

Sl. No. 11

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA, WEST BENGAL
ORIGINAL APPLICATION No. 121 of 2023**

**In the matter of :
Sumanta Ghosh**

....Applicant

Versus

State of West Bengal & Ors.

..Respondents.

**EXCEPTION TO THE AFFIDAVIT OF THE DISTRICT MAGISTRATE
& COLLECTOR, DISTRICT- DARJEELING, FILED BY THE
RESPONDENT NO. 5, Mahfuj Alam, Partner of Alam Enterprises.**

I N D E X

SI No.	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit.		1-7
2.	Copy of the Notification dated 22 nd September, 2020.	A-1	8-27

FILED BY

Krishnendu Bera

ADVOCATE



08 JAN 2025

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& COLLECTOR, DISTRICT- DARJEELING, FILED BY THE
RESPONDENT NO. 5, Mahfuj Alam, Partner of Alam Enterprise,
Panchkulguri, Nemaï, Matigara, Siliguri, Pin- 734010.**

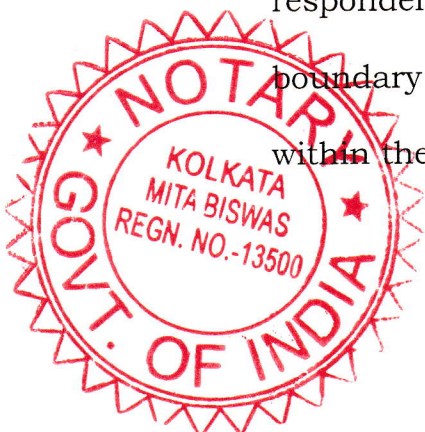
I, Mahfuj Alam, son of Sk. Naimuddin, aged about 53 years, by faith- Muslim, by Occupation- Partner of Alam Enterprises, of Panchkulguri, Nemaï, Matigara, Siliguri, Pin- 734010, do hereby solemnly declare and say as follows:

1. That I am the Partner of Alam Enterprises and as such I am well acquainted with the facts and circumstances of the case.

2. That pursuant to the solemn orders passed by the Hon'ble National Green Tribunal vide order dated 28.08.2024, a Committee was constituted with the following members :

- a) Chief Conservator of Forests, Wildlife (North) as representative of the Chief Wildlife Warden;
- b) Assistant Environmental Engineer & In-Charge, Siliguri Regional Office, WBPCB;
- c) District Land & Land Reforms Officer, Darjeeling.

3. That in compliance with the order of the Hon'ble Tribunal the Committee visited the site on 27.10.2024 and filed a report before the Hon'ble Tribunal. In the said report the said Committee informed that they inspected the entire stone crusher unit and recorded the GPS locations of the Unit and the boundary of Mahananda Wildlife Sanctuary. The distance between the two co-ordinates were measured upon using satellite imagery. That as per distances measured from GPS location it was observed that the Stone Crusher Unit of the respondent no. 5 is located at a distance of 2.50 km from the boundary wall of the Mahananda Wildlife Sanctuary and falls within the 5 km radius of Eco-Sensitive Zone of the Sanctuary.



4. It is stated that by the solemn order dated 28.08.2024 the Hon'ble National Green Tribunal in paragraph 11 directed the Committee to carry out scientific measurement of actual distance between the boundary of the Mahanada Wildlife Sanctuary and the Stone Crusher Unit including ground and the record verifications.

5. It is amply clear from the said direction that the Hon'ble Tribunal directed to carry out measurement of actual distance which include ground and record verifications and actual ground distance can only be measured through physical measurement which can't be measured through GPS Co-ordinates. It is matter of record that on earlier occasions the erstwhile committee comprised by the order dated 06.12.2023 and 24.01.2024 filed report inter-alia stating therein the respondent Unit is located in Mouza- Panchakulguri as the distance of the stone crushing site from the protected boundary of Mahananda Wildlife Sanctuary on the basis of geo-coordinates (measured during this inspection) is approx. 4.62 Km as measured through google map.

That taking into exception to the said report the respondent no. 5 vide Affidavit dated 23.08.2024 stated that as



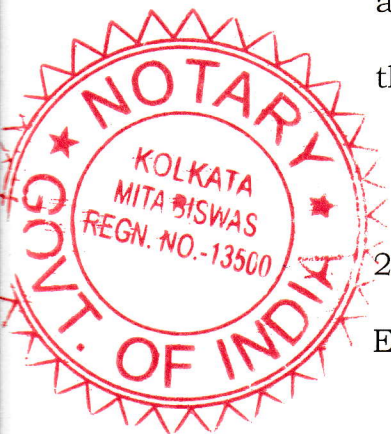
per Google Co Ordinate and GPS map the boundary wall of the Unit falls outside from the 5 km of the protected boundary of Mahananda Wildlife Sanctuary. That from the Geo Co-ordinates (26.796111, 88.362778) to Geo Co-ordinates (26.754722, 88.341111) the distance is 5.10 km which beyond the stipulated area of 5 km.

6. That taking into consideration of the said exception filed by the respondent herein the Hon'ble tribunal directed the instant committee to take actual measurement of distance which include ground and record verifications. But once again the instant committee measured the distance through GPS Locations and now submitted that the distance between the Unit and boundary wall of Mahananda Wildlife Sanctuary is 2.50 km which itself contradicts the earlier report filed by the erstwhile committee which also measured the distance on the basis of GPS locations.

7. It is stated that the Notification dated 22nd September, 2020 provides the Table of Geo-Cordinates in Annexure-III wherein the Longitude (E) and Latitude (N) is prescribed. That in accordance with the said table the nearest Longitude (E) of the



Unit is at Sl. 5 being Longitude (E) 88.36254 and Latitude (N) 26. 79171. That the said constituted Committee was required to take measurement of distance between the Unit and Wildlife Sanctuary on the basis of Longitude (E) and Latitude (N) as prescribed in the said Notification dated 22nd September, 2020. But in violation of the said Notification the present Committee taken measurement of distance from Longitude (E) 88.20'56.85" and Latitude (N) 26. 46'43.67" which has no corroboration with the prescribed Notification.



Xerox copy of the said Notification dated 22nd September, 2020 is annexed hereto and marked with the letter 'A-1' to this Exception.

8. It is respectfully submitted that the Longitude (E) and Latitude (N) which has been used for measurement of the distance by the present constituted committee should not be taken into consideration as the said Longitude (E) and Latitude (N) is in violation of the Notification dated 22nd September, 2020. That if the GPS locations are actually perfect in respect of measuring the distance between the Unit and boundary wall of Mahananda Wildlife Sanctuary in that event the GPS locations distance given by the respondent no. 5 also needs to be taken into

consideration which clearly shows that Geo Co-ordinates (26.796111, 88.362778) to Geo Co-ordinates (26.754722, 88.341111) the distance is 5.10 km which beyond the stipulated area of 5 km. Therefore the Unit of the respondent no. 5 is outside the boundary of Mahananda Wildlife Sanctuary.

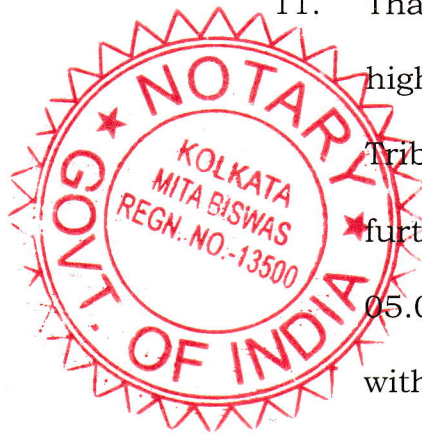
9. It is therefore most respectfully submitted that it is matter of record that vide Affidavit dated 23.08.2024 the respondent unit submitted before the Hon'ble Tribunal that the Unit taken all measures to the observations Committee report and made all compliances and also submitted that unit presently not in operation pursuant to the direction of the Hon'ble Tribunal as well as from the different authorities unit stopped all functioning. It is further submitted that the report filed by the District Magistrate & Collector, Darjeeling be not taken into consideration as the said measurement is taken not in accordance with the direction passed by the Hon'ble Tribunal.

10. That Unit taken all measures to the observations Committee report and made all compliances and filed a compliance report before the PCB. That after complying all the measures an inspection was held by the Pollution Control Board, but till date



no current status report is informed to the petitioner. It is submitted that the Pollution Control Board be directed to file the current status report in respect of the unit of the respondent no.5.

11. That the respondent unit humbly submits that the unit has high regard to the Solemn Orders as passed by this Hon'ble Tribunal and be discharged from the instant proceeding and further praying for withdrawal of closure order dated 05.08.2024 and submits that the respondent Unit will comply with any Order as may be passed by this Hon'ble Tribunal.



Identified by me

Kaishwari Bose
Advocate

M/S ALAM ENTERPRISES

Mahabir Alam,

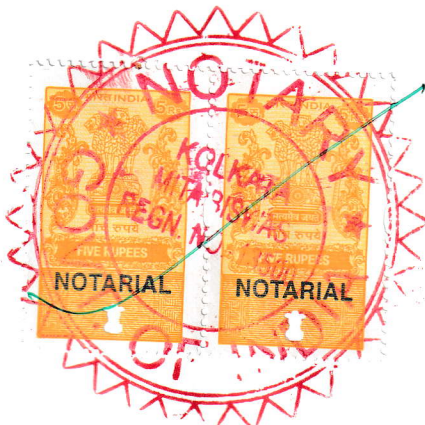
PARTNER

DEPONENT

Solemnly Affirmed & Declared Before me on Identification of Ld Advocate

Mita Biswas

MITA BISWAS NOTARY
Govt. of India. Regd. No -13500



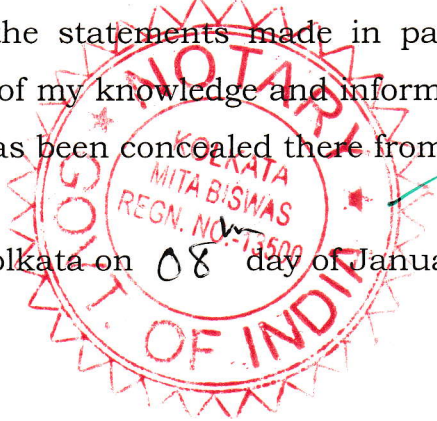
08 JAN 2025

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VERIFICATION

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

Verified at Kolkata on 08 day of January, 2025.



M/s ALAM ENTERPRISES

Mahfuj Alam

PARTNER

DEPONENT

Prepared by me

Krishnendu Bose

Advocate


सत्यमेव जयते

भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-अ.-23092020-221907
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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 2589]
N. 2889]

नई दिल्ली, मंगलवार, सितम्बर 22, 2020/भाद्र 31, 1942
NEW DELHI, TUESDAY, SEPTEMBER 22, 2020/BHADRA 31, 1942

पर्यावरण, वन और जलनायु परिवर्तन मंत्रालय

आधिसूचना

नई दिल्ली, 22 सितम्बर, 2020

का.आ. 3237(अ).—प्रारूप अधिसूचना भारत के राजपत्र, असाधारण, भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन, मंत्रालय की अधिसूचना सं. का.आ. 4442 (अ), तारीख 10 दिसम्बर, 2019, द्वारा प्रकाशित की गई थी जिसमें ऐसे सभी व्यक्तियों से, जिनकी उससे प्रभावित होने की संभावना थी, उस तारीख से, जिसको उक्त अधिसूचना को अन्तर्विष्ट करने वाले राजपत्र की प्रतियां जनता को उपलब्ध करा दी गई थीं, साठ दिन की अवधि के भीतर आक्षेप और सुझाव आमंत्रित किए गए थे;

और, उक्त प्रारूप अधिसूचना को अन्तर्विष्ट करने वाले राजपत्र की प्रतियां जनता को तारीख 11 दिसम्बर, 2019, को उपलब्ध करा दी गई थी;

और, प्रारूप अधिसूचना के प्रत्युत्तर में व्यक्तियों और पणधारियों से कोई भी आक्षेप और सुझाव प्राप्त नहीं हुए थे;

और, महानंदा वन्यजीव अभयारण्य पश्चिमी बंगाल के दार्जिलिंग और जलपाईगुड़ी जिलों में स्थित है, जो विभिन्न प्रजातियों युक्त चाय बागानों और ग्रामों से सटे वन और नदियों के पारिस्थितिकी तंत्र की विशेषता है। अभयारण्य का क्षेत्रफल 161.17 वर्ग किलोमीटर है जिसमें गौर (बोस गोरस) की प्रजातियों का वास है और यह तीस्ता और मेची नदी के बीच उत्तर बंगाल में जंगली हाथियों की संख्या को बनाए रखने के लिए एक गलियारे के रूप में भी कार्य करता है;

और, महानंदा वन्यजीव अभयारण्य की एक विशेषता यह भी है कि यह हाथियों के आवागमन का रास्ता है और मॉनसून और शीत ऋतु के दौरान अभयारण्य में विभिन्न प्रकार के प्रवासी हाथी आश्रय लेते हैं और यहां रायल बंगाल बाघ

उपाबंध-V

की गई कार्रवाई सम्बन्धी रिपोर्ट का प्रपत्र.-

1. बैठकों की संख्या और तारीख ।
2. बैठकों का कार्यवृत्त : (कृपया मुख्य उल्लेखनीय बिंदुओं का वर्णन करें । बैठक के कार्यवृत्त को एक पृथक उपाबंध में प्रस्तुत करें) ।
3. पर्यटन महायोजना सहित आंचलिक महायोजना की तैयारी की स्थिति ।
4. भू-अभिलेखों की स्पष्ट त्रुटियों के सुधार के लिए निबटाए गए मामलों का सार (पारिस्थितिकी संवेदी जोन वार)। विवरण उपाबंध के रूप में संलग्न करें।
5. पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के अधीन आने वाली क्रियाकलापों की संवीक्षा किए गए मामलों का सार । (विवरण एक पृथक उपाबंध के रूप में संलग्न करें) ।
6. पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के अधीन न आने वाली क्रियाकलापों की संवीक्षा किए गए मामलों का सार । (विवरण एक पृथक उपाबंध के रूप में संलग्न करें) ।
7. पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 19 के अधीन दर्ज की गई शिकायतों का सार ।
8. कोई अन्य महत्वपूर्ण मामला ।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION

New Delhi, the 22nd September, 2020

S.O. 3237(E).—WHEREAS, a draft notification was published in the Gazette of India, Extraordinary, vide notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 4442(E), dated the 10th December, 2019, inviting objections and suggestions from all persons likely to be affected thereby within the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS, copies of the Gazette containing the said draft notification were made available to the public on the 11th December, 2019;

AND WHEREAS, no objections and suggestions were received from persons and stakeholders in response to the draft notification;

AND WHEREAS, Mahananda Wildlife Sanctuary is situated in Darjeeling and Jalpaiguri districts of West Bengal which are characterised by forest and riverine ecosystem adjoin with tea gardens and villages with diverse ethnicities. The Sanctuary has an area of 161.17 square kilometres harbouring species of gaurs (*Bos gaurus*) and also acting as a corridor for sustaining population of wild elephants in North Bengal in between Teesta and Mechi River;

AND WHEREAS, Mahananda Wildlife Sanctuary is characterised by elephant migration route and variety of migratory elephant takes shelters and royal Bengal tiger was also reported from the Sanctuary during monsoons and winter seasons. The area is also famous for gaur, chital (spotted deer), barking deer, boar, pangolin, sambar, Rhesus monkey, Himalayan black bear, many species of lesser cat like fishing cat and jungle cat, Himalayan black bear, leopard including clouded leopard, and many other smaller animals like rare mountain goat (Serow), etc.;

AND WHEREAS, the important flora of the Mahananda Wildlife Sanctuary are *Acacia auriculiformis* (akashmoni), *Albizia falcataria* (sirish), *Acrocarpus fraxinifolius* (mandane), *Adina cordifolia* (haldu), *Alianthus exelsa* (mahaneem), *Azadiracta indica* (neem), *Anthocephalus cadamba*

(kadam), *Artocarpus chaplasha* (chaplasha/Ban kathal), *Amoora rehituka* (lahasune), *Bischofia javanica* (kainjal/urium), *Bombax ceiba* (simul), *Betula cylindrostachya* (birch/aule saur), *Careya arborea* (kumbhi), *Delbergia latifolia* (setisal / satsayer), *Erythrina arboreascens* (phaledo), *Elaeocarpus sphaericus* (rudrakha), *Sesbania grandiflora* (bak phul), *Shorea robusta* (sal, sakhua), *Swietenia febrifuga* (cloroti), *Tetradium fraxinifolium* (khanakpa), *Toona ciliata* (tuni/tun), *Talaume hodgsomi* (bhalu kath), *Ulmus lancifolia* (pipli - aule), *Vabernun erubescens* (asharay), *Walsura tabulata* (falamay), *Xylia dolabriformis* (lohakat), *Zizyphus mauritiana* (kul), etc.;

AND WHEREAS, the major fauna of the Mahananda Wildlife Sanctuary includes mammals such as Sikkim large-clawed shrew (*Soriculus nigrescens* Gray), Hodgson's brown-toothed shrew (*Episoriculus caudatus* Horsfield), Indian long-tailed shrew (*Soriculus leucops* Horsfield), Himalayan water shrew (*Chimmarogale platycephala himalayica* Grey), fulvour fruit bat (*Rousettus leschenaultii*), demares flying fox (*Pteropus giganteus*), Dobson's tube nosed bat (*Murina cyclotis*, Dobson), Himalayan hairy-winged bat (*Harioocephalus harpia lasyuras*, Hodgson), Assamese macaque (*Maeaea assamensis pelops*, Hodgson), Rhesus monkey (*Maeaea mulata*), small Indian civet (*Viverricula indica*), toddy cat (*Paradosurus hermaphrodites*), barking deer (*Muntiacus muntjak*, Boddaert), tiger (*Panthera tigris*), leopard (*Panthera pardus*), gaur (*Ribos frontatis gaurus*), Himalayan black bear (*Selenarctos thibetanus*), common otter (*Lutra lutra*), Elephant (*Elephas indicus*), spotted deer (*Axis axis*, Erleben), sambar (*Rusa unicolor*), serow (*Copricornis sumatraensis* Hodgson), pig (*Sus scrofa*, Linnaeus), pangolin (*Manis pentadactyla*, Linnaeus), Indian or black naped hare (*Lepus nigricollis ruficaudatus*, Geoffroy), lesser giant flying squirrel (*Petaurista elegans*, Gray), etc.;

AND WHEREAS, the bird species recorded from the Sanctuary are black-arrested baza (*Avideda leuphotes syama*), western coashawk (*Accipiter badius scheidowl*), besta sparrow hawk (*Accipiter virgatus affinis*), Himalayan hawk-eagle (*Spisetus nipalensis nipalensis*), block or king vulture (*Torgos calvus*), Himalayan falconet (*Microhierax caerulescens*), Himalayan kestrel (*Falco tinnunculus interstinctus*), blossom-headed parakeet (*Psittacula cyanocephala bengalensis*), Hodgson's hawk-cuckoo (*Cuculus fagax nasicolor*), Himalayan cuckoo (*Cuculus saturatus saturates*), tawny fish owl (*Bubo flavipe*), collard pigmy owl (*Glaucidium brodiei brodiei*), Himalayan brred owl (*Glaucidium cuculoides*), Himalayan brown wood owl (*Strix newarensis*), Himalayan jungle nightjar (*Caprimulgus indicus*), broad-villed roller (*Ebrustomus orientalis cyanicollis*), white-breasted kingfisher (*Halcyon smyrnensis*), blue naped pitta (*Pitta nipalensis*), green breasted pitta (*Pitta sordica cuculata*), rufous short-toed (*Calandrella cinerea dukhunesis*), Sikkim long-tailed minivet (*Pericrocotus etholoous latetus*), scarlet minivet (*Pericrocotus flammeus*), brown backed pied flycatcher shrike (*Hemipus picatus capitalis*), black crested yellow bulbul (*Pycnotus melancicterus flaviventris*), brown dipper (*Cinclus pallasii tenuirostris*), rusty bellied shortwing (*Branchuetyryz hyperythrea*), Nepal shortwing (*Brechupteryx leucophrys nipalensis*), purple thrush (*Cochoa purporea*), green thrush (*Cochoa viridis*), Assam red-fronted babbler (*Stachyridopsis rufifrons ambigua*), red-headed babbler (*Stachyris ruficeps*), rufous bellied nillava (*Niltava sundara*), pale blue flycatcher (*Niltava unicolor*), blue throated flycatcher (*Niltava rubeculoides*), etc.;

AND WHEREAS, the Mahananda Wildlife Sanctuary is also a home for a large number of colourful feathered species including endangered species like fairy-bluebird and Himalayan pied hornbill. For effective conservation and protection of the floral and faunal biodiversity of Mahananda Wildlife Sanctuary, the extent of different anthropogenic pressures has to be regulated as the immediate area adjoining this fragile ecosystem is much ecologically sensitive having great impact on this protected area;

AND WHEREAS, it is necessary to conserve and protect the area, the extent and boundaries of Mahananda Wildlife Sanctuary which are specified in paragraph 1 as Eco-sensitive Zone from ecological, environmental and biodiversity point of view and to prohibit industries or class of industries and their operations and processes in the said Eco-sensitive Zone;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act 1986 (29 of 1986) (hereafter in this notification referred to as the Environment Act), read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies an area to an extent of 5 kilometres uniform around the boundary of Mahananda Wildlife Sanctuary, in Darjeeling and Jalpaiguri districts in the State of West Bengal as the Mahananda Wildlife Sanctuary Eco-sensitive Zone (hereafter in this notification referred to as the Eco-sensitive Zone) details of which are as under, namely: -

- 7/-
1. **Extent and boundaries of Eco-sensitive Zone.** — (1) The Eco-sensitive Zone shall be to an extent of 5 kilometres uniform around the boundary of Mahananda Wildlife Sanctuary and the area of the Eco-sensitive Zone is 405.28 square kilometres.
 - (2) The boundary description of Mahananda Wildlife Sanctuary and its Eco-sensitive Zone is appended in **Annexure-I**.
 - (3) The maps of the Mahananda Wildlife Sanctuary demarcating Eco-sensitive Zone along with boundary details and latitudes and longitudes are appended as **Annexure-IIA, Annexure-IIB, Annexure-IIC** and **Annexure-IID**.
 - (4) List of geo-coordinates of the boundary of Mahananda Wildlife Sanctuary and Eco-sensitive Zone are given in Table A and Table B of **Annexure III**.
 - (5) The list of villages falling in the proposed Eco-sensitive Zone along with their geo co-ordinates at prominent points is appended as **Annexure-IV**.
 2. **Zonal Master Plan for Eco-sensitive Zone.**— (1) The State Government shall, for the purposes of the Eco-sensitive Zone prepare a Zonal Master Plan within a period of two years from the date of publication of this notification in the Official Gazette, in consultation with local people and adhering to the stipulations given in this notification for approval of the competent authority in the State.
 - (2) The Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government in such manner as is specified in this notification and also in consonance with the relevant Central and State laws and the guidelines issued by the Central Government, if any.
 - (3) The Zonal Master Plan shall be prepared in consultation with the following Departments of the State Government, for integrating the ecological and environmental considerations into the said plan:-
 - (i) Environment and Wildlife Management;
 - (ii) Agriculture;
 - (iii) Revenue;
 - (iv) Urban Housing Development;
 - (v) Tourism;
 - (vi) Rural Development;
 - (vii) Irrigation and Flood Control;
 - (viii) Municipal;
 - (ix) Panchayati Raj;
 - (x) Public Works Department;
 - (xi) West Bengal Police;
 - (xii) Rural Management and Development; and
 - (xiii) Disaster Management.
 - (4) The Zonal Master Plan shall not impose any restriction on the approved existing land use, infrastructure and activities, unless so specified in this notification and the Zonal Master Plan shall factor in improvement of all infrastructure and activities to be more efficient and eco-friendly.
 - (5) The Zonal Master Plan shall provide for restoration of denuded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that need attention.
 - (6) The Zonal Master Plan shall demarcate all the existing worshipping places, villages and urban settlements, types and kinds of forests, agricultural areas, fertile lands, green area, such as, parks

-12-

and like places, horticultural areas, orchards, lakes and other water bodies with supporting maps giving details of existing and proposed land use features.

- (7) The Zonal Master Plan shall regulate development in Eco-sensitive Zone and adhere to prohibited and regulated activities listed in the Table in paragraph 4 and also ensure and promote eco-friendly development for security of local communities' livelihood.
- (8) The Zonal Master Plan shall be co-terminus with the Regional Development Plan.
- (9) The Zonal Master Plan so approved shall be the reference document for the Monitoring Committee for carrying out its functions of monitoring in accordance with the provisions of this notification.
3. **Measures to be taken by the State Government.**- The State Government shall take the following measures for giving effect to the provisions of this notification, namely:-

- (1) **Land use.**- (a) Forests, horticulture areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the Eco-sensitive Zone shall not be used or converted into areas for commercial or residential or industrial activities:

Provided that the conversion of agricultural and other lands, for the purposes other than that specified at part (a) above, within the Eco-sensitive Zone may be permitted on the recommendation of the Monitoring Committee, and with the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of Central Government or State Government as applicable and *vide* provisions of this notification, to meet the residential needs of the local residents and for activities such as:-

- (i) widening and strengthening of existing roads and construction of new roads;
- (ii) construction and renovation of infrastructure and civic amenities;
- (iii) small scale industries not causing pollution;
- (iv) cottage industries including village industries; convenience stores and local amenities supporting eco-tourism including home stay; and
- (v) promoted activities given in paragraph 4:

Provided further that no use of tribal land shall be permitted for commercial and industrial development activities without the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of the State Government and without compliance of the provisions of article 244 of the Constitution or the law for the time being in force, including the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007):

Provided also that any error appearing in the land records within the Eco-sensitive Zone shall be corrected by the State Government, after obtaining the views of Monitoring Committee, once in each case and the correction of said error shall be intimated to the Central Government in the Ministry of Environment, Forest and Climate Change:

Provided also that the correction of error shall not include change of land use in any case except as provided under this sub-paragraph.

- (b) Efforts shall be made to reforest the unused or unproductive agricultural areas with afforestation and habitat restoration activities.
- (2) **Natural water bodies.**-The catchment areas of all natural springs shall be identified and plans for their conservation and rejuvenation shall be incorporated in the Zonal Master Plan and the guidelines shall be drawn up by the State Government in such a manner as to prohibit development activities at or near these areas which are detrimental to such areas.
- (3) **Tourism or eco-tourism.**- (a) All new eco-tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be as per the Tourism Master Plan for the Eco-sensitive Zone.
- (b) The Tourism Master Plan shall be prepared by the State Department of Tourism in consultation with the State Departments of Environment and Forests.

- (c) The Tourism Master Plan shall form a component of the Zonal Master Plan.
- (d) The Tourism Master Plan shall be drawn based on the study of carrying capacity of the Eco-sensitive Zone.
- (e) The activities of eco-tourism shall be regulated as under, namely:-

- (i) new construction of hotels and resorts shall not be allowed within one kilometre from the boundary of the protected area or upto the extent of the Eco-sensitive Zone, whichever is nearer:

Provided that beyond the distance of one kilometre from the boundary of the protected area till the extent of the Eco-sensitive Zone, the establishment of new hotels and resorts shall be allowed only in pre-defined and designated areas for eco-tourism facilities as per Tourism Master Plan;

- (ii) all new tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forest and Climate Change and the eco-tourism guidelines issued by the National Tiger Conservation Authority (as amended from time to time) with emphasis on eco-tourism, eco-education and eco-development;
- (iii) until the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the Monitoring Committee and no new hotel, resort or commercial establishment construction shall be permitted within Eco-sensitive Zone area.
- (4) **Natural heritage.**- All sites of valuable natural heritage in the Eco-sensitive Zone, such as the gene pool reserve areas, rock formations, waterfalls, springs, gorges, groves, caves, points, walks, rides, cliffs, etc. shall be identified and a heritage conservation plan shall be drawn up for their preservation and conservation as a part of the Zonal Master Plan.
- (5) **Man-made heritage sites.**- Buildings, structures, artefacts, areas and precincts of historical, architectural, aesthetic, and cultural significance shall be identified in the Eco-sensitive Zone and heritage conservation plan for their conservation shall be prepared as part of the Zonal Master Plan.
- (6) **Noise pollution.** - Prevention and control of noise pollution in the Eco-sensitive Zone shall be carried out in accordance with the provisions of the Noise Pollution (Regulation and Control) Rules, 2000 under the Environment Act.
- (7) **Air pollution.**- Prevention and control of air pollution in the Eco-sensitive Zone shall be carried out in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and the rules made thereunder.
- (8) **Discharge of effluents.**- Discharge of treated effluent in Eco-sensitive Zone shall be in accordance with the provisions of the General Standards for Discharge of Environmental Pollutants covered under the Environment Act and the rules made thereunder or standards stipulated by the State Government, whichever is more stringent.
- (9) **Solid wastes.**- Disposal and Management of solid wastes shall be as under:-
- (a) the solid waste disposal and management in the Eco-sensitive Zone shall be carried out in accordance with the Solid Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number S.O. 1357 (E), dated the 8th April, 2016; the inorganic material may be disposed in an environmental acceptable manner at site identified outside the Eco-sensitive Zone;
- (b) safe and Environmentally Sound Management of Solid wastes in conformity with the existing rules and regulations using identified technologies may be allowed within Eco-sensitive Zone.
- (10) **Bio-Medical Waste.**- Bio-Medical Waste Management shall be as under:-
- (a) the Bio-Medical Waste disposal in the Eco-sensitive Zone shall be carried out in accordance with the Bio-Medical Waste Management Rules, 2016 published by the Government of India

in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 343 (E), dated the 28th March, 2016.

(b) safe and Environmentally Sound Management of Bio-Medical Wastes in conformity with the existing rules and regulations using identified technologies may be allowed within the Eco-sensitive Zone.

(11) Plastic waste management.- The plastic waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the Plastic Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 340(E), dated the 18th March, 2016, as amended from time to time.

(12) Construction and demolition waste management.- The construction and demolition waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the Construction and Demolition Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 317(E), dated the 29th March, 2016, as amended from time to time.

(13) E-waste.- The e - waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the E-Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change, as amended from time to time.

(14) Vehicular traffic.- The vehicular movement of traffic shall be regulated in a habitat friendly manner and specific provisions in this regard shall be incorporated in the Zonal Master Plan and till such time as the Zonal Master plan is prepared and approved by the competent authority in the State Government, the Monitoring Committee shall monitor compliance of vehicular movement under the relevant Acts and the rules and regulations made thereunder.

(15) Vehicular pollution.- Prevention and control of vehicular pollution shall be in compliance with applicable laws and efforts shall be made for use of cleaner fuels.

(16) Industrial units.- (a) On or after the publication of this notification in the Official Gazette, no new polluting industries shall be permitted to be set up within the Eco-sensitive Zone.

(ii) Only non-polluting industries shall be allowed within Eco-sensitive Zone as per the classification of Industries in the guidelines issued by the Central Pollution Control Board in February, 2016, unless so specified in this notification, and in addition, the non-polluting cottage industries shall be promoted.

(17) Protection of hill slopes.- The protection of hill slopes shall be as under:-

(a) the Zonal Master Plan shall indicate areas on hill slopes where no construction shall be permitted;

(b) construction on existing steep hill slopes or slopes with a high degree of erosion shall not be permitted.

4. List of activities prohibited or to be regulated within Eco-sensitive Zone.- All activities in the Eco-sensitive Zone shall be governed by the provisions of the Environment Act and the rules made there under including the Coastal Regulation Zone, 2011 and the Environmental Impact Assessment Notification, 2006 and other applicable laws including the Forest (Conservation) Act, 1980 (69 of 1980), the Indian Forest Act, 1927 (16 of 1927), the Wildlife (Protection) Act 1972 (53 of 1972), and amendments made thereto and be regulated in the manner specified in the Table below, namely:-

TABLE

S. No. (1)	Activity (2)	Description (3)
1.	Commercial mining, stone quarrying and crushing units.	(a) All new and existing mining (minor and major minerals), stone quarrying and crushing units shall be prohibited with immediate effect except for meeting the domestic needs of bona fide local residents including digging of earth for construction

		<p>or repair of houses within Eco Sensitive Zone;</p> <p>(b) The mining operations shall be carried out in accordance with the order of the Hon'ble Supreme Court dated the 4th August, 2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No.202 of 1995 and dated the 21st April, 2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No.435 of 2012.</p>
2.	Setting of industries causing pollution (Water, Air, Soil, Noise, etc.).	<p>New industries and expansion of existing polluting industries in the Eco-sensitive Zone shall not be permitted:</p> <p>Provided that non-polluting industries shall be allowed within Eco-sensitive Zone as per classification of Industries in the guidelines issued by the Central Pollution Control Board in February, 2016, so otherwise specified in this notification and in addition the non-polluting cottage industries shall be promoted.</p>
3.	Establishment of major hydro-electric project.	Prohibited.
4.	Use or production or processing of any hazardous substances.	Prohibited.
5.	Discharge of untreated effluents in natural water bodies or land area.	Prohibited.
6.	Setting up of new saw mills.	New or expansion of existing saw mills shall not be permitted within the Eco-sensitive Zone.
7.	Setting up of brick kilns.	Prohibited.
8.	Use of polythene bags.	Prohibited.
9.	Undertaking activities related to tourism like over-flying the sanctuary area by hot-air balloons, etc.	Prohibited.
10.	Introduction of exotic species.	Prohibited.
11.	Commercial use of firewood.	Prohibited.
B. Regulated Activities		
12.	Commercial establishment of hotels and resorts.	<p>No new commercial hotels and resorts shall be permitted within one kilometer of the boundary of the protected area or upto the extent of Eco-sensitive Zone, whichever is nearer, except for small temporary structures for eco-tourism activities:</p> <p>Provided that, beyond one kilometer from the boundary of the protected area or upto the extent of Eco-sensitive Zone, whichever is nearer, all new tourist activities or expansion of existing activities shall be in conformity with the Tourism Master Plan and guidelines as applicable.</p>
13.	Construction activities.	(a) New commercial construction of any kind shall not be permitted within one kilometer from the boundary of the protected area or upto extent of the

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		<p>Eco-sensitive Zone, whichever is nearer:</p> <p>Provided that, local people shall be permitted to undertake construction in their land for their use including the activities mentioned in sub-paragraph (1) of paragraph 3 as per building bye-laws to meet the residential needs of the local residents:</p> <p>Provided further that the construction activity related to small scale industries not causing pollution shall be regulated and kept at the minimum, with the prior permission from the competent authority as per applicable rules and regulations, if any.</p> <p>(b) Beyond one kilometer it shall be regulated as per the Zonal Master Plan.</p>
14.	Small scale non polluting industries.	Non polluting industries as per classification of industries issued by the Central Pollution Control Board in February, 2016 and non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous materials from the Eco-sensitive Zone shall be permitted by the competent authority.
15.	Felling of trees.	<p>(a) There shall be no felling of trees in the forest or Government or revenue or private lands without prior permission of the competent authority in the State Government.</p> <p>(b) The felling of trees shall be regulated in accordance with the provisions of the concerned Central or State Act and the rules made thereunder.</p>
16.	Collection of Forest produce or Non-Timber Forest produce.	Regulated as per the applicable laws.
17.	Erection of electrical and communication towers and laying of cables and other infrastructures.	Regulated under applicable laws (underground cabling may be promoted).
18.	Infrastructure including civic amenities.	Taking measures of mitigation as per the applicable laws, rules and regulations available guidelines.
19.	Widening and strengthening of existing roads and construction of new roads.	Taking measures of mitigation as per the applicable laws, rules, regulations, and available guidelines.
20.	Protection of hill slopes and river banks.	Regulated as per the applicable laws.
21.	Movement of vehicular traffic at night.	Regulated for commercial purpose under applicable laws.
22.	Ongoing agriculture and horticulture practices by local communities along with dairies, dairy farming, aquaculture and fisheries.	Permitted as per the applicable laws for use of locals.
23.	Establishment of large-scale commercial livestock and poultry farms by firms, corporate and	Regulated (except otherwise provided) as per the applicable laws except for meeting local needs.

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	companies.	
24.	Discharge of treated waste water or effluents in natural water bodies or land area.	The discharge of treated waste water or effluents shall be avoided to enter into the water bodies and efforts shall be made for recycle and reuse of treated waste water. Otherwise the discharge of treated waste water or effluent shall be regulated as per the applicable laws.
25.	Commercial extraction of surface and ground water.	Regulated as per the applicable laws.
26.	Solid Waste Management.	Regulated as per the applicable laws.
27.	Eco-tourism.	Regulated as per the applicable laws.
28.	Commercial sign boards and hoardings.	Regulated as per the applicable laws.
29.	Eco tourism facilities like home stays, ropeways, kiosks, funiculars, etc.	Regulated as per the applicable laws.
C. Promoted Activities		
30.	Rain water harvesting.	Shall be actively promoted.
31.	Organic farming.	Shall be actively promoted.
32.	Adoption of green technology for all activities.	Shall be actively promoted.
33.	Cottage industries including village artisans, etc.	Shall be actively promoted.
34.	Use of renewable energy and fuels.	Bio-gas, solar light etc. shall be actively promoted.
35.	Agro-Forestry.	Shall be actively promoted.
36.	Plantation of Horticulture and Herbals.	Shall be actively promoted.
37.	Use of eco-friendly transport.	Shall be actively promoted.
38.	Skill Development.	Shall be actively promoted.
39.	Restoration of degraded land or forests or habitat.	Shall be actively promoted.
40.	Environmental awareness.	Shall be actively promoted.
41.	Vegetative fencing.	Shall be actively promoted.

5. **Monitoring Committee for Monitoring the Eco-sensitive Zone Notification.**- For effective monitoring of the provisions of this notification under sub-section (3) of section 3 of the Environment (Protection) Act, 1986, the Central Government hereby constitutes a Monitoring Committee, comprising of the following, namely:-

S. No.	Constituent of the Monitoring Committee	Designation
(i)	Chief Secretary, Government of West Bengal	Chairman, ex officio;
(ii)	Chief Wildlife Warden, Government of West Bengal	Member;
(iii)	Principal Chief Conservator of Forests (Head of Forest Force),	Member;

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	Government of West Bengal	
(iv)	Representative of State Pollution Control Board	Member;
(v)	A representative of Non-governmental Organisation working in the field of wildlife conservation to be nominated by the State Government	Member;
(vi)	An expert in Biodiversity nominated by the State Government	Member;
(vii)	One expert in Ecology from reputed institution or university of the State	Member;
(viii)	Representative of Rural Management Department, Government of West Bengal	Member;
(ix)	Representative of Agriculture Department, Government of West Bengal	Member;
(x)	Representative of Urban Development and Housing Department, government of West Bengal	Member;
(xi)	Concerned District Collector	Member;
(xii)	Divisional Forest Officer (In-charge of protected area)	Member;
(xiii)	Additional Chief Conservator of Forest, Wildlife	Member-Secretary.

6. Terms of reference. – (1) The Monitoring Committee shall monitor the compliance of the provisions of this notification.

- (2) The tenure of the Monitoring Committee shall be for three years or till the re-constitution of the new Monitoring Committee by the State Government and subsequently the Monitoring Committee shall be constituted by the State Government.
- (3) The activities that are covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006, and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the Central Government in the Ministry of Environment, Forest and Climate Change for prior environmental clearances under the provisions of the said notification.
- (4) The activities that are not covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O. 1533 (E), dated the 14th September, 2006 and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the concerned regulatory authorities.

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- (5) The Member-Secretary of the Monitoring Committee or the concerned Deputy Commissioner(s) shall be competent to file complaints under section 19 of the Environment Act, against any person who contravenes the provisions of this notification.
 - (6) The Monitoring Committee may invite representatives or experts from concerned Departments, representatives from industry associations or concerned stakeholders to assist in its deliberations depending on the requirements on issue to issue basis.
 - (7) The Monitoring Committee shall submit the annual action taken report of its activities as on the 31st March of every year by the 30th June of that year to the Chief Wildlife Warden in the State as per proforma appended at Annexure V.
 - (8) The Central Government in the Ministry of Environment, Forest and Climate Change may give such directions, as it deems fit, to the Monitoring Committee for effective discharge of its functions.
- 7. Additional Measures.-** The Central Government and State Government may specify additional measures, if any, for giving effect to provisions of this notification.
- 8. Supreme Court, etc. orders.-** The provisions of this notification shall be subject to the orders, if any passed or to be passed by the Hon'ble Supreme Court of India or High Court or the National Green Tribunal.

[F. No. 25/36/16-ESZ-RE]

DR SATISH C. GARKOTI, Scientist 'G'

ANNEXURE- I**BOUNDARY DESCRIPTION OF ECO-SENSITIVE ZONE AROUND MAHANANDA WILDLIFE
SANCTUARY WEST BENGAL**

In the northern side, there is common boundary between Ruyem and Setikhola, Ruyem and Sittong, Upper Ghoramara and Sittong, Latpancher and Mana forest blocks.

The eastern boundary of Sevok Range of Kurseong division, along the Tista River from the junction of Kalijhora and Tista, southwards extending upto the southern corner of Laltong block.

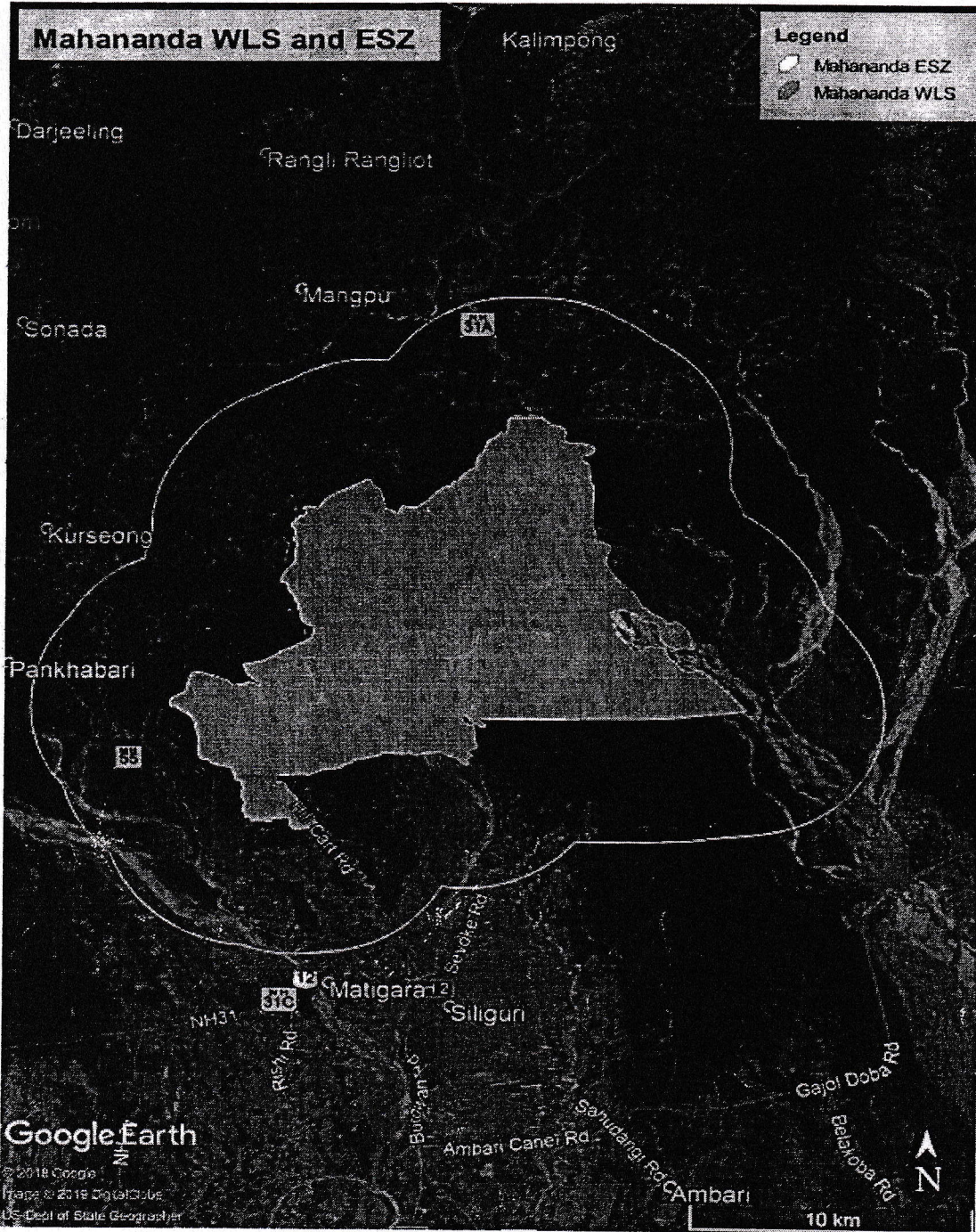
The demarcated southern boundary of Sukna and Funding blocks up to its junction with Mahanadi block, then following the western & southern boundaries of Mahanadi block; then along the western and southern boundary of Laltong Block along 7th Mile Fire line / Road.

The western boundary of Latpancher and Bandarjhora forest block along the Mana jhora upto its junction with the Mahanadi river, then along the Mahanadi river in a south easterly direction upto its junction with the northern boundary of Punding forest block and then along the demarcated northern boundary of Sukna forest block upto its junction with Hill Cart Road and then along the Hill Cart Road upto its junction with southern boundary of Sukna block.

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ANNEXURE- IIA

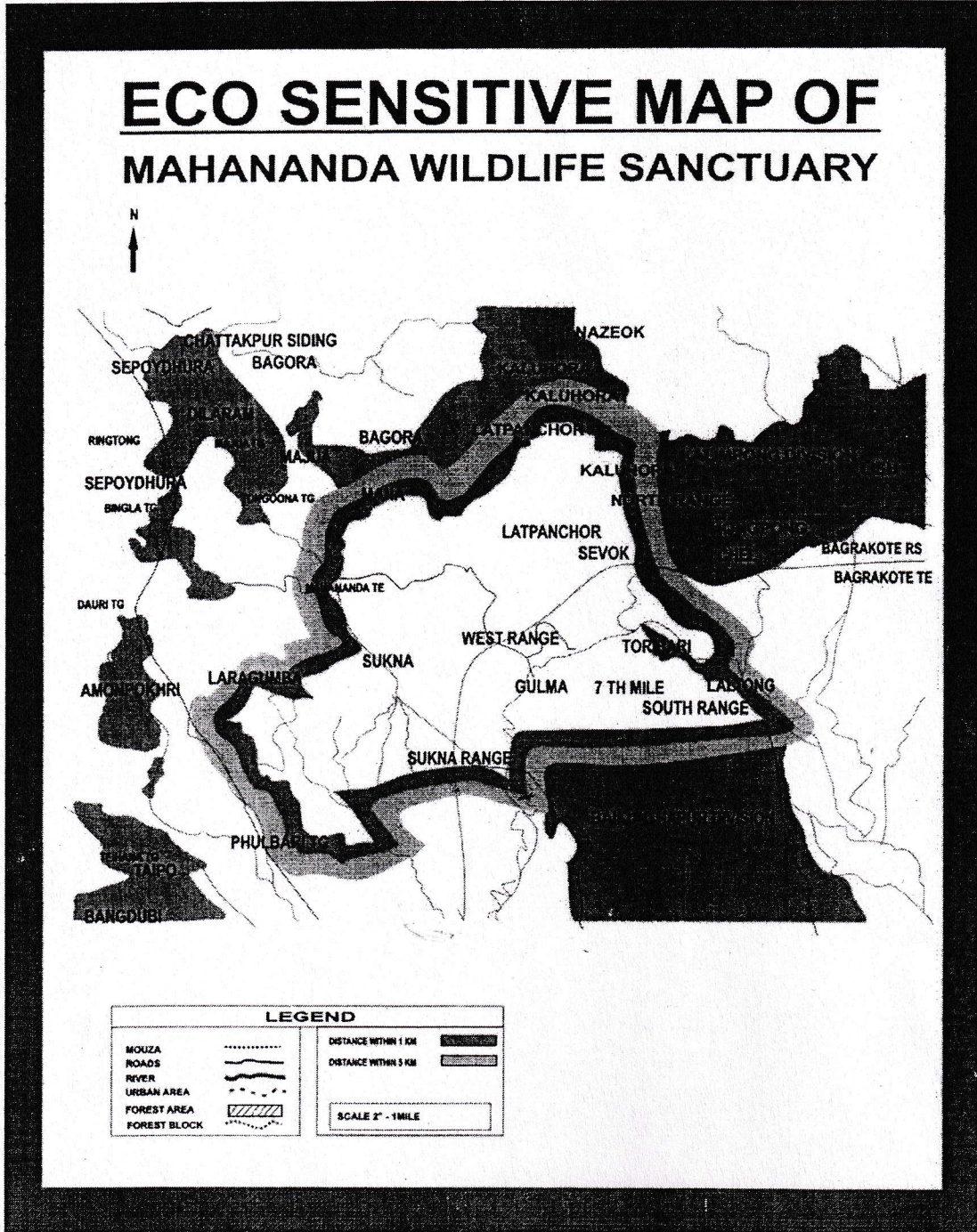
GOOGLE MAP OF ECO-SENSITIVE ZONE OF MAHANANDA WILDLIFE SANCTUARY ALONG WITH LATITUDE AND LONGITUDE OF PROMINENT LOCATIONS



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ANNEXURE- IIB

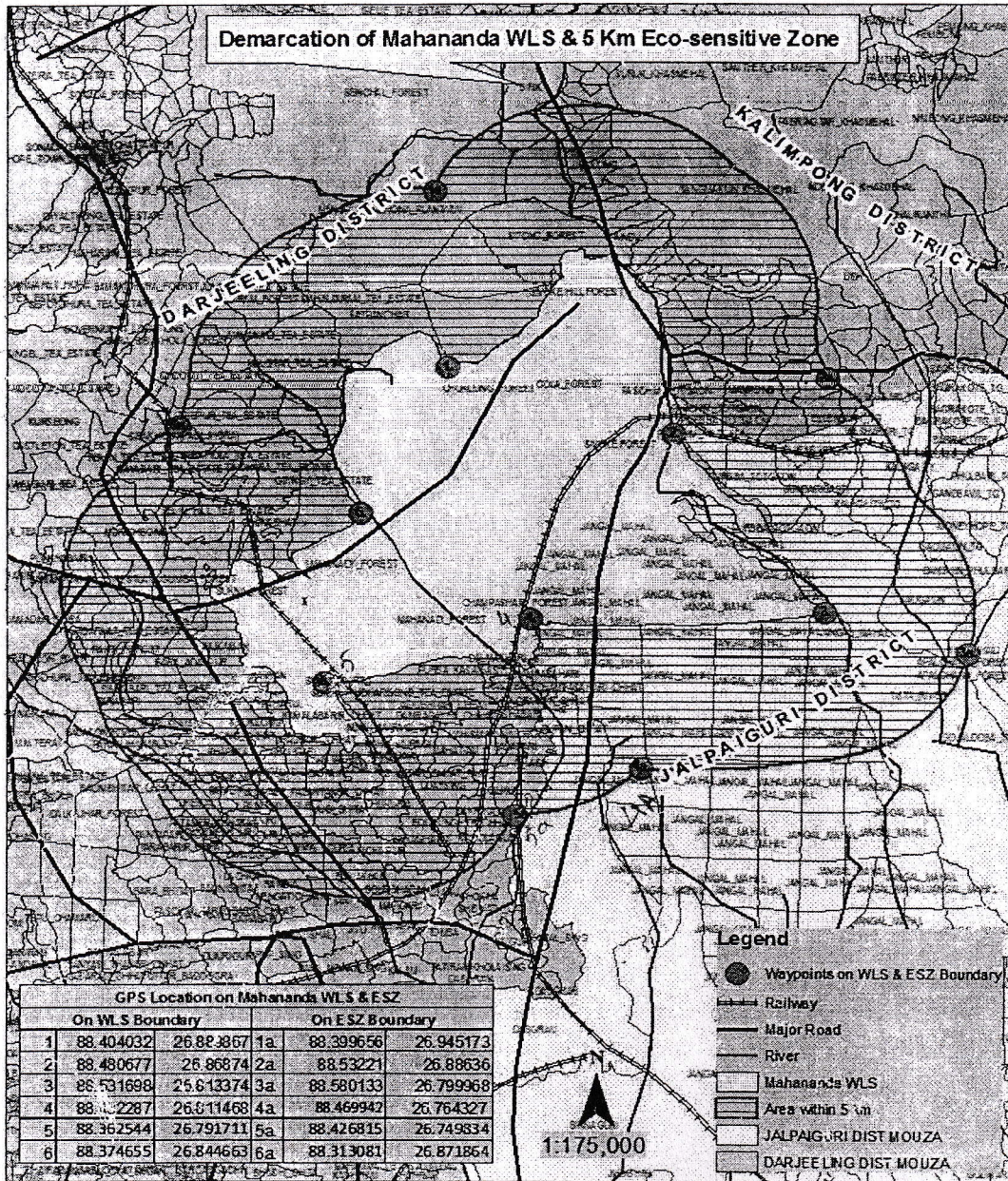
MAP SHOWING ECO-SENSITIVE ZONE OF MAHANANDA WILDLIFE SANCTUARY IN WEST BENGAL



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ANNEXURE- IID

MAP OF ECO-SENSITIVE ZONE OF MAHANANDA WILDLIFE SANCTUARY ALONG WITH LATITUDE AND LONGITUDE OF PROMINENT LOCATIONS ON SURVEY OF INDIA (SOD) TOPOSHEET



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ANNEXURE-III

TABLE A: GEO- COORDINATES OF PROMINENT LOCATIONS OF MAHANANDA WILDLIFE SANCTUARY

Sl. No.	Longitude (E)	Latitude (N)
1	88°40403	26°88987
2	88°48068	26°86874
3	88°5317	26°81337
4	88°43229	26°81147
5	88°36254	26°79171
6	88°37466	26°84466

TABLE B: GEO-COORDINATES OF PROMINENT LOCATIONS OF ECO-SENSITIVE ZONE

Sl. No.	Longitude (E)	Latitude (N)
1a.	88°39966	26°945173
2a.	88°53221	26°88636
3a.	88°58013	26°799968
4a.	88°46994	26°764327
5a.	88°42682	26°749834
6a.	88°31308	26°871864

ANNEXURE-IV

LIST OF VILLAGES COMING UNDER ECO-SENSITIVE ZONE OF MAHANANDA WILDLIFE SANCTUARY ALONG WITH GEO-COORDINATES

Sl. No.	Name of the Village	Land classification	Latitude	Longitude
1	Chakur	Revenue Village	N 26°46'26.42"	E88°28'19.06"
2	Prakash Nagar	Revenue Village	N26°46'6.52"	E88°26'52.48"
3	Sarugara	Revenue Village	N26°45'58.92"	E88°26'47.56"
4	Kalabari	Revenue Village	N26°46'24.0"	E88°25'19.0"
5	Mahismari	Revenue Village	N26°45'28.6"	E88°25'04.5"
6	Malahar	Revenue Village	N 26°44'26.8"	E88°24'57.3"
7	Champasari Chhat	Revenue Village	N26°44'26.8"	E88°24'57.3"
8	Nunu Bairagi	Revenue Village	N26°45'02.22"	E88°23'00.4"
9	Nunu Bairagir Chhat	Revenue Village	N26°45'27.99"	E88°23'48.98"
10	Uttar Palash	Revenue Village	N26°46'32.0"	E88°25'49.9"
11	Damra Gayer Chhat	Revenue Village	N26°45'44.29"	E88°23'33.54"
12	Jadubhitar Chhat	Revenue Village	N26°47'09.3"	E88°24'36.0"

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THE GAZETTE OF INDIA : EXTRAORDINARY

[PART II—SEC. 3(ii)]

13	Purba Karaibari Chhat	Revenue Village	N26°47'01.7"	E88°25'02.5"
14	Gulmakhari	Revenue Village	N26°48'04.4"	E88°24'11.2"
15	Karaibari	Revenue Village	N26°47'13.3"	E88°25'03.1"
16	Dariagram Chhat	Revenue Village	N26°47'7.64"	E88°25'16.69"
17	Sissabari	Revenue Village	N26°47'08.2"	E88°25'39.6"
18	Palash	Revenue Village	N26°46'32.0"	E88°25'49.9"
19	Boro Adalpur	Revenue Village	N26°46'37.19"	E88°20'43.53"
20	Khoklong	Revenue Village	N26°46'42.91"	E88°21'11.17"
21	Chhoto Adalpur	Revenue Village	N26°47'11.36"	E88°19'15.26"
22	Paharu	Revenue Village	N26°46'53.67"	E88°20'54.73"
23	Khoklong Chhat	Revenue Village	N26°46'32.22"	E88°21'13.07"
24	Kamala Barir Chhat	Revenue Village	N26°46'28.37"	E88°20'40.44"
25	Word 42	Revenue Village	N26°45'31.83"	E88°26'42.84"
26	Nimbu Basti	Revenue Village	N26°45'15.59"	E88°26'12.31"
27	Devidanga	Revenue Village	N26°45'57.5"	E88°25'07.2"
28	Daknikata P	Revenue Village	N26°45'10.2"	E88°25'01.9"
29	Kalkut P	Revenue Village	N 26°45'41.38"	E088°25'6.88"
30	Champasari	Revenue Village	N26°44'26.8"	E88°24'57.3"
31	Ward 46	Revenue Village	N26°44'34.76"	E88°24'47.65"
32	Satyajit Colony	Revenue Village	N 26°44'23.14"	E88°24'34.96"
33	Foutsingher Chhat	Revenue Village	N26°44'57.11"	E88°24'19.96"
34	Ujanu P	Revenue Village	N26°43'53.6"	E88°24'17.2"
35	Kabi Adam Singh Nagar	Revenue Village	N26°44'39.48"	E88°23'47.94"
36	Uttarayan TWP	Revenue Village	N26°43'21.61"	E88°23'37.80"
37	Dagapur	Revenue Village	N26°45'00.47"	E88°23'35.48"
38	Bara Gharia	Revenue Village	N26°44'50.3"	E88°23'29.0"
39	Gaur Charan	Revenue Village	N26°43'57.3"	E88°22'58.0"
40	Ghokla Jote	Revenue Village	N26°44'22.0"	E88°22'49.6"
41	Patharghata	Revenue Village	N26°45'38.38"	E88°22'20.21"
42	Dhakuria	Revenue Village	N26°45'20.4"	E88°22'31.8"
43	Gatigara	Revenue Village	N26°43'23.65"	E88°23'04.92"
44	Bania Khari	Revenue Village	N26°43'39.1"	E88°22'56.1"
45	Panchakulguri	Revenue Village	N26°45'14.4"	E88°20'42.7"
46	Jugibhita	Revenue Village	N26°44'56.79"	E88°21'54.76"
47	Guria	Revenue Village	N26°44'07.9"	E88°23'08.5"
48	Bataliguri	Revenue Village	N26°44'18.55"	E88°20'5.90"
49	Pataner Chhat	Revenue Village	N26°45'43.76"	E88°19'30.23"

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[भाग II—खण्ड 3(ii)]

भारत का राजपत्र : असाधारण

50	Lalsara Chhat	Revenue Village	N26°46'44.8"	E88°20'16.2"
51	Dhemal	Revenue Village	N26°44'57.73"	E88°19'32.31"
52	Patan	Revenue Village	N26°45'57.63"	E88°19'19.59"
53	Ruhinir Chhat	Revenue Village	N26°47'22.83"	E88°19'00.21"
54	Khopalasi	Revenue Village	N26°45'34.7"	E88°20'24.1"
55	Jhouguri	Revenue Village	N26°45'58.65"	E88°21'28.84"
56	Jhauguri Chhat	Revenue Village	N26°46'10.2"	E88°21'02.3"
57	Rajpiari	Revenue Village	N26°45'40.9"	E88°21'13.7"
58	Chamtaguri Chhat	Revenue Village	N26°45'58.2"	E88°22'15.8"
59	Chamta	Revenue Village	N26°46'13.89"	E88°21'27.59"
60	Panchanai	Revenue Village	N26°44'43.87"	E88°3'54.84"
61	Mohurgong TG	Tea Garden	N26°46'47.8"	E88°22'19.1"
62	Salbari Chhat(2nd)	Revenue Village	N26°45'57.3"	E88°23'00.4"
63	Fulbari Pataner Chhat	Revenue Village	N26°46'08.78"	E88°19'20.45"
64	Sitong Forest	Forest	N26°54'55.7"	E88°24'33.9"
65	Sivoke Forest	Forest	N26°52'42.6"	E88°28'14.4"
66	Latpanchar	Forest	N26°54'41.2"	E88°24'19.7"
67	Sepoydhura	Tea Garden	N26°50'27.0"	E88°20'64.0"
68	Norbong	Tea Garden	N26°51'15.45"	E88°32'32.18"
69	Simring TG	Tea Garden	N26°53'25.45"	E88°21'37.29"
70	Tindharia T.G	Tea Garden	N26°51'17.66"	E88°20'44.85"
71	Rhontong	Revenue Village	N26°50'10.51"	E88°20'33.15"
72	Bauni Bhitari Chhat	Revenue Village	N26°45'44.94"	E88°18'44.60"
73	Fulbari Chhat	Revenue Village	N26°45'21.06"	E88°19'02.45"
74	Khaprail	Revenue Village	N26°45'36.18"	E88°20'14.51"
75	Patan Jhaner Chhat	Revenue Village	N26°45'05.24"	E88°19'03.20"
76	Pairkumari	Tea garden	N26°46'31.30"	E88°20'09.02"
77	Saptagiri Khelaghar T.G	Tea garden	N26°44'14.10"	E88°25'47.17"
78	Simulbari T.G	Tea garden	N26°47'33.49"	E88°18'33.67"
79	Raki Forest	Forest	N26°47'48.61"	E88°17'28.03"
80	Bamonpokhri Forest	Forest	N 26°48'56.87"	E88°16'48.75"
81	Lama Gumba Forest	Forest	N26°49'8.98"	E88°18'42.11"
82	Rohini T.G	Tea Garden	N26°50'22.23"	E88°17'23.70"
83	Selim hill T.G	Tea Garden	N26°50'23.53"	E88°19'8.66"
84	Lizziepur T.G	Tea Garden	N26°52'20.47"	E88°19'52.37"
85	Gayabari T.G	Tea Garden	N26°51'38.04"	E88°19'34.90"
86	Mahal Diram T.G	Tea Garden	N26°54'49.82"	E88°21'2.33"

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87	Toryak Khasmahal	Revenue Village	N26°56'04.1"	E88°20'53.8"
88	Selpu Khasmahal	Revenue Village	N26°56'09.0"	E88°23'55.3"
89	Barasit Tong Khasmahal	Revenue Village	N26°56'10.8"	E88°22'59.5"
90	Rolak Khasmahal	Revenue Village	N26°56'59.0"	E88°24'14.5"
91	Rongchong Khasmahal	Revenue Village	N26°58'2.24"	E88°25'4.18"
92	Kandung Forest Basti	Revenue Village	N26°56'31.12"	E88°25'52.0"
93	Gulling Forest	Revenue Village	N26°57'22.1"	E88°27'01.6"
94	Yang Mukum Khasmahal	Revenue Village	N26°56'08.4"	E88°29'14.5"
95	Paschim Totgaon	Revenue Village	N26°50'26.4"	E88°31'28.4"
96	Purba Totgaon	Revenue Village	N26°50'30.9"	E88°31'31.7"
97	Ellenburry T.G	Tea garden	N26°51'33.2"	E88°32'08.5"
98	Sunderi Basti	Revenue Village	N26°51'17.9"	E88°31'34.6"
99	Kalagaity T.G.	Tea Garden	N26°51'14.5"	E88°32'45.4"
100	Saogaon T.G	Tea Garden	N26°51'05.0"	E88°35'13.9"
101	Saogaon	Revenue Village	N26°49'42.9"	E88°33'52.8"

ANNEXURE -V

Performa of Action Taken Report:- Eco-sensitive Zone Monitoring Committee.

1. Number and date of meetings.
2. Minutes of the meetings: (mention noteworthy points. Attach minutes of the meeting as separate Annexure).
3. Status of preparation of Zonal Master Plan including Tourism Master Plan.
4. Summary of cases dealt with rectification of error apparent on face of land record (Eco-sensitive Zone wise). Details may be attached as Annexure.
5. Summary of cases scrutinised for activities covered under the Environment Impact Assessment Notification, 2006 (Details may be attached as separate Annexure).
6. Summary of cases scrutinised for activities not covered under the Environment Impact Assessment Notification, 2006 (Details may be attached as separate Annexure).
7. Summary of complaints lodged under section 19 of the Environment (Protection) Act, 1986.
8. Any other matter of importance.

**BEFORE THE NATIONAL GREEN
TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA,
WEST BENGAL**

O.A. No. 121/2023/EZ

In the matter of :

Sumanta Ghosh

.....Applicant

-Versus-

The State of West Bengal & Ors.

....Respondents.

EXCEPTION TO THE AFFIDAVIT OF
DM & COLLECTOR, DARJEELING

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