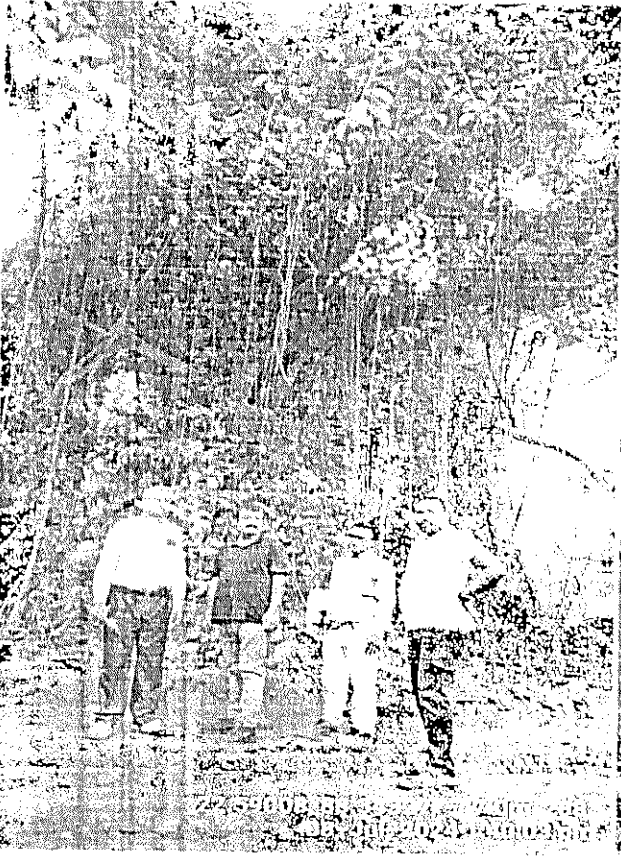
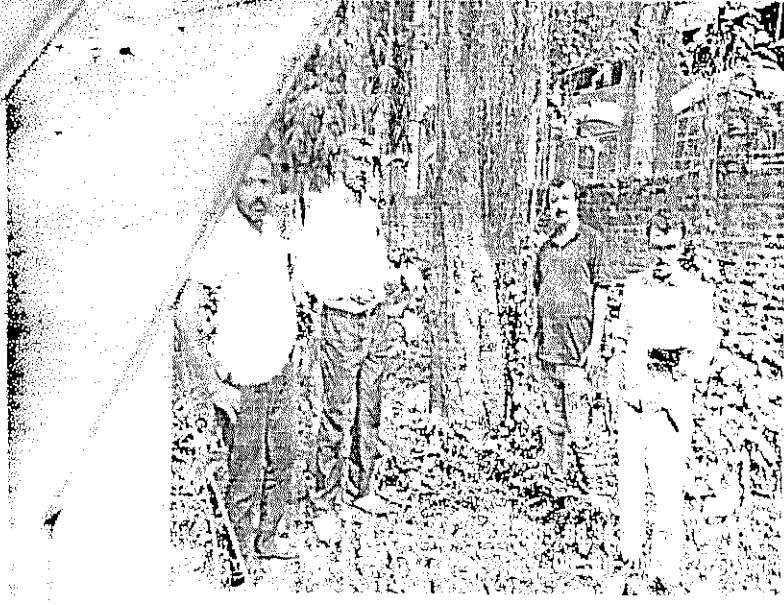


Photograph of the trees.

- 62 -



NOTARY \*  
SUMITRA  
BHATTACHARYYA  
City Civil Court  
Calcutta  
Regn. No. 085 of 2022  
Expiry Date:  
1.4.2027  
Govt. of West Bengal



NOTARY  
SUMITRA  
BHATTACHARYYA  
City Civil Court  
Calcutta  
Regn. No. 065 of 2022  
Expiry Date:  
1.4.2027  
Dist. of West Bengal

*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road  
Salkia, Howrah-71

Mobile: 9681108929 | 9674908929  
E-mail: vikramojha2007@gmail.com

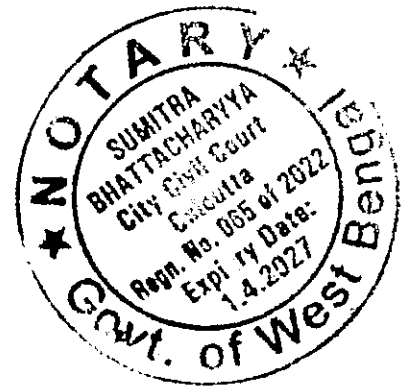
Ref. No. : .....

*ofc*

- 64 - Annexure P-9  
Date : .....

Dated: 29<sup>th</sup> August 2024

To  
The Special Public Information Officer  
District Forest Officer  
No-5, 1<sup>st</sup> Floor, Stadium complex,  
Grand Trunk road ,  
M.G. Road ,Post Office - Howrah  
Police Station - Howrah  
District - Howrah  
Pin Code - 711101



**Ref:**

An application under section 6 of the Right to Information Act 2005

**Subject:**

Request for certain information regarding the premises no - 1 Acharya Tulsi Marg, Police Station - Golabari , District- Howrah(also known as property situated at H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station-, District- Howrah - 711106). Under Right to Information Act 2005.

Received contents without verification

*SD*  
Head Clerk 29/08/24  
Divisional Forest Officer  
Howrah Division

*Ojha*

*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road (North),  
Salkia, Howrah- 711106 (W.B.)

Mobile: 9681108929 | 9674908929  
E-mail: vikramojha2007@gmail.com

Ref. No. : .....

- 65 -

Date : .....

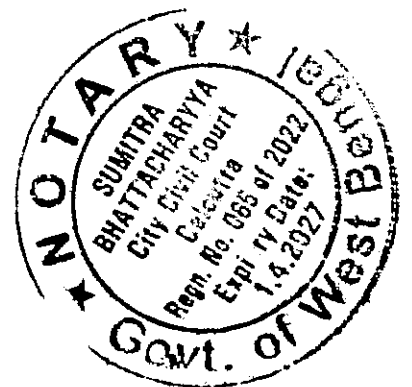
Sir,

That since a very big project of multi storied building with multi facilities is coming with proposed construction and accordingly the trees and entire greenery may be cut and felled at the property with proposed construction as mention above and since there is full fledged greenery consisting of thousand of trees within the stretch of 88300 sqmtr, at a property situated at 1 Acharya Tulsi Marg , Police Station – Golabari , District- Howrah (also known as H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station-, District- Howrah – 711106) the same shall hereinafter be referred to as the “**Said Property**”, I would like to have certain information as following:

1. Please provide me the name and address of the local prominent persons who were present at the said property during the enquiry before giving permission for felling of the trees at the said property. as required under Rule 4 Sub rule 3 of the West Bengal Trees (Protection and Conservation in NonForest areas) Rules 2007.

2

*Vikram Ojha*



*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road (North),  
Salkia, Howrah- 711106 (W.B.)

Mobile: 9681108929 | 9674908929  
E-mail: vikramojha2007@gmail.com

Ref. No. : .....

- 66 -

Date : .....

2. Please provide me the details and plantation plan drawn in 1:100 scale showing location of the plantation over the extent as prescribed under Rule 7 sub rule 1 of the West Bengal Trees ( Protection and conservation in Non forest area ) Rules 2007 alongwith the following details (a) species to be planted (b) advance soil work (c) source of seeds and seedlings for plantation (d) spacing and plantation pattern and (e ) time schedule for plantation and maintenance .

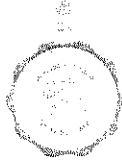
( By receiving this letter you hereby acknowledge to have received the requisite fees for providing the information as asked above, the requisite fees in form of court fees has been affixed with these instant letter.)

Thanking You

Yours Sincerely )

*Vikram Ojha.*  
Sr.





Government of West Bengal  
Directorate of Forests  
Office of the Divisional Forest Officer, Howrah Division  
5 M.G. Road, Dalmia Park, Stadium Complex (1<sup>st</sup> floor), Howrah-711101.  
Phone & Fax-033 2641-1772, E-mail: dfohowrah@gmail.com

Annexure - P-11

Memo No.: 3143/28-17/2024

Dated: 18.09.2024

To : Vikram Ojha,  
Advocate, High Court Calcutta & Judge Court Howrah  
115, G.T. Road (North), Salkia, Howrah- 711106, (W.B)

Sub : Your application dated. 29.08.2024-U/s RTI Act, 2005, received on 29.08.2024 by this office.

Sir,  
With reference to the above, as you wanted the information under Right to Information Act, 2005, this is to reply as follows:-

Sl. No.	Information required	Reply thereof
1.	Please provide me the name and address of the local prominent persons who were present at the said property during the enquiry before giving permission for felling of the trees at the said property as required under Rule 4 Sub rule 3 of the West Bengal Trees (Protection and Conservation in Non-Forest areas) Rules 2007.	As per the "West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2007", Rule -4, Sub-rule 3 (d), "the enquiry officer <b>may also invite some local prominent persons</b> to be present during the enquiry" In this enquiry a local prominent person was also present as a witness whose detail may be disclosed in appropriate platform.
2.	Please provide me the details and plantation plan drawn in 1:100 scale showing location of the plantation over the extent as prescribed under Rule 7 sub rule 1 of the West Bengal Trees (Protection and Conservation in Non-Forest area) Rules 2007 along with the following details (a) species to be planted (b) advance soil work (c) source of seeds and seedlings for plantation (d) spacing and plantation pattern and (e) time schedule for plantation and maintenance.	Revised Plantation Plan has been approved vide Certificate No. 05/cc/HD/B/24-25, Dated: 20.08.2024 to the Rail Land Development Authority, Kolkata. As there are no defined rates for copy of such large size & huge nos. of plantation maps thus, if required may be sought from the appropriate Rail Land Development authority.

Encls: AS stated above.

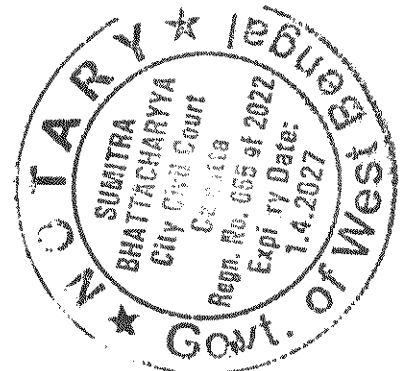
Memo No.: 3143/28-17/2024

Copy forwarded for kind of information to:

1. The conservator of Forests, Parks & Gardens Circle, West Bengal.
2. The Dy. Conservator of Forests, Legal & SPIO, West Bengal.

(Shri D.K. Mandal, WBFS)  
Divisional Forest Officer &  
State Public Information Officer  
Howrah Division  
Dated: 18.09.2024

Sd/- D. K. Mandal  
(Shri D.K. Mandal, WBFS)  
Divisional Forest Officer &  
State Public Information Officer  
Howrah Division



67A

Form IV  
Form for Certificate Clearance for Developers  
[See Rule 7 (5)]

Annexure – 'P-10'

Government of West Bengal  
Directorate of Forests  
Office of the Divisional Forest Officer Howrah Division  
5, M.G. Road, Dalmia Park, Stadium Complex 11<sup>th</sup> floor,  
Howrah-711101  
Phone & Fax : 033 2644-1772, e-mail.dfonowrah@gmail.com

Memo No. 3143/28-17/2024

Dated: 18.09.2024

To: Vikram Ojha  
Advocate High Court, Calcutta & Judge Court Howrah  
115, G.T. Road (North), Salkia Howrah- 711106, W.B.

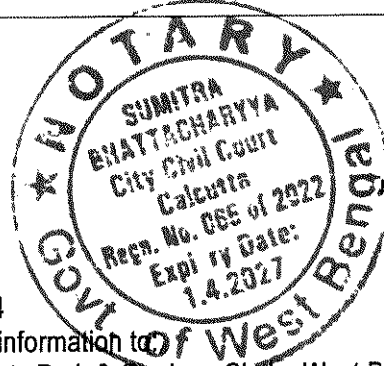
Sub: Your application dated 29.08.2024 u/s RTI Act, 2005, received on 29.09.2024 by this office.

Sir,

With reference to the above as you wanted the information under Right to information Act, 2005, this is to reply as follows:-

Sl. No.	Information required	Reply thereof
1.	Please provide me name and address of the local prominent persons who were present at the said property during the enquiry before giving permission for felling of the trees at the said property as required under rule 4 sub rule 3 of the West Bengal trees (Protection and conservation in Non forest areas) Rules 2007.	As per the West Bengal Trees (Protection and consideration in Non Forest areas) Act, 2007 Rule 4 sub rule 4 (d) the enquiry officer may also invite some local permanent persons to be present during the enquiry.
2.	Please provide me the details and plantation plan drawn in 1:100 scale showing for above of the plantation over the extent as prescribed under Rule 2 sub rule 1 of the West Bengal Trees (Protection and conservation in Non forest areas Rules) 2007 along with the following details (a) species to be planted (o) advance soil work (c) source of seeds and seedlings for plantation (d) spacing and plantation pattern and (c) time schedule for plantation and maintenance.	Revised plantation plan has been approved vide certificate No. 05/CC/HD/B/24-25, dated 20.08.2024 to the Rail Land Development authority, Kolkata. As there are no delivered rates for coy of such large size & huge nos. of plantation maps thus, if required may be sought from the appropriate Rail land Development authority.

Encl: As stated above



[Shri D.K. Mandal, WBFS]

Divisional Forest Officer &  
State Public Information Officer  
Howrah Division

Dated : 18.09.2024

Memo No. 3143/28/17/2024

Copy forwarded for kind of information to

1. The Conservator of Forests Park & Gardens Circle, West Bengal
2. The Dy. Conservator of Forests, Legal & SPIO, West Bengal.

[Shri D.K. Mandal, WBFS]  
Divisional Forest Officer &  
State Public Information Officer  
Howrah Division

P-11

in continuation with Previous CC No - 01/CC/HD/B/24-25, Dated - 29.08.2024

Form IV

Form for Certificate of Clearance for Developers

[ See Rule 7 (5) ]

Certificate No. 05/CC/HD/B/24-25

Dated : 20.08.2024

MR. DUDI CHALAPATI RAO (Authorised Signatory)

Whereas the developer, Sri/Smt./Messrs. (Kail Land Development Authority, Kalkata)

Address : Unit No. 702-B, 7th Floor, Konnectus Tower - II, DMR (Building) Ajmeri Gate, New Delhi - 110002

has submitted an application with the prescribed fee on 20.08.2024 for

Certificate of : Clearance for the following developmental project :

- (a) Nature of Project Residential cum Commercial Building
- (b) Location : Howrah Municipal Corporation Ward No - 13
- (c) Details of Plot(s) of Land : KH No - 183, Dag No - 177 to 194, 196 to 202, 200/215
- (d) Total Area (in Ha.) 13, Dag No - 9, 10, J.L. No - 1, Mohza - Golabari, P.C. - Golabari

AND Whereas the aforesaid developer has also submitted a plantation plan in the prescribed format;

AND Whereas the undersigned has approved the said plantation plan after satisfying himself on proper scrutiny of the plan and completing the field inquiry that the proposed plantation of trees as shown in the plantation plan is in accordance the provisions of the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006 and the rules made thereunder;

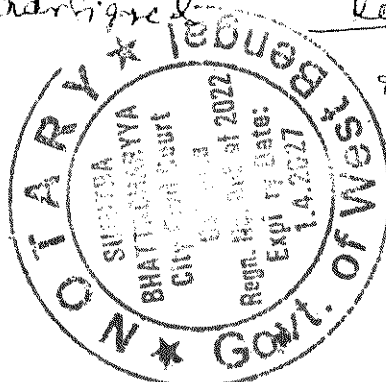
AND Whereas the concurrence of the West Bengal Pollution Control Board has been obtained vide their letter No. 493-2N-193/2004 (vol-111) dated 16.08.2024

Now, therefore, the undersigned issues this Certificate of Clearance in favour of the aforesaid developer in accordance with sub-section (4) of section 9 of the West Bengal Trees (Protection and Conservation in Non- Forest areas) Act, 2006, subject to the following conditions :-

1. This Certificate is non-transferable.
2. The developer shall take up plantation of trees over 1.6693201 (Hectares) ha (subject to a minimum of 5 times the trees, if any, to be felled) in the same plot(s) of the land being developed in accordance with the approved plantation plan and complete the same within 12 months(s) from the date of sanction of the building / construction plan by the sanctioning authority.

\* The applicant shall plant the trees within a span of two years from (\*) the date of felling permission (As per declaration, vide memo no, RLDA, 2018/Coml./BD/S&T Golah, Howrah (ER)/1147 (Part-5), Dated - 16.08.2024

(\*) As deemed fit by the undersigned



Amir Kumar Chatterjee 20/08/24 L. RLDA

68A

Form IV  
Form for Certificate Clearance for Developers  
[See Rule 7 (5)]

Annexure - 'P-11'  
Dated: 20.08.2024

Certificate No. : 05/CC/HD/B/24-25

Whereas the developer, Sri/Smt./Messrs: MR. DUDI CHALAPATI RAO (Authorized signatory), Rail Land Development Authority, Kolkata, address Unit NO. 702-B, 7<sup>th</sup> floor, Konnectus Tower - HDMR (Building), Ajoniri Gate, New Delhi - 110002, has submitted an application with the prescribed fee on 20.03.2024 for certificate of clearance for following developmental project:

- (a) Nature of project: Residential cum commercial building;
- b) Location : Howrah Municipal Corporation, Ward No. 13;
- c) Details of plot(s) of Land : Sheet No.- 33, KH NO. 2, Dag No. 28 to 42, (2) Sheet No. 34, Kh NO.- 1, dag no - 177 to 144, 196
- d) Total area (In Ha 8.34461244 (Hectors)

AND Whereas the aforesaid developer has also submitted a plantation plan in the prescribed Format;

AND Whereas the undersigned has approved the said plantation plan after satisfying himself on Proper scrutiny of the plan and completing the field enquiry that proposed plantation of trees as shown in the plantation plan is in accordance the provision of the West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2006 and the rules made thereunder;

AND Whereas the occurrence of the West Bengal Pollution Control Board has been obtained vide their letter No- 483-2n-93/2004 (Vol-III), dated 16.08.2024.

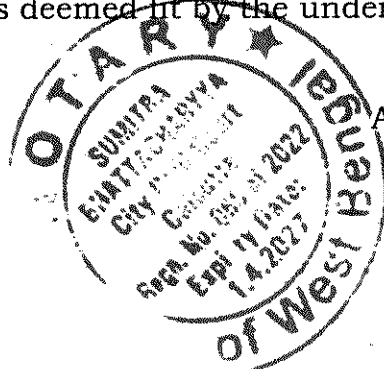
Now, Therefore the undersigned issues this Certificate of Clearance in favour of the aforesaid developer in accordance with sub-section (4) of section 9 of the West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2006, Subject to the following conditions:-

1. This Certificate is non-transferable.
2. The developer shall take up plantation of trees over 1.6693201 (Hectors) has (subject to a minimum of 5 times the trees, If any, To be felled) in the same plot(s) of the land being developed in Accordance with the approved plantation plan and complete the same within the completion of project month(s) from the date of sanction of the building/construction plan by the sanctioning authority.

The applicant shall plant the trees within a span of two years from (x) the date of felling permission (as per declaration vide memo no. RLDA, 2018/Coml./BD/Salt Golah, Howrah (ER)/1147(Part-5) Dated 16.08.2024 as deemed fit by the undersigned.

Received  
Sd/-

Anup Kumar Chatterjee  
20.08.2024 RLDA



- 69 -
3. As provided in the proviso to sub-section (9) of section 9 of the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act 2007, the plantation has to be implemented before the development project is initiated;
  4. Formal permission for selling of trees on the land being developed, if necessary, will be granted only after the sanction of the building / construction plan;
  5. This Certificate shall cease to be valid if the building / construction plan is rejected by the sanctioning authority or if the plantation work is not completed within the period as specified in the Condition No. 2 above.

\* After the plantation is done in mechanical manner information to be shared with the D/O Divisional Forest Officer, Howrah Division & plantation has to be done through this office.

\* Plantation Program (Attached)

*[Handwritten Signature]*

(Signature of the Competent Authority)

Name : SRI. DIPAK KUMAR MANDAL, W.B.F.S.

Designation Divisional Forest Officer,  
Howrah Division

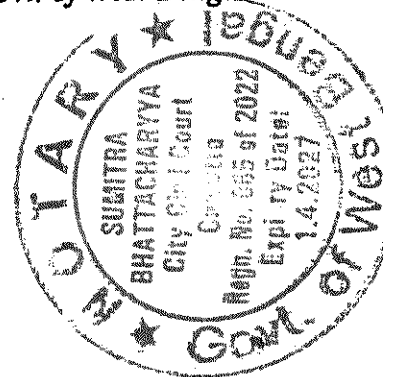
Official Seal : .....

By Order of the Governor,

Sd/-

Smt. Shila Nag

Joint Secretary to the Govt. of West Bengal



69A

3. As provided in the provision to sub-section (9) of section 9 of the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act 2007, The plantation has to be Implemented before the development project initiated;
4. Formal permission for selling of trees on the land being developed if necessary, will be granted only after the sanction of the building/ construction plan;
5. This Certificate shall cease to be valied if the building/construction plan is rejected by the Sanctioning authority of if the plantation work is not completed within the period as specified in the condition No. 2 above.

After the plantation is done in prescribed manner information take charged with the O/O division forest officer Howrah Division verification has to be done through this office.

(Signature of Competent Authority)

Name : SRI DIPAK KUMAR NANDAL W.B.F.S.

Designation: Divisional Forest Officer

Howrah Division

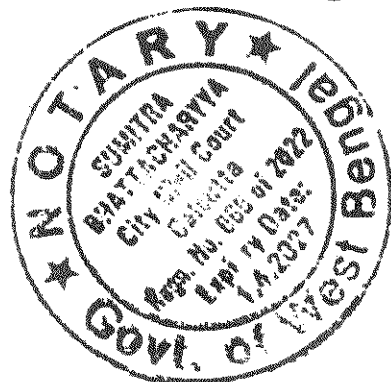
Official Seal: .....

By order of the Governor

Sd/-

Smt Shila Nag

Joint Secretary to the Govt. of West Bengal



*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road  
Salkia, Howrah- 71

4th R

Mobile: 9681108929 | 9674908929  
E-mail: vikramojha2007@gmail.com

Ref. No. : .....

Annexure - P-12  
Date : .....

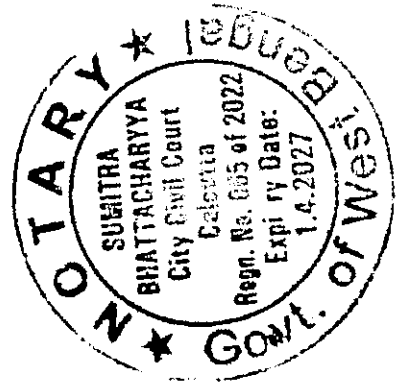
-70 -

D.P.

1/1

Dated: 4<sup>th</sup> Sept 2024

To  
The Special Public Information Officer  
District Forest Officer  
No-5, 1<sup>st</sup> Floor, Stadium complex,  
Grand Trunk road ,  
M.G. Road ,Post Office – Howrah  
Police Station – Howrah  
District – Howrah  
Pin Code – 711101



**Ref:**

An application under section 6 of the Right to Information Act 2005

**Subject:**

Request for information regarding the permission for felling trees as required under West Bengal Trees ( Protection & Conservation in Non forest Area ) Act 2006 and its Rules 2007, in respect of development project at a property situated at H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of

Received contents without verification  
@ 24/09/2024  
Head Clerk  
Divisional Forest Officer  
Howrah Division

*[Handwritten signature]*

*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. I. Road (North),  
Salkia, Howrah- 711106 (W.B.)

Mobile: 9681108929 | 9674908929  
E-mail: vikramojha2007@gmail.com

Ref. No. : .....

-71-

Date : .....

Golabari Police Station-, District- Howrah –  
711106. under Right to Information Act 2005.

Sir,

That since a very big project of multi storied building with multi facilities is coming with proposed construction and accordingly the trees and entire greenery is being cut and felled at the property with proposed construction as mention above and since there is full fledged greenery consisting of thousand of trees within the stretch of 88300 sqmtr, at a property situated at H8QV + WHP, Salt Golah, beside Hooghly river within jurisdiction of Golabari Police Station-, District- Howrah – 711106 the same shall hereinafter be referred to as the “Said Property”, I would like to have certain information as following:

1. Please provide me the details of the permission granted to the promoter/stake holder / lessee/ Owner for cutting and felling the trees at the property as mentioned above.

2

*Vikram Ojha*



*Vikram Ojha*

Advocate

HIGH COURT CALCUTTA  
JUDGES' COURT HOWRAH

Chamber: 115, G. T. Road (North),  
Salkia, Howrah- 711106 (W.B.)

Mobile: 9681108929 | 9674908929

E-mail: vikramojha2007@gmail.com

Ref. No. : .....

-72-

Date : .....

2. Please provide the copy of the said permission if at all granted by competent authority as mentioned in paragraph no-1 of this instant application.

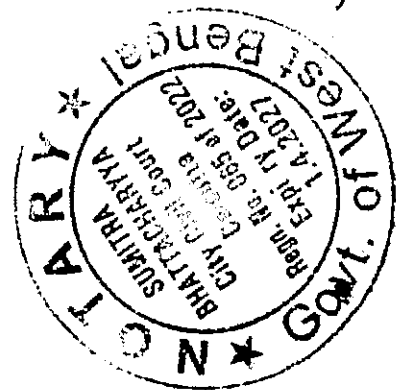
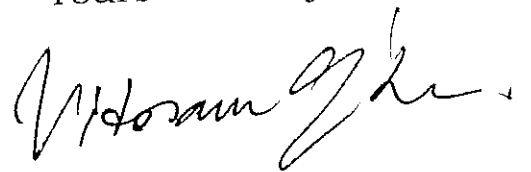
3. Please provide the details of clearance as granted by the Pollution Control Board if in case the permission is granted for cutting and felling the trees in the said property.

So kindly do the needful by providing me the information as asked above.

( By receiving this letter you hereby acknowledge to have received the requisite fees for providing the information as asked above, the requisite fees in form of court fees has been affixed with these instant letter.)

Thanking You

Yours Sincerely





-73-

12.09.24

Annexure - 'P-13'

Government of West Bengal  
 Directorate of Forests  
 Office of the Divisional Forest Officer, Howrah Division  
 5 M.G. Road, Dalmia Park, Stadium Complex (1<sup>st</sup> floor), Howrah-711101.  
 Phone & Fax-033-2641-1772, E-mail : [dfohowrah@gmail.com](mailto:dfohowrah@gmail.com)



Memo No.: 3065 /28-17/2024


Dated: 10.09.2024

To : Vikram Ojha,  
 Advocate, High Court Calcutta & Judge Court Howrah  
 115, G.T. Road (North), Salkia, Howrah- 711106, (W.B)

Sub : Your application dated. 23.07.2024-U/s RTI Act, 2005, received on 04.09.2024 by this office.

Sir,  
 With reference to the above, as you wanted the information under Right to Information Act, 2005, this is to reply as follows:-

Sl. No.	Information required	Reply thereof
1.	Please provide me the details of the permission granted to the promoter/stake holder/lessee/Owner for cutting and felling the trees at the property as mentioned above.	Find enclosed herewith the Form - III for Permission for Felling/Disposing for Trees in Non-Forest area vide Permit No. 23/FD/hd/B/24-25, Dated: 20.08.2024
2.	Please provide me the copy of the said permission if at all granted by competent authority as mentioned in paragraph no-1 of this instant application.	Copy enclosed
3.	Please provide me the details of clearance as granted by the Pollution Control Board if in case the permission is granted for cutting and felling the trees in the said property.	The letter issued from West Bengal Pollution Control Board vide Memo. No. 483-2N-193/2004(Vol-III), Dated: 16.08.2024. The detail report may be sought from West Bengal Pollution Control Board.

  
 (Shri D.K. Mandal, WBFS)  
 Divisional Forest Officer &  
 State Public Information Officer  
 Howrah Division

Memo No.: 3065 /28-17/2024

Dated: 10.09.2024

Copy forwarded for kind of information to:  
 1. The conservator of Forests, Parks & Gardens Circle, West Bengal.  
 2. The Dy. Conservator of Forests, Legal & SPIO, West Bengal.

Sd/- D. K. Mandal  
 (Shri D.K. Mandal, WBFS)  
 Divisional Forest Officer &  
 State Public Information Officer  
 Howrah Division



S.No. 03 (15) 2024-2025-74

THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 9, 2007

Form - III

Form for Permission for Felling / Disposing of Trees in Non-Forest areas  
[See Rule 5 (2)]

Annexure - P-14

For Cancellation with Previous Felling Permission no - 26/FP/HD/B/23-24-25

Permit No. 23/FP/HD/B/24-25

Dated: 20.08.2024

MR. DUDI CHALAPATI RAO (Authorised Signatory)

Whereas the applicant, Sri/Smt./Messrs. (Rail Land Development Authority, Kolkata)

Unit No. - 702-B, 7th floor, Konnectus Tower - II DMR (Building)

Address: AJMERI ENCLAVE, New Delhi - 110002.

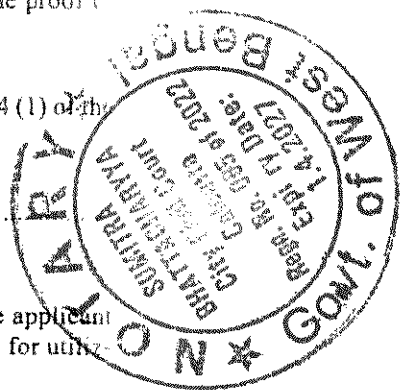
submitted an application with the prescribed fee on 20.08.2024 for permission for felling / disposing of trees for the purpose of Residential cum Commercial at the following site:  
Building

(a) Location: Howrah Municipal Corporation, ward NO-13

(b) Details of Plot(s) of Land: (1) Sheet No-33, KHNO-3, Dag No-28 to 72, (2) Sheet No-183, Dag No-177 to 194, 196 to 202 & 200/215 (3) Sheet No-41, KHNO-72, Dag No-100 & 140 (4) Sheet No-12, KHNO-4, Dag No-1 to 18, 19/63, 60/64, 61/65 & 12/66, (5) Sheet No-43, KHNO-5, Dag No-1 & 1/84, (6) Sheet No-44, KHNO-13, Dag No-9, 10, J.L. No-1, Mouza - Gokheri, P.S. - Gyalabari, District - Howrah,

AND Whereas the undersigned is satisfied with regard to the legality of documents towards the proof of ownership or lease of the land on which such tree stands:

AND Whereas the purpose for which the trees are required to be felled is in conformity with rule 4 (1) of the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Rules, 2006



AND Whereas an inquiry in the prescribed manner has been carried out on 16.08.2024 and the undersigned has examined the inquiry report with due care;

AND whereas the land in question belongs to the Tea Garden and the applicant has produced a specific scheme framed under the provisions of the Plantations Labour Act, 1951 for utilizing the sale proceeds strictly for the purpose of welfare of the labourers;

AND Whereas the applicant is a developer who has already obtained a Certificate of Clearance No. 5/16/B/24-25 dated 20.08.2024 Issued by the undersigned and sanction of the building / construction plan by the sanctioning authority, viz. Howrah Municipal Corporation vide his letter No. SWS-OBPAS/1902/- Dated 13.06.2024 2024/0761,

AND Whereas it is found on inquiry that the proposed felling will not alter nature or character or mode of use of the land.

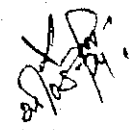
OR

The Applicant has produced the requisite permission under section 4C of the West Bengal Land Reforms Act, 1955.

Received  
At  
20.08.2024

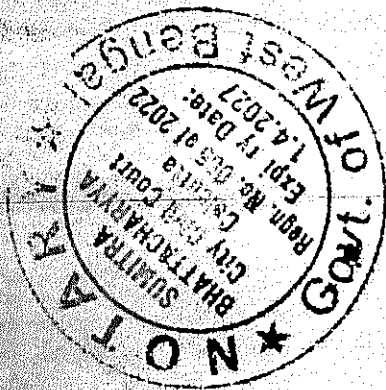
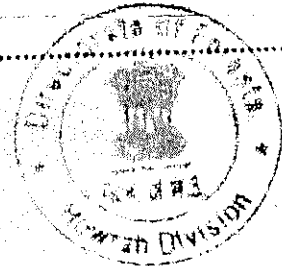
3. As provided in section 10 of the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006, the applicant (if not a developer) shall start preparatory work for plantation within sixty days from the date for permit or the date of receipt of directions from the undersigned, as the case may be, and shall undertake plantation for trees in accordance with such directions;
4. The applicant shall inform the undersigned in writing immediately on completion of the plantation of trees;
5. The applicant shall, within a week of carrying out felling of trees, submit a report to the undersigned indicating the total number of logs and firewood produced against each species;
6. Stamps of the felled trees shall be retained for a least one month from the date of felling.
7. The felling and carriage of trees shall not be carried out after the sun-set and before the sun-rise.
8. This permission is subject to the provisions of the West Bengal forest (Establishment and Regulation of Saw Mills and Other Wood-based Industries) Rules, 1982 and The West Bengal Forest Produce Transit Rules, 1959.
9. This permit should be produced for inspection on demand to the undersigned or any of the authorities specified in sections 15 and 17 of the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006.

\* All other statutory clearances which are required, should be obtained from the appropriate authority

  
Divisional Forest Officer  
Howrah Division  
(Signature of the Competent Authority)

Name SRI. DIPAK KUMAR MANDAL  
Designation Divisional Forest Officer  
Howrah Division

Official Seal : .....



\*Strike off if not applicable.

40A

Debasis Das

# VAKALATNAMA

In The High Court At Calcutta

District: Howrah

Constitutional Writ Civil Criminal Revisional  
Appellate Jurisdiction

O.A. No. \_\_\_\_\_ of \_\_\_\_\_

Sri Debasis Das {Appellant  
Petitioners

- Versus -

The State of West Bengal & ors {Respondent  
Opposite Party

Vakalatnama on behalf of the petitioner

Know all men by these presents that by Vakalatnama; I/We appoint the Advocates noted below or any one of them my/our lawful Advocate or Advocates for filing the memorandum or appeal or petition of entering appearance in the above matter for appearing conducting and arguing the same for depositing or withdrawing any money in connection therewith for moving the Court in any matter connected therewith. for preparing the paper book in the case and for putting in papers, petitions etc. On my/ our behalf for filling, taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suit etc. For signing and filling petitions of compromise in connections with the said matter and for taking copies of paper from the Record and I/We further say that any act. Done by my/our said Advocate or Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my/our own true and lawful act.

And I/We further hereby agree and undertake to pay the said Advocates his or their fees as settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocates to conduct the case properly. Failing which the said Advocates after notice to me/us will be at liberty to withdraw from further conducting the case.

IN WITNESS WHERE OF I/WE sign and execute this Vakalatnama on this the 13<sup>th</sup> day of November 2007  
Name of Advocates

Mr. Vikram Ojha  
Advocate

Mob: - 9681108929

Email - vikramojha2007@gmail.com  
Enrollment No. WB/1974/2003

Accepted by

Vikram Dha  
Adv.

WB/1974/03.

Jeet Chatterjee  
(Adv.)

F/595/434/2022

Enam  
(Advocate)

F/3807/3641/2022.

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

**MEMORANDUM OF APPLICATION**  
(under section 18(1) read with  
sections 14 and 15 and under  
Section 18 (2) of National Green  
Tribunal Act 2010)

O.A. No- /2024/EZ

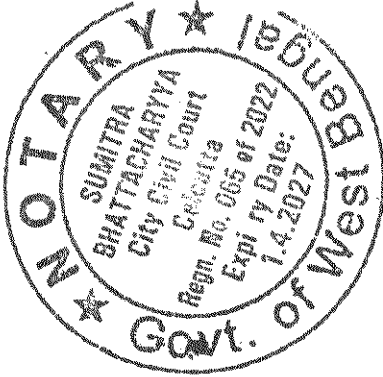
Sri Debasis Das

.... Applicant

Versus

The State of West Bengal & Ors

..... Respondents



**ORIGINAL APPLICATION**

**Debasis Das**  
**Represented by its Advocate**  
**Mr. Vikram Ojha ( Advocate)**  
**Mobile No.- 9681108929**  
**E-mail:vikramojha2007@gmail.com**

NB/1974/2003