



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO.215/2024/EZ



In The Matter of:

Ashit Das

... Applicant

Versus

The State of West Bengal &  
Ors.

... Respondent(s)

COMMITTEE REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF THE  
RESPONDENT NUMBER 02, THE DISTRICT MAGISTRATE &  
COLLECTOR, PURBA MIDNAPORE

INDEX

| SL No. | PARTICULARS   | ANNEXURE | PAGE  |
|--------|---|----------|-------|
| 1.     | Action Taken Report in the form of Affidavit  |          | 1-6   |
| 2.     | Photocopy of the Report of the Committee dated: 20/1/25 is annexed herewith   | 'R-1'    | 7-9   |
| 3.     | Photocopy of the letter dated 28.01.2025 written by the Member Secretary, West Bengal Coastal Zone Management Authority to the Member | 'R-2'    | 10-12 |

|  |   |  |  |
|--|---|--|--|
|  | Secretary, WBPCB and District Magistrate, Purba Midnapore is annexed herewith |  |  |
|--|---|--|--|

Filed by

*Sibojyoti Chakrabarti*

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: [subho.advocate@gmail.com](mailto:subho.advocate@gmail.com)

(M): 9007035534





BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO.215/2024/EZ

In The Matter of:

Ashit Das

... Applicant



Versus

The State of West Bengal &  
Ors.

... Respondent(s)

COMMITTEE REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF THE  
RESPONDENT NUMBER 02, THE DISTRICT MAGISTRATE &  
COLLECTOR, PURBA MIDNAPORE

I, Vaibhav Chaudhary, Son of Gyan Chand Chaudhary, aged about 36 years, by faith -Hindu, by occupation - Government Service, presently posted as the Additional District Magistrate (LR) & District Land & Land Reforms Officer, (D. L. & L. R.O) Purba Medinipur having office at Ganapatnagar, P.O.- Uttar Sonamui, P.S.- Tamluk, District- Purba Medinipur, Pin- 721648, do hereby solemnly declare and say as follows:-

1. That I am presently posted as the Additional District Magistrate and District Land & Land Reforms Officer, Purba Medinipur and I have

made myself well acquainted with the facts and circumstances of the instant case and have gone through the documents and reports pertaining to the subject matter of the instant Original Application and I am authorized by the respondent number 02 and competent to affirm and swear this affidavit before the Hon'ble Tribunal.

2. That this Committee Report in the form of affidavit is being filed in compliance to the Solemn Order dated 28.11.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench.
3. That in the said Solemn Order the Hon'ble Tribunal has been pleased to constitute a Fact Finding Committee and interlia directed the Committee so constituted to file its report. Accordingly in compliance to the Solemn Order dated 28.11.2024 a Committee was constituted and the said Committee visited the site on <sup>20.01.2025</sup> ~~20.01.2025~~ and <sup>(20.01.2025)</sup> ~~(20.01.2025)~~ had made the following observations. 1/2  
Jhr.

Photocopy of the Committee Report is annexed herewith and marked with the letter 'R-1'.

4. That it is stated that one member of the Committee i.e member nominated by the West Bengal Coastal Zone Management Authority was not present at the time of inspection. Though subsequently it was informed by the Office of the Authority that there is no post of Chief Environment Officer in the said Authority but Dr. Rajarshi



Chakraborty, Environment Officer was subsequently nominated vide letter dated 28.01.2025

Photocopy of the letter dated 28.01.2025 written by the Member Secretary, West Bengal Coastal Zone Management Authority to the Member Secretary, WBPCB and District Magistrate, Purba Midnapore is annexed herewith and marked with the letter 'R-2'.

5. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary Order/Orders as is deemed fit for the ends of justice.

Identified by me

*Sibojyoti Chakrabarti*  
Advocate 27/02/2025  
State of West Bengal

*Vaibhav Chaudhary*  
Deponent  
District Land & Land Reforms Officer  
Purba Medinipur

S.L. NO 02/27/02/2025



SANTOSH KUMAR DATTA  
NOTARY  
90/1A, Hari Ghosh Street  
Kolkata - 700 006  
Regn. No -24 of 1996

Solemnly Affirmed  
&  
Declared before me  
on identification of Advocate

*S. K. DATTA*  
S. K. DATTA  
NOTARY

27 FEB 2025

27.02.2025



VERIFICATION:

I, the deponent herein do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information as per records available in the office and I believe that nothing material has been concealed there from.

Verified at Kolkata on the 27<sup>th</sup> Day of February, 2025.

Identified by me

*Sibajyoti Chakrabarti*  
Advocate 27/02/2025  
State of West Bengal

*Valbhar Chaudhary*  
Deponent  
District Land & Land Reforms Office  
Purba Medinipur



**Report of the Committee constituted by Hon'ble National Green Tribunal, Eastern Zone Bench vide Order dated 28.11.2024 in connection with OA No. 215/2024/EZ in the matter between Sarbani Brahma vs State of West Bengal & Ors.**

In compliance with the Hon'ble National Green Tribunal, Eastern Zone Bench Order dated. 28.11.2024, an inspection of the site was conducted on 20.01.2025 at 1.00 PM by the committee constituted by the Hon'ble NGT comprising of the following members:

1. The District Magistrate, Purba Medinipur or his representative not below the rank of Additional District Magistrate (ADM).
2. The Senior Scientist, West Bengal State Pollution Control Board.
3. The Chief Environment Officer, West Bengal State Coastal Zone Management Authority or any senior Officer nominated by him.

The following officials were present to conduct the enquiry:

1. Sri N.C Barai, AEE, Haldia R.O.
2. Manas Kumar Roy, R.O, BL&LRO, Ramnagar-I.
3. Sri Asit Kumar Giri, R.I, Talgachari-2 Gram Panchayat.
4. Sri Sakti Ranjan Dey, Staff, Office of the BL&LRO, Ramnagar-I.
5. No representative remained present of behalf of WBSCZMA.

**Date and time of enquiry :** 20.01.2025 at 01 p.m to 2 p.m.

**Place of enquiry:** LR Plot no. 446, 453 and 446/455 of Mouza- Tajpur, JL No. 244, PS- Ramnagar, Dist- Purba Medinipur.

During enquiry the following observation were made:

1. It appears that the nature and character of the land in question has been changed by one Mr. Sudip Ghosh, S/o- Lt. Sagar Ghosh, address- 304 C/2, Bagmari Road, Kolkata 700054, violating the provision of section

4C of the WBLR Act, 1955 by constructing a Hotel/Resort namely 'Relax Resort'.

2. Location

| Sl. No. | Points/Corner | Latitude    | Longitude   |
|---------|---------------|-------------|-------------|
| 1       | A             | 21.647284°N | 87.629743°E |
| 2       | B             | 21.64713°N  | 87.62922°E  |
| 3       | C             | 21.647375°N | 87.629776°E |
| 4       | D             | 21.647391°N | 87.629731°E |
| 5       | E             | 21.647919°N | 87.629585°E |
| 6       | F             | 21.647974°N | 87.62931°E  |
| 7       | G             | 21.648517°N | 87.629253°E |
| 8       | H             | 21.648498°N | 87.629167°E |


3. It reveals that Plot no. 446 and 453 are recorded in favour of Sudip Ghosh, S/o- Sagar Ghosh vide LR Khatian no. 1876 of Mouza- Tajpur.
4. A notice under section 4C (5) of the WBLR Act had been issued for restoration of the land in question. The copy of the same had also been forwarded to Officer in Charge, Mandarmani Police Station.
5. The Hotel is orange category having 31 rooms, two Kitchens, a Swimming Pool and a Restaurant with sitting capacity 40 persons. Waste water generated from room washing, kitchen, utensil washing and toilet was finally discharged to soak pit without any treatment. Solid waste in being disposed through panchayat vat as reported by the unit representative. The Hotel already started its activity as reported by the hotel representative.
6. At the time of inspection, the hotel representative could not produce any documents including approved sanction building plan issued by competent authority.
7. The Unit hotel/resort is located at the sea shore of Bay of Bengal. As per as location is concern, it is very difficult to say violation of CRZ rule,


2011 and its amendments time to time or not. It may be mentioned that similar type of construction/ hotel is also found within the close proximity of this hotel.

8. As per water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 every hotel unit must obtain permission (CTE/CTO) from West Bengal Pollution Control Board (WBPCP). The Hotel in question could not be produced the same. Waste water should be discharged outside the unit premises after proper treatment in ETP. Solid waste should be disposed as per Solid Waste Management Rules, 2016. The unit must take permission from WBSCZMA immediately as per CRZ Rules 2011 and its amendments time to time.

The copy of the enquiry report prepared by Block Land and Land Reforms Officer, Ramnagar-I and the copy of the enquiry report submitted by West Bengal Pollution Control Board are annexed here to and marked as 'Annexure A1'.

**Environment Officer  
WBSCZMA**

  
**Senior Engineer and Incharge  
Haldia Regional Office  
SISIR MONDAL  
Environmental Engineer  
Haldia Regional Office  
West Bengal Pollution Control Board**

  
**Additional District Magistrate  
And  
District Land and Land Reforms Officer  
Purba Medinipur.**

Government of West Bengal  
Department of Environment  
Pranisampad Bhavan, 5<sup>th</sup> Floor, LB -2, Sector - III, Salt Lake, Kolkata - 700106

No. EN/2024/3C-03/2025

Date: 28.01.2025

To

- 1] The Member Secretary  
West Bengal Pollution Control Board
- 2] The Controller and District Magistrate  
Purba Medinipur

Sub:- In the matter of O.A. No. 215/2024/EZ (Ashit Das Vs State of West Bengal)

Sir,

With reference to the subject matter, please find enclosed herewith the order passed by the Hon'ble Tribunal Eastern Zone Bench dated 28.11.2024 (copy enclosed).

Vide order dated 21.03.2024, the Hon'ble Tribunal has constituted a Committee comprising of the following members:-

- i) The Senior Scientist, West Bengal State Pollution Control Board;
- ii) The District Magistrate, Purba Medinipur; and
- iii) The Chief Environment Officer, West Bengal State Coastal Zone Management Authority.

However, there is no post / position of the Chief Environment Officer, WBSCZMA. But to maintain the sanctity of the Hon'ble Tribunal's Order's spirit, this is to inform that Dr. Rajarshi Chakraborty, Environment Officer has been nominated to present the said Committee on behalf of WBSCZMA, Government of West Bengal.

This is for your information and necessary action.

Encl: As stated.

Yours faithfully,

*Zohin*

Member Secretary  
WBSCZMA

o/c

**Government of West Bengal**  
**Office of the District Land & Land Reforms officer**  
Purba Medinipur

Vill.- Ganapatinaagar :: P.O.- Uttar Sonamui :: P.S.- Tamluk :: Dist.- Purba Medinipur :: PIN- 721648

Memo. No.: 21 / NGT/215/2024/EZ :: Dated: 14 / 01 / 2025

To

1. The Chief Environment Officer,  
West Bengal State Coastal Zone Management Authority,  
IESWM, DD-24, Sector-I, Salt Lake, Kolkata- 700064
2. Sri Sisir Kr. Mondal, Environment Engineer,  
In charge of Haldia Regional Office of the W.B. Pollution Control Board and  
representative of  
West Bengal State Pollution Control Board,

Sub: to carry out inspection on different sites as mentioned by the  
applicant in OA No.- 215/2024/EZ

Ref: Order dated- 28.11.2024 as passed by the Hon'ble National Green  
Tribunal(Eastern Zone Bench,Kolkata) in OA No.- 215/2024/EZ

Sir,

You are hereby informed that in order to comply with the order dated 28.11.2024 as specified under reference, an onsite investigation will be held on 20<sup>th</sup> January, 2025 at 11 am onwards over the plots as mentioned in the instant Original Application. (Mouza- Tajpur, J.L. No.- 244, Bata-446, Dag No. 446,455 & 453).

Therefore, he is requested to turn up physically or through his nominated representative on that very day.

The solemn Order dated- 28.11.2024 in connection with OA No.- 215/2024/EZ is enclosed herewith for ready reference.

Encl: As stated



Additional District Magistrate(LR) &  
District Land & Land Reforms Officer,  
Purba Medinipur



dllro purba medinipur <dllropm1@gmail.com>

**Compliance of the order dated- 28.11.2024 as passed by the Hon'ble NGT(Eastern Zone Bench) in OA No.- 215 of 2024**

1 message

dllro purba medinipur <dllropm1@gmail.com>

Tue, Jan 14, 2025 at 1:54 PM

To: wbsczma@gmail.com, SISIR MONDAL <aee26.wbpcb-wb@bangla.gov.in>

Sir,  
Pl. download the attachment.

Y/f,

**Office of the ADM & DL&LRO,  
Purba Medinipur.**

=====

**DISCLAIMER:**

(a) The information contained in this e-mail message and/or attachments to it may contain confidential and privileged information. If you are not the intended recipient, any dissemination, use, review, distribution, printing or copying of the information contained in this e-mail message and/or attachments to it are strictly prohibited. If you have received this communication in error, please notify the District Land & Land Reforms Officer, Purba Medinipur. by reply e-mail and immediately delete the message and any attachments permanently.

(b) Computer viruses can be transmitted via email. The recipient should check this email and any attachments for the presence of viruses. The sender accepts no liability for any damage caused by any virus transmitted by this email. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission.

=====

OA(NGT) 215-24.pdf  
1115K

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

ORIGINAL APPLICATION  
NO.215/2024/EZ

In The Matter of:

Ashit Das

... Applicant

Versus

The State of West Bengal &  
Ors.

... Respondent(s)



COMMITTEE REPORT IN THE  
FORM OF AFFIDAVIT ON  
BEHALF OF THE RESPONDENT  
NUMBER 02, THE DISTRICT  
MAGISTRATE & COLLECTOR,  
PURBA MIDNAPORE

SIBOJYOTI CHAKRABARTI  
Advocate  
For The State of West Bengal

Email: [subho.advocate@gmail.com](mailto:subho.advocate@gmail.com)  
(M): 9007035534.