

BEFORE THE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH, KOLKATA****IA NO. 48 /2024****In connection with****ORIGINAL APPLICATION NO. 49/2024/EZ****IN THE MATTER OF:****ANKUR SHARMA****...APPLICANT****VERSUS****STATE OF WEST BENGAL & ORS.****...RESPONDENT(S)****INDEX**

Sl no.	Particulars	Annexure	Page no.
1.	Sur-Rejoinder on behalf of respondent no.10 to the rejoinder of respondent no.11 in I.A. 48/2024		1-14
2.	Minutes of Meeting dated 15 th February, 2011	A	15-18
3.	Complaint letter dated 30 th November, 2007 by Titan Leather Private Limited	B	19
4.	KMDA Report	C	20-22
5.	Extract from the Environment Audit Report (Report no. 17 of 2010-11) prepared by the Comptroller and Auditor General of India	D	23-40
6.	Complaint Letter dated 9 th March, 2006 issued by the Director of Industries, Government of West Bengal to CLCTA	E	41
7.	21 st Status Report and 22 nd Status Report	F	42-57

**BEFORE THE NATIONAL GREEN TRIBUNAL****EASTERN ZONE BENCH, KOLKATA****IA NO. 48 /2024****In connection with****ORIGINAL APPLICATION NO. 49/2024/EZ****IN THE MATTER OF:****ANKUR SHARMA****...APPLICANT****VERSUS****STATE OF WEST BENGAL & ORS.****...RESPONDENT(S)**

**SUR-REJOINDER ON BEHALF OF RESPONDENT NO.10 (M.L.
DALMIYA & CO. LTD.) TO THE REJOINDER OF RESPONDENT
NO.11 in I.A. 48/2024**

I, Nitya Gopal Metiya, son of Late Santosh Kumar Metiya, aged about 54 years, by faith- Hindu, presently working at 32, Shakespeare Sarani, Kolkata- 700017 do hereby solemnly affirm and state as follows:

1. I am an officer working in the respondent no. 10 company and I am well acquainted with the facts and circumstances of the present case. I have received a copy of the "Rejoinder" filed by the respondent no.11 CLC Tanners Association (hereinafter in short referred to as "CLCTA") affirmed by one Md. Zia Nafis on or about 23rd August, 2024 (hereinafter "said rejoinder") to the application of respondent no. 10.
2. I have understood the contents, purport and scope of the said rejoinder. I have been duly authorised by the respondent no. 10 to

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affirm this sur-rejoinder on its behalf and as such, I am competent to do so. At the outset it is submitted that the answering respondent denies the contents, averments pleaded in the said rejoinder unless specifically admitted.

3. With reference to statements made in paragraph 1-3 of the said rejoinder save and except what are matters of record and admitted facts, all allegations contrary thereto and inconsistent therewith, are denied and disputed. It is denied that the application of respondent no.10 is misconceived and bad in law and not maintainable in law and on the facts and thus deserves to be dismissed with exemplary costs as alleged or at all.

4. With reference to statements made in paragraph 4 and the subparagraphs of the said rejoinder save and except what are matters of record and admitted facts, all allegations contrary thereto and inconsistent therewith, are denied and disputed. I repeat and reiterate the statements made in paragraph 1 of my application. It is denied that it is incorrect and misleading to assert that consequent upon execution of the Tripartite Agreement dated 18th May, 2005 between the Government of West Bengal, the answering respondent and respondent no.11, the answering respondent is involved with the various pollution controlling infrastructure, effluent discharge systems at the Calcutta Leather Complex (hereinafter referred to as CLC) as alleged or at all.

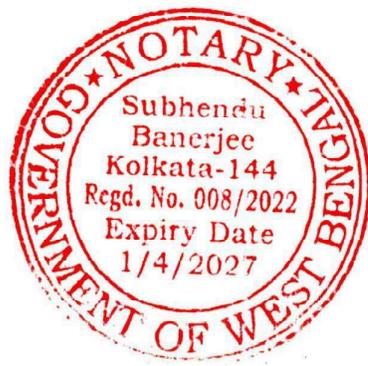
5. With reference to statements made in paragraph 4(i) and 4 (ii) I say that the various infrastructures located in the tannery zone of the Calcutta Leather Complex has been handed and transferred over to the CLCTA for its operation and maintenance in the year 2005 at the behest of the Government of West Bengal. The Effluent Transport System (ETS) as well as all other infrastructures relating to discharge and treatment of effluents was handed over to CLCTA as per the Tripartite



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Agreement dated 18th May, 2005. I say that the respondent no.10 has no longer any role with regard to the infrastructure located in the tannery zone at the leather complex.

6. With reference to statements made in paragraph 4(iii) it is denied that the answering respondent has failed to discharge its responsibilities satisfactorily and properly and is also accountable and liable for contributing in causing pollution as alleged or at all. It is denied that the answering respondent is a necessary and proper party in the instant case as alleged or at all. I say that the Storm Water Canals located in the tannery zone is connected to the Storm Water Flow Canal located outside the complex through portions which fall in the non-tannery zones. However, it is pertinent to mention that no effluent is supposed to be discharged in the storm water canals by the tanneries since all such effluent is required to be sent to the CETP for proper treatment as per the pollution control norms. It is also important to note that effluent is generated by the tanneries located in the tannery zone and no effluent is discharged in the non-tannery zones located outside the tannery zones. Other than the Storm Water Canals, the infrastructures located in the tannery zones are independent and separate from that of the non-tannery zones. The entire effluent that is generated in Calcutta Leather Complex is within the tannery zones where all the tanneries are located and the processes for transportation of the effluent to the treatment plant is also located within the tannery zones and the treatment plants where such effluent is treated is also located there. All such infrastructures in the tannery zones had been handed over to CLCTA for operation, maintenance and all other attended responsibilities at the behest of the Government of West Bengal in or about 2010 (except ETS which was handed over in 2005) and more than 15 years have passed since then. Since 2010 all such



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infrastructures are operated and maintained by CLCTA and the Respondent no. 10 has no role in it whatsoever.

7. I state that in a meeting held on 15th February, 2011 in the Conference Room of the Commerce and Industries Department, it was discussed that the respondent no. 11 would have to manage, maintain and operate the ETS Network more professionally. From the minutes of such meeting it would be evident that there were illegal borewells dug up by tanners and the respondent no.11 was asked to ensure that all pre-treatment activities are followed by the tanneries as per the parameters set down for pollution which includes sealing of illegal borewells from which the tanners have been drawing water indiscriminately, prevention of spillage of untreated / half treated effluent into the storm water canals and in the adjoining CETP areas and under-taking tanning activity within the licensed processing capacity of each tannery. Further on, the WB Pollution Control Board was directed to take actions of closure if any tannery is found to be violating the norms. **A copy of the minutes of the meeting dated 15th February, 2011 is annexed hereto and marked as Annexure - "A".**

8. I further state that as per the instructions of the Government of West Bengal between the years 2010 and 2012, the storm water systems in the tannery zones, entire water supply pipeline network in Zones 1 to 9 as well as all process and drinking water, pumping stations building (inclusive of plants and amenities, DG Sets, Pumps etc.), overhead tanks, purification plants and tube wells located in Zones 1 to 9 of Calcutta Leather Complex inclusive of all electrical connections appliances meters etc. were handed over to CLCTA in the presence of Directorate of Industries for operation and maintenance and all other attended responsibility. Similarly, all internal roads (inclusive of carriage way, shoulders and adjoining areas for providing greeneries and other items) as well as street light system which includes polls and



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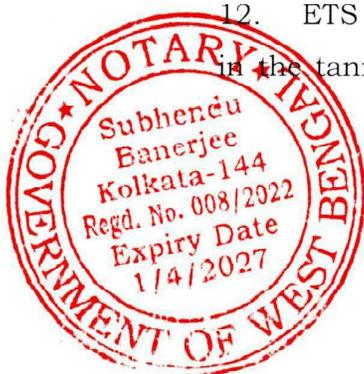
related infrastructure in Zones 1 to 9 were handed over to CLCTA for operation and maintenance and all other attended responsibility.

9. At this stage it is pertinent to mention that one of the reputed tanneries located in the tannery zone, namely Titan Leather Private Limited by a complaint dated 30th November, 2007 stated that many tanneries in and around their plot have raised their gunny pits (manholes) by a few feet and that some of the tanneries had concretized the road shoulders of the entire stretch of the boundary wall. The said Titan Leather Private Limited had complained to the answering respondent that such a situation would pose serious difficulties in the future including flooding of the sewer in adjoining areas. **A copy of the complaint letter dated 30th November, 2007 by Titan Leather Private Limited is annexed hereto and marked as Annexure – “B”**

10. With reference to statements made in paragraph 4(iv) It is denied that the answering respondent has developed brick based ETS without laying down pipes in complete deviation from specifications in DPR which provides for laying down of HDPE pipes as alleged or at all. It is denied that in 2015 it was detected that no HDPE pipes or any other pipes were laid down as alleged or at all.

11. I say that the ETS is the system of removal of pretreated highly toxic effluents from the work areas to the Common Effluent Treatment Plant. ETS is a procedure of removal of pretreated extreme toxic effluents from the work areas to the Common Effluent Treatment Plant (CETP). As the production and manufacturing of leather requires huge amount of water and the wastage is also of huge quantity the said process is used to treat and flush out the waste water from the tanneries and other leather allied units.

12. ETS at the CLC comprises of several kilometer of pipelines set up in the tannery zones. Zones 1 to 8 itself consist of more than 14 KM



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(fourteen kilometers) of pipelines, 5 KM (five kilometers) of pressure pipelines and 5 pumping stations. CLC also has nearly 1000 manholes in the tannery zones only.

13. I further state that the ETS was constructed strictly in accordance with the Detailed Project Report (DPR) which was approved by both the Government of West Bengal and the Ministry of Environment, Government of India after due examination by KMDA. In fact, the Ministry of Environment and Forests, Government of India after approving the said DPR of the ETS sanctioned the money required for execution of the said ETS. In the case of construction of the ETS, the role of the answering respondent was restricted to that of a contractor and that the answering respondent merely executed the work as per the design approved by the Government of West Bengal and the Ministry of Environment, Government of India.

14. I say that there are supervision reports of KMDA (on behalf of Government of West Bengal) that state that the necessary infrastructure required for commencement of tannery activities are ready in tannery zones of Calcutta Leather Complex. The progress of the work had also been monitored by the Hon'ble Supreme Court of India on a regular basis. I say that while the work was in progress, the same was continuously monitored by KMDA and the said authority has, inter alia, recorded the following:

"Sl no.2 - The laying of sewer line as per revised DPR of the ETS measuring about 14,000 Meters (14 KM) is complete.

Sl no. 7 - 5 nos. EPS are falling between Zones 1 to 8 as per the revised design of the ETS. All those are commissioned and ready for functioning.



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Sl no. 11 - Laying of pressure lines measuring about 5 KM from 5 nos. ETS falling under Zones 1 to 8 up to the inlet chamber of the CETP is complete and found working.

It was found from the above that almost all the on-site infrastructure works required for running the leather project is complete so far as Zones 1 to 8 are concerned.”

The aforesaid observations of KMDA are enclosed in its report, copy whereof is annexed hereto and marked as Annexure – “C”.

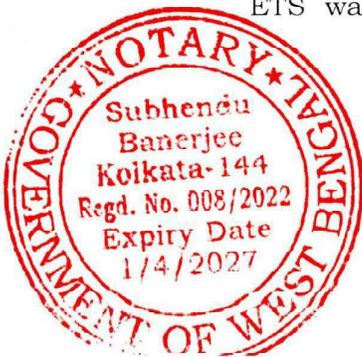
15. In terms of the KMDA report, it is amply proved that the ETS very much exists in the entire land where the tanneries were located.

16. In addition, in an Environment Audit Report (Report no. 17 of 2010-11) prepared by the Comptroller and Auditor General of India (CAG) in the year 2010–2011 the report observes that the ETS has been completed. **A copy of the extract from the Environment Audit Report (Report no. 17 of 2010-11) prepared by the Comptroller and Auditor General of India (CAG) is marked and annexed herewith as Annexure “D”.**

17. The answering respondent repeats and reiterates that the entire work of construction of the ETS was carried out as per the approved design and under the strict supervision of the KMDA.

18. Subsequently, the Government of West Bengal decided to handover the system from the answering respondent to the respondent no. 11 in the year 2005. Accordingly, a Tripartite Agreement dated 18th May, 2005, was executed whereby the responsibility of operation and maintenance of ETS and SWD lies with the respondent no. 11.

19. I say that from May 2005 - November 2005 the entire system of ETS was handed over to the respondent no.11 and thereafter the



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answering respondent had no obligations. Prior to the handing over the ETS system, between the periods 2002 - 2005 there was no whisper of allegation regarding the construction and / or work of the answering respondent.

20. I say that while it has been wrongfully stated in the re-joinder that the ETS system was 'pipe-less', the Director of Industries, Government of West Bengal by its letter dated 9th March, 2006 addressed to the General Secretary, CLCTA had stated that the tanneries were not maintaining the ETS properly and that they were discharging pieces of hides and other non-soluble wastes into the ETS which again would, inter alia, result in the choking of the CETP system as also destroy the entire network to de-pollution. **A copy of the letter dated 9th March, 2006 issued by the Director of Industries, Government of West Bengal to the General Secretary, CLCTA is annexed hereto and marked as Annexure - "E".**

21. With reference to statements made in paragraph 4(v) I say that the Police Station Case No. 90/2015 dated 15th April, 2015 so filed by the petitioner is motivated and is seeking to cover up their own wrong doings as already stated above. I say that the proceedings are pending before the Learned Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas and the police authorities had filed a Final Report No. 5/2023 dated 23.03.2023 stating that "Not charge sheeted for want of evidence". Respondent no. 10 craves leave to refer the Final Report No. 5/2023 dated 23.03.2023 at the time of hearing, if necessary.

22. With reference to statements made in paragraph 4(vi) it is denied that the answering respondent had surreptitiously transferred portion of one of the water-bodies in CLC and an attempt was made to fill-up such portion as alleged or at all. I say that no portion of the water bodies was transferred at any point of time. I say that all the water

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bodies at the Calcutta Leather Complex was created by the respondent no.10. Save what appears from the orders passed by the Hon'ble High Court at Calcutta in W.P.A No. 30367 of 2015 any other interpretation is denied and disputed.

23. With reference to statements made in paragraph 5 of the said rejoinder save and except what are matters of record and admitted facts, all allegations contrary thereto and inconsistent therewith, are denied and disputed. I repeat and reiterate the statements made in paragraph 2 of my application. It is denied that the answering respondent has failed and neglected to complete the onsite infrastructures as per approved Detailed Project of CLC as expressly agreed in the BOT Agreement as alleged or at all. Save what appears from the orders passed by the Hon'ble High Court at Calcutta in W.P.A No.24909 of 2008 and W.P.A 8239 of 2015 all allegations, interpretation inconsistent or contrary to the orders is denied and disputed as alleged. I say that there are supervision reports of KMDA that state that necessary infrastructures required for commencement of tannery activities are ready in tannery zones of Calcutta Leather Complex. The progress of work had also been monitored by the Supreme Court on a regular basis. In the year 2002, the Government of West Bengal had filed a report before the Hon'ble Supreme Court of India stating that the basic infrastructure in the tanning zones are complete.

24. With reference to statements made in paragraph 6 of the said rejoinder save and except what are matters of record and admitted facts, all allegations contrary thereto and inconsistent therewith, are denied and disputed. It is denied that the 5th and 6th Modules of CETP for treating effluent waste has not been constructed. At present, there are 8 CETP Modules all of which have been constructed by the Government of West Bengal and are functioning at the CLC. The allegation that the answering respondent failed to construct the CETP is



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baseless. I state that initially the 5th & 6th Modules of CETP could not be undertaken because of the malafide acts of the petitioner and its members of dumping sludge in the area where the said CETP 5th & 6th Modules were to be constructed. However, presently the CETP 5th & 6th Modules have been constructed and a further 7th & 8th Modules of CETP is functioning. Save what appears from the orders passed by the Hon'ble Supreme Court in PIL W.P (Civil) No. 3727 of 1985 any other interpretation is denied and disputed.

25. With reference to statements made in paragraph 7 of the said rejoinder save and except what are matters of record and admitted facts, all allegations contrary thereto and inconsistent therewith, are denied and disputed. I repeat and reiterate the statements made in paragraph 3 of my application. It is denied that the grant of lease is part of lawful consideration for developing all onsite infrastructures as per approved DPR of CLC and for discharging financial obligations of the Government of West Bengal in the CLC project as expressly agreed upon in the BOT Agreement as alleged or at all. It is denied that the answering respondent has failed to complete the development of all onsite infrastructures as alleged or at all. I say that while the work was in progress, the same was continuously monitored by KMDA. The 21st Status Report dated 21st November, 2002 prepared and submitted by the Government of West Bengal before the Hon'ble Supreme Court of India in W.P. Civil No. 3727 of 1985 clearly states that almost all the on-site infrastructure works required for running the leather project is complete so far as Zones 1 to 8 are concerned. **A copy of the 21st Status Report and 22nd Status Report is annexed hereto and marked as Annexure - "F".**

26. With reference to statements made in paragraph 8 of the said rejoinder save and except what are matters of record and admitted facts, all allegations contrary thereto and inconsistent therewith, are



denied and disputed. I repeat and reiterate the statements made in paragraphs 4,5 and 6 of my application. I say that the construction of the Solid Waste Management System (SWMS) and Modules 5 & 6 of the CETP is to be carried by the Government of West Bengal. I say that the construction of SWMS the system through which solid waste is generated from the tanneries and also the sludge generated from the primary treatment plant of the tanneries and CETP are sent to a designated land fill site for safe management and disposal as per norms prescribed by the appropriate authorities is that of the Government of West Bengal as an off-site infrastructure and does not concern the answering respondent. I say that KMDA is looking after functioning of the CETP Modules.

27. With reference to statements made in paragraph 9 of the said rejoinder the same does not concern the answering respondent and I refrain from dealing with the same.

28. With reference to statements made in paragraph 10 and 11 of the said rejoinder save and except what are matters of record and admitted facts, all allegations contrary thereto and inconsistent therewith, are denied and disputed. I repeat and reiterate the statements made in paragraph 7 and 8 of my application. It is denied that Canals, Water Bodies, Storm-water Drainage, Storm Water Lock-Gate with pumping system, greenery are part of the overall pollution controlling infrastructures mechanical or otherwise as alleged or at all. Instead, it is the Common Effluent Treatment Plant (CETP), Effluent Transport System (ETS), Common Chrome Recovery Unit (CCRU), Solid Waste Management System (SWMS) that form the fulcrum of the pollution controlling infrastructures in CLC. I say that the CLCTA is the body that is entrusted with operation and maintenance and attended responsibilities of such infrastructure as would be evident from the 'tripartite agreement'. It is denied that the answering respondent is a

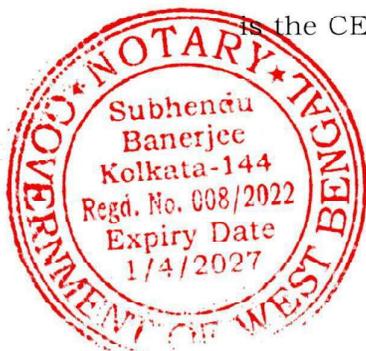


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necessary and proper party in the present proceedings and name of the answering respondent should not be deleted or struck out as alleged or at all.

29. With reference to statements made in paragraph 12 of the said rejoinder save and except what are matters of record and admitted facts, all allegations contrary thereto and inconsistent therewith, are denied and disputed. I repeat and reiterate the statements made in paragraph 9 of my application. I say that the cause of action in the present petition is regarding pollution being caused by the tanneries at CLC. It is denied that there has been any faulty and sub-standard work of ETS carried out by the answering respondent in deviation from DPR of CLC as alleged or at all. It is denied that there has been any laying down of ETS pipes afresh and ongoing work of laying down pipes has indeed disrupted transportation of effluent worsened by rainwater as alleged or at all. It is denied that answering respondent is responsible for maintaining and operating infrastructures described in the preceding paragraph as alleged or at all; rather it is the respondent no.11 who is responsible in terms of the 'Tripartite Agreement'. I say that the ETS was constructed by the respondent no.10 strictly in accordance with the Detailed Project Report (DPR) as already stated hereinabove the same is relied upon.

30. With reference to statements made in paragraph 13 of the said rejoinder save and except what are matters of record and admitted facts, all allegations contrary thereto and inconsistent therewith, are denied and disputed. I repeat and reiterate the statements made in paragraphs 10 and 11 of my application. It is denied that Canals, Water Bodies, Storm-water Drainage, Storm Water Lock-Gate with pumping system, greenery are part of the overall pollution controlling infrastructures mechanical or otherwise as alleged or at all. Instead, it is the CETP, ETS, CCRU, SWMS that form the fulcrum of the pollution



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controlling infrastructures in CLC. CLCTA is the body that is entrusted with operation and maintenance and attended responsibilities of such infrastructure. It is denied that respondent No.10 is a necessary and proper party in the present proceedings and name of the respondent no.10 should not be deleted or struck out as alleged or at all.

31. With reference to statements made in paragraph 14 - 17 of the said rejoinder save and except what are matters of record and admitted facts, all allegations contrary thereto and inconsistent therewith, are denied and disputed. I repeat and reiterate the statements made in paragraphs 12 to 15 of my application. It is denied that the answering respondent is the responsible person for the maintenance and running of the pollution controlling infrastructure in CLC as alleged or at all. I say that the CLCTA is operating and managing the infrastructures as morefully stated in the tripartite agreement. It is denied that the application if liable to be dismissed in limine with exemplary cost as alleged or at all.

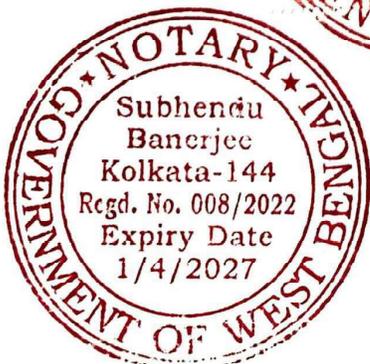
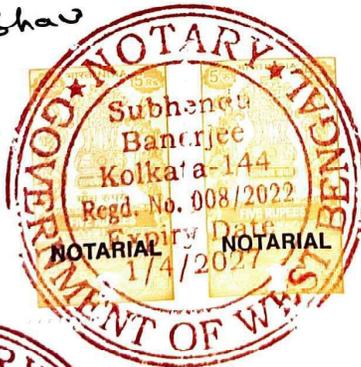
32. That the statements made in paragraph 1 to 25 in the instant affidavit are true to my knowledge, which also includes information derived from records, which I believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

Prepared in my office & identified by me

B. Kash Shaw

Bikash Shaw

Advocate



Udayagopal Motiya

Deponent

Solemnly Affirmed and
Declared before me u/s
139 CPC and u/s 333BNSS 2023

Banerjee
Notary
Govt. of West Bengal

SUBHENDU BANERJEE
Notary, Govt. of W.B
Regd. No. 008/2022
Advocate High Court, Calcutta

23 JUL 2025



ANNEXURE- "A"

Government of West Bengal
Commerce & Industries Department
Commerce Branch

4, Abanindranath Tagore Sarani (4, Camac Street), Kolkata - 700 016

No. 96(5)-C/O/IT(CLC)CANAL/011/10/Com

Date : 02.03.2011

From : Ms. Mousumi Guha Roy, WBCS(Exe)
OSD & Ex-officio Deputy Secretary,
to the Government of West Bengal

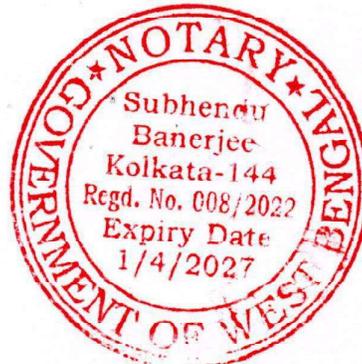
- To :
1. The Principal Secretary
to the Government of West Bengal,
Information & Technology Department,
4, Camac Street, (7th Floor),
Kolkata - 700 016.
 2. The District Magistrate
South 24 Parganas,
Allpore,
Kolkata.
 3. The Director of Industries
West Bengal,
New Secretariat Buildings (4th Floor),
1, K S Roy Road,
Kolkata - 700 001.
 4. The General Secretary
CLC Tanners' Association,
CETP Administrative Buildings,
Karaidanga, CLC,
South 24 Parganas
Pin - 743502.
 5. The Chairman
M. L. Dalmiya & Co. Ltd.,
32, Shakespeare Sarani,
Kolkata - 700 017.

Sub : Minutes of the meeting dated 15.02.2011 on CLC related matters

Sir,

I am directed to send herewith a copy of the duly approved minutes of the meeting chaired by the Hon'ble Minister-in-charge, Commerce & Industries Department, Government of West Bengal on 15.02.2011 on issues related Calcutta Leather Complex (CLC) for your information and taking necessary action.

J. Roy Yours faithfully,
OSD & Ex-officio Deputy Secretary
to the Government of West Bengal
Phone - 033 2282 0864 ; Telefax - 033 2282 0789





Minutes of the meeting held on 15.02.2011 in the Conference Room of the Commerce & Industries Department at 4, Abanindranath Tagore Sarani (4, Camac Street), Kolkata - 700 016 on issues related to Calcutta Leather Complex (CLC)

Present : As in the attendance sheet annexed.

The Hon'ble Minister-in-Charge, Commerce and Industries Department took the chair, Hon'ble Minister-in-charge, IT Department was also present.

Discussion on the following issues to OK place:

- Functioning and maintenance of CETP Network.
- Maintenance of Pollution-free environment in CLC.
- Segregation of canals within CLC.
- Central Water Supply System.

After a thorough deliberation the following decisions were taken:

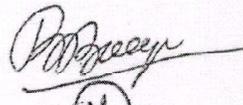
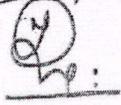
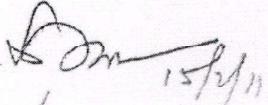
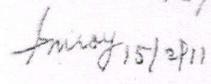
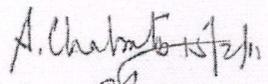
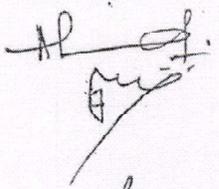
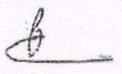
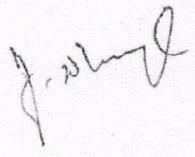
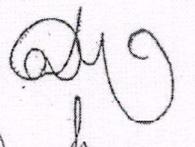
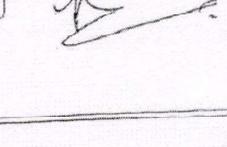
- The CLC Tanners Association will have to manage, maintain and operate the CETP Network more professionally and the West Bengal Pollution Control Board (WBPCB) shall monitor the proper functioning of the CETP Network regularly with appropriate advice and/or direction to the CLCTA. Commerce and Industries Department should be kept posted with every development with regard to functioning of CETP network at regular intervals positively.
- The CLC Tanners Association will ensure that all pre-treatment activities are followed by the tanneries and all parameters set down for pollution control are followed. These include the sealing of illegal bore wells which have been drawing water indiscriminately, prevention of spillage of untreated/half-treated effluent into the storm water canals and in the adjoining CETP areas and under-taking tanning activity within the licensed processing capacity of each tannery. The West Bengal Pollution Control Board (WBPCB) shall take action of closure if any tannery is found to be violating norms. Action taken in the matter should be communicated to the Commerce & Industries Department.
- The proposed scheme of segregation of the storm water canals as drawn up by M.L. Dalmiya & Co., now under implementation, will be a temporary arrangement which will exist only for the time the storm water canals are contaminated with untreated effluent. The drawing of the scheme which was handed over to CLC Tanners Association by M.L. Dalmiya & Co. during the meeting will be examined by the CLCTA and the Association will have to give their opinion on it within seven days from this day i.e. 15.02.2011 to the District Magistrate, South 24 Parganas. However, work on the scheme will continue as this scheme envisages the diversion of polluted water in the canals away from the non-tannery/IT Zones which have been protesting vehemently against the pollution and discomfort being caused by the exposed stagnant, effluent mixed water in the canals.
- All tubewells required for supplying 30 mld. of water to the tanneries will have to be constructed within the first week of March, 2011 and the number of tubewells required for supplying 20 mld. water will be handed over to CLCTA within February, 2011.

There being no other issues to be discussed the meeting ended with thanks to and from the chair.



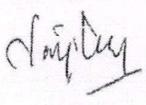
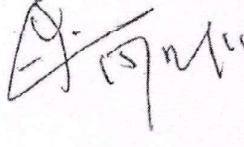
Sd/-
(Nirupam Sen)
Minister-in-charge
Commerce & Industries Department

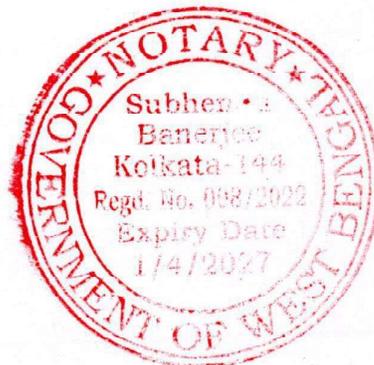
Meeting on CLC to be held on 15.02.2011 in the
Conference Room of 4, Camac Street, Kolkata - 700 016.

Sl. No.	Name with Designation	Signature
1.	Shri Nirupam Sen, MIC, CCI	
2.	Shri Debesh Das, MIC, IT.	
3.	Shri Dipankar Mukhopadhyay Asst. Secy, CCI	
4.	Basudeb Banerjee, Pr. Secy, Dept of IT, Govt of WB	
5.	Narayan Nigam, DM, Section 24	
6.	Isan Chandra Jit. Secy CCI	
7.	Mansur Gha Ray Asst. Secy, Dept. of CCI	
8.	Sanjukta Chakraborty OSD CLC + Jt. Director Industries.	
9.	Javed Akter PLC	
10.	Shri Yashy. CLCTA Genl Secy.	
11.	MD. Ahmed CLCTA C-CLCTA. w. President.	
12.	IFTAKHAR NAJAM CLCTA President	
13.	Rasem Tameer M.C. Dalvi & Co. CA	
14.	JAGMOHAN JACHMIA M.C. Dalvi & Co. CA	
15.	ASHISH BANERJEE Kolkata-144 Regd. No. 008/2022 Expiry Date 1/4/2027	
16.	P. K. T.	



Meeting on CLC to be held on 15.02.2011 in the
Conference Room of 4, Camac Street, Kolkata - 700 016.

<u>Sl. No.</u>	<u>Name with Designation</u>	<u>Signature</u>
17	Swarup Roy, BEM IT Promotion Cell	
18.	Sheri Ulford Mukherjee Director of Industries, WB	



Titan Leathers Pvt. Ltd.

Regd. & H.O. : 2A, Golam Jilani Khan Road,
Kolkata - 700 039
Phone : 033 - 2343 4859
Fax : 033 - 2343 4947
E-mail : titan1@vsnl.net

ANNEXURE- "B"

Ref : TL/MLD&C/2007-2008

Date : 30th November, 2007.

To
M/s. M.L. Dalmiya & Co. Ltd
32, Shakespeare Sarani,
KOLKATA - 700 017

Dear Sir,

Re. : Road and Drainage.
Ref. : Zone - II, Plot No. 165 Kolkata Leather
Complex, Karaidunga, 24 Parganas(S).

One of your representatives visited our site to inspect the road conditions and agreed to rectify the road immediately after the clogged drainage is cleared.

We were one of the early units to built our factory shed. We were categorically told not to infringe on the road or on the shoulders. We find to our dismay, many units adjoining ours have raised the gully pits by a few feet above the zero level and many others have concretised the shoulders near their entrance or the entire stretch of their boundary. All these will pose serious difficulties in future when the drainage systems have to be cleaned or when pipes have to be replaced. Raising of gully pit level in some tanneries will result in flooding of sewerage in adjoining lower level systems.

There has been in apparent attempt to blame or pass the responsibility to one or another, but the fact remains that conditions require far greater attention by all concerned.

We are endorsing a copy of this letter to CLC Tanners' Association, Kolkata, with the fervent hope that due attention is immediately paid to resolve the above said infrastructure problems.

Thanking you,

Yours faithfully,
For TITAN LEATHERS PVT. LTD.

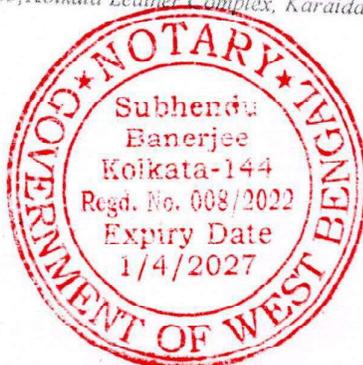


D.L. NARAYAN
Manager Administration

c.c. to : CLC Tanners' Association
Kolkata.

for information

Tannery : Zone-II, Plot No. 165, Kolkata Leather Complex, Karaidanga, 24 Parganas(S). Ph : 3292-3154





Kolkata ✕
Metropolitan
Development
Authority

ANNEXURE - "C"

Unnayan Bhawan, Bidhan Nagar, Kolkata-700 091

G.D.N.S. SECTOR, L- BLOCK, 2nd FLOOR
 UNNAYAN BHAVAN
 OFFICE OF THE CHIEF ENGINEER
 SALT LAKE CITY, CALCUTTA :- 700 091

REPORT ON SUPERVISION OF
 WORKS OF CALCUTTA LEATHER COMPLEX PROJECT
 AS ON 31.10.2002

The quantum of different infrastructure works related to the CLC project was first visualized with reference to the DPR dated September 1996 handed over to KMDA by the Govt. of West Bengal. But during execution of the works at site it was noticed that the zoning pattern, locations etc. were changed abruptly, which caused a huge deviation of the certain individual items of works. It is found that as per practical implementation of the project some of the items viz. process water line, sewer line, storm were line, drinking water line etc. were required on the higher side than that provided in the DPR. However, the latest status of the project including all infrastructure works falling within zone 1 to 8 are as follows:

1. ROADS: About 16.6 Km of bituminous road has been executed by the BOT party which falls under zones 1 to 8. Besides those roads, the trunk roads connecting the State Highway to the individual zones as above measuring about 4 Km has also been constructed. But all these roads are yet to be more strengthened with use of bituminous macadam and asphaltic concrete as per the design requirement after plying of vehicle in sufficient quantity.

Beyond these quantity, about 9 Km of roads are completed up to WBM stage with one stabilizing coat, for the time being.

However, for all cases, special attention is to be taken by the BOT party for upkeep and maintenance of the roads for the smooth running of the vehicular traffic.

2. SEWER LINE: The laying of sewer line as per revised DPR of the ETS measuring about 14000m is complete.

3. RAW WATER LINE: The entire area under zone 1 to 8 are covered with 25000m of raw water line, the pump houses for which are built and ready for operation.

4. STORM WATER LINE: About 23.5 Km of storm water line has been laid which will serve the entire area under zone 1 to 8.





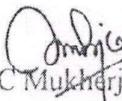
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Unnayan Bhawan, Bidhan Nagar, Kolkata-700 091

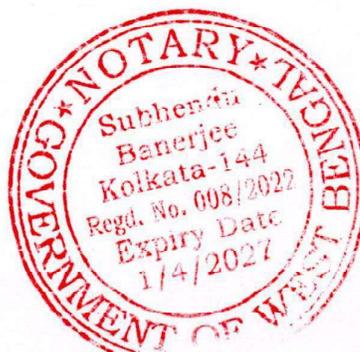
5. **DRINKING WATER LINE:** 26.3 Km of drinking water line has been laid which will serve the total area under zone 1 to 8. The source of the same is ready.
6. **OVER HEAD RESERVOIRS:** 4 nos. of OHR are commissioned and found to be functioning for supply of water to zone 1 to 8 for drinking purpose.
7. **EFFLUENT PUMPING STATIONS:** 5 nos. of the EPS are falling under zone 1 to 8 as per the revised design of ETS. All those are commissioned and ready for functioning.
8. **RAW WATER PUMPING STATIONS:** 3 nos. of RWPS will serve the area under zone 1 to 8 and they are ready for supply of raw water through the pipes already laid.
9. **STORM WATER PUMPING STATION:** 2 nos. of SWPS are constructed which will take care for the present situation against flooding.
10. **DEEP TUBE WELLS:** So far 8 nos. of deep tube wells are sunk yielding about 12MLD which found during testing.
11. **PRESSURE LINE:** Laying of pressure lines measuring about 5 Km from 5 nos. EPS falling under zone 1 to 8 up to the inlet chamber of the CETP is complete and found working.
12. **EFFLUENT DISCHARGE LINE:** About 1400m of one no. HDPE pipe of 400 mm dia has been laid up to the discharge point.

It is found from the above that almost all the on-site infrastructure works required for running of the leather project is complete so far as the zone 1 to 8 are concerned. But if the entire system remains idle for a long time then there is a possibility of getting the mechanical equipments junk which may result in future a huge financial burden.


 (S C Mukherjee) 11/12/2022

Superintending Engineer (Circle-II)

GDNS Sector, CMDA. & Nodal Officer, CLC Project.





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**Kolkata
Metropolitan
Development
Authority**

Unnayan Bhawan, Bidhan Nagar, Kolkata-700 091

Memo No: 1139 / CMDA/ GD/ C-20

Date : 11.11.2002

Forwarded for information and necessary action to :-

The Director of Industries, Govt. of West Bengal, New Secretariate Building, (9th floor), 1, K. S. Roy Road, Calcutta- 700 001.

(S C Mukherjee)

Superintending Engineer (Circle-II)

GDNS Sector, CMDA. & Nodal Officer, CLC Project.

Memo No:1139 (5) /CMDA /GD / C-20

Date:11.11.2002

Copy forwarded for information to :-

1. The Chief Executive Officer, CMDA.
2. The Secretary, CMDA.
3. The Chief Engineer, GDNS Sector, CMDA.
4. The Joint Secretary, Cell-K, C& I Deptt., Govt. of West Bengal, Writers' Building, 1st Floor, Kolkata- 700 001.
5. The Executive Engineer, Plng. Circle, GDNS, CMDA.

(S C Mukherjee)

Superintending Engineer (Circle-II)

GDNS Sector, CMDA. & Nodal Officer, CLC Project.

Memo No:1139 (6) /CMDA /GD / C-20

Date:11.11.2002

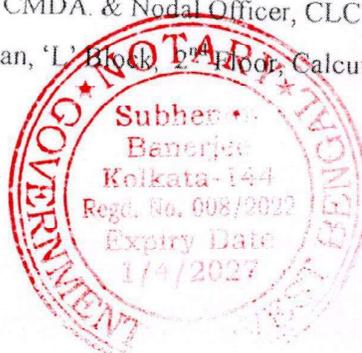
Copy forwarded for information to :- Sri Biman Basu, Project Co-Ordinator, CLC Project, C/O M/S M L Dalmiya & CO. Ltd. 32, Shakespeare Sarani, Calcutta- 700 017.

(S C Mukherjee) 11/11/2002

Superintending Engineer (Circle-II)

GDNS Sector, CMDA. & Nodal Officer, CLC Project.

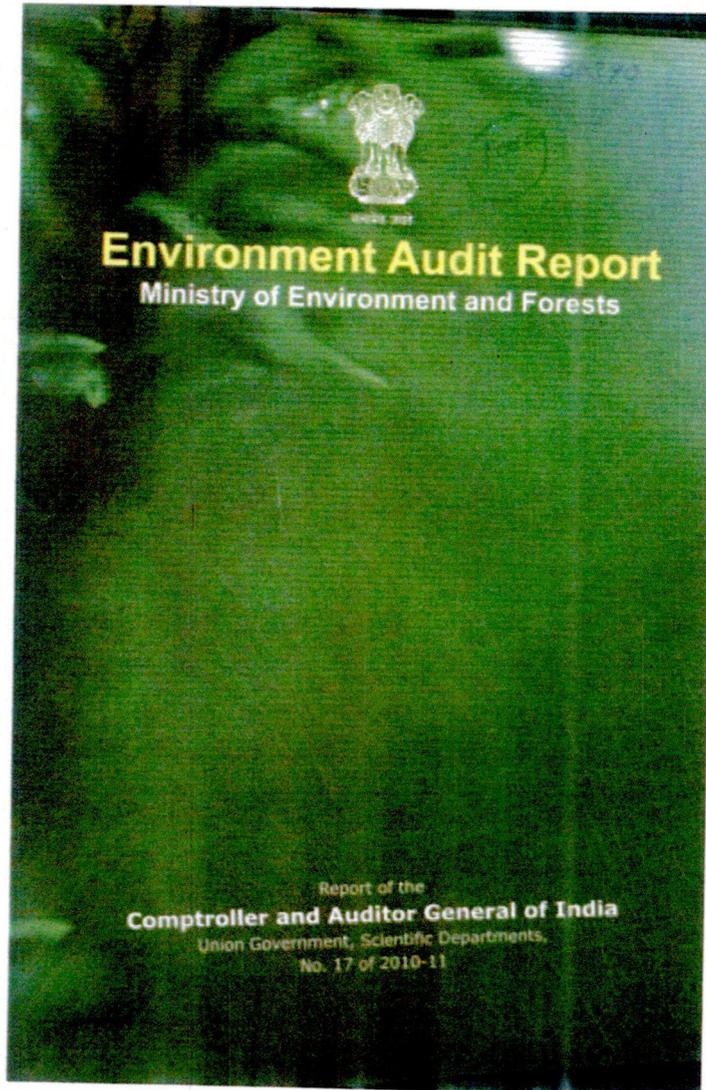
Unnayan Bhawan, 'L' Block, 2nd Floor, Calcutta-700 091



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ANNEXURE - ¹⁰ D ¹¹



Annexure.....
 to in paragraph.....
 foregoing petition affirmed
 by.....
 on the.. Day of..

Commissioner of Affidavit
 High Court, Appellate Side
 Calcutta



Chapter - 4

THEME: POLLUTION CONTROL

Pollution Control is the process of reducing or eliminating the release of pollutants (usually man-made) into the environment. It is regulated by various environmental agencies that establish limits for the discharge of pollutants into the air, water and land. Non compliance to the laid down standards for pollution control poses risks to human health and the environment.

4.1 Non-achievement of objectives of Ecocity Programme

Central Pollution Control Board (CPCB) initiated the 'Ecocity Programme' at a total cost of ₹30 crore under the Tenth Five Year Plan for implementation in six cities which were selected for the first phase of the programme in view of their cultural/historical/heritage and tourism importance. Works undertaken under the programme remained incomplete in all selected six cities and ₹1.88 crore was lying unspent with State Pollution Control Boards for over seven years. Thus, the objectives of the programme which was to improve the environment and bring in visible results through implementation of identified environmental improvement projects in selected towns and cities were not achieved.

4.1.1 Introduction

Central Pollution Control Board (CPCB), a statutory organisation under the Ministry of Environment and Forests (MoEF), conceptualized an 'Ecocity programme', the overall objective of which was to improve the environment of selected cities and bring in visible results in environment through implementation of identified environmental improvement projects. The programme, in the long run, was expected to help create awareness and local dynamics for decreasing environmental burden/stress, improving living conditions and help in achieving sustainable development in the city through a comprehensive urban improvement system. CPCB initiated the 'Ecocity Programme' at a total cost of ₹30 crore under the Tenth Five Year Plan, for the period 2002-07.

Keeping in view the cultural/historical/heritage and tourism importance of the cities/towns, 12 cities/towns⁵⁸ were selected for implementation of the Ecocity programme, in the first phase. However, the programme was initiated in only six towns viz: Ujjain, Puri, Tirupati, Kottayam, Vrindavan and Thanjavur. More towns were to be covered later, based on the results from these towns.

(i) Implementation of the programme

The Ecocity programme was to be coordinated and executed by CPCB and was to be implemented by municipalities with local coordination and fund management by the respective State Pollution Control Boards (SPCBs).

(ii) Funding Pattern

Municipalities of the selected towns were to submit 'Detailed Project Reports (DPRs)' to CPCB which would place them before an Expert Committee for evaluation. Based on recommendations of the Expert Committee, CPCB would approve the proposal. Of the total cost of the project, CPCB was to contribute 50 per cent and the balance was to be borne by the municipality, either from its own funds or through financial institutions/any other means. The funds were to be released by CPCB to SPCBs who were required to release payments to the respective municipalities in four instalments.

⁵⁸ Mathura, Vrindavan (Uttar Pradesh), Ujjain (Madhya Pradesh), Puri (Orissa), Vapi (Gujarat), Thanjavur (Tamilnadu), Bharatpur (Rajasthan), Shillong (Meghalaya), Deogarh (Jharkhand), Rishikesh (Uttaranchal), Tirupati (Andhra Pradesh) and Kottayam (Kerala).

~~68~~
26

Report No. 17 of 2010-11

Detailed audit findings

It was observed in audit that works undertaken under the programme remained incomplete in all the six cities selected for the first phase of the programme. In Puri, no progress was made on three projects sanctioned and entire fund released was lying unspent with SPCB/Municipality for more than seven years. In Kottayam, both the projects identified and sanctioned remained incomplete and none of the activities identified later were implemented. In Ujjain, the projects being implemented remained incomplete. In Vrindavan, no project was implemented under the Ecocity programme and the entire fund sanctioned to the SPCB was lying unutilised with it for more than seven years. In Thanjavur, no projects were even started under the Ecocity programme and in Tirupati, only three out of six projects were implemented.

It was further observed in audit that CPCB did not take any action to revive any of the projects after August-September 2008, leaving the works undertaken under the programme incomplete. In addition, the second phase of the project was not initiated at all. Thus, the objectives of the programme to improve the environment through implementation of identified environmental improvement projects in towns and cities of cultural/historical/heritage and tourism importance were not achieved.

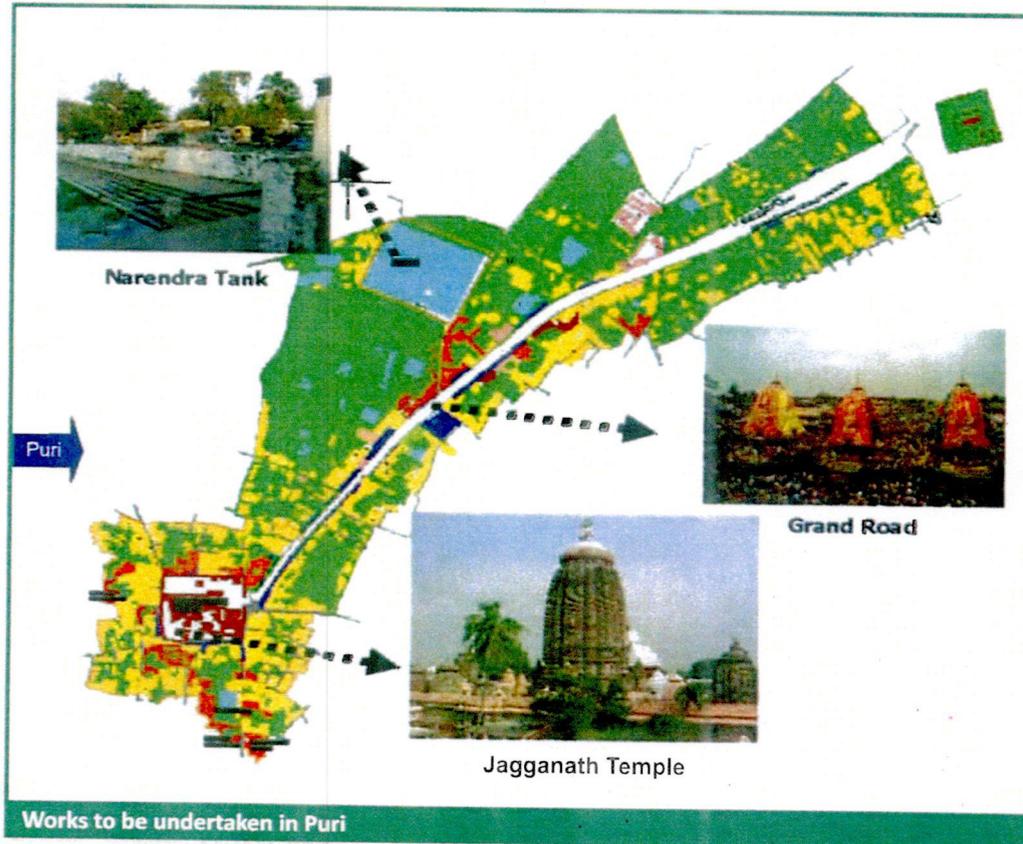
Detailed audit observations relating to the implementation of the Ecocity programme in all the six cities taken up in the first phase of the programme are discussed in the succeeding paragraphs.

4.1.2 Puri

CPCB, in April 2006, approved three projects namely, (1) Construction of cement concrete drain with cover slab along the roads around Jagannath Temple; (2) Improvement of drinking water point at lions gate near Jagannath Temple; and (3) Improvement of public toilet near Narendra tank with scheduled date of completion between August and December 2006. The total cost of these projects was ₹64 lakh with share of CPCB being ₹32 lakh. CPCB authorised Orissa SPCB to release the first installment to the municipality in June 2007. In this regard, it was observed in audit that:

- CPCB received the draft DPR in November 2003 which was not upto the mark and was, therefore, returned in December 2003 to the Puri municipality for modifications. The final revised DPR was received from Orissa SPCB only in June 2006 i.e., after a delay of more than two and half years. The reason for delay was attributed to the DPR not being as per the required procedure/format.
- Without receipt/approval of DPR, CPCB released ₹56 lakh as advance to Orissa SPCB in March 2003. CPCB authorised Orissa SPCB to release the first installment to the municipality in June 2007. Orissa SPCB released ₹9.62 lakh to Puri municipality only in February 2008, i.e., much after the targeted date of completion of August/December 2006. Reasons for delay were not made available by CPCB/Orissa SPCB.
- CPCB last reviewed the progress of the project in August 2008 wherein it was decided that Orissa SPCB would seek commitment from the Puri municipality for completion of sanctioned activities and that Orissa SPCB would identify more schemes⁵⁹ for inclusion under the Ecocity programme. In November 2008, Orissa SPCB sent a proposal for five schemes for approval from CPCB. However, CPCB did not make any further efforts to approve/implement these projects.
- No progress was reported under the programme till February 2010.

⁵⁹ Other than already identified under Jawaharlal Nehru National Urban Renewal Mission (JNNURM).



Thus, it can be concluded that CPCB hurriedly released ₹56 lakh (in March 2003) to Orissa SPCB without receipt/approval of DPR and firm commitment from the Puri municipality. As a result, Municipality did not execute the project seriously and the Ecocity programme failed to achieve its objectives. Moreover, the entire amount of funds released was lying unspent with Orissa SPCB/Municipality for more than seven years.

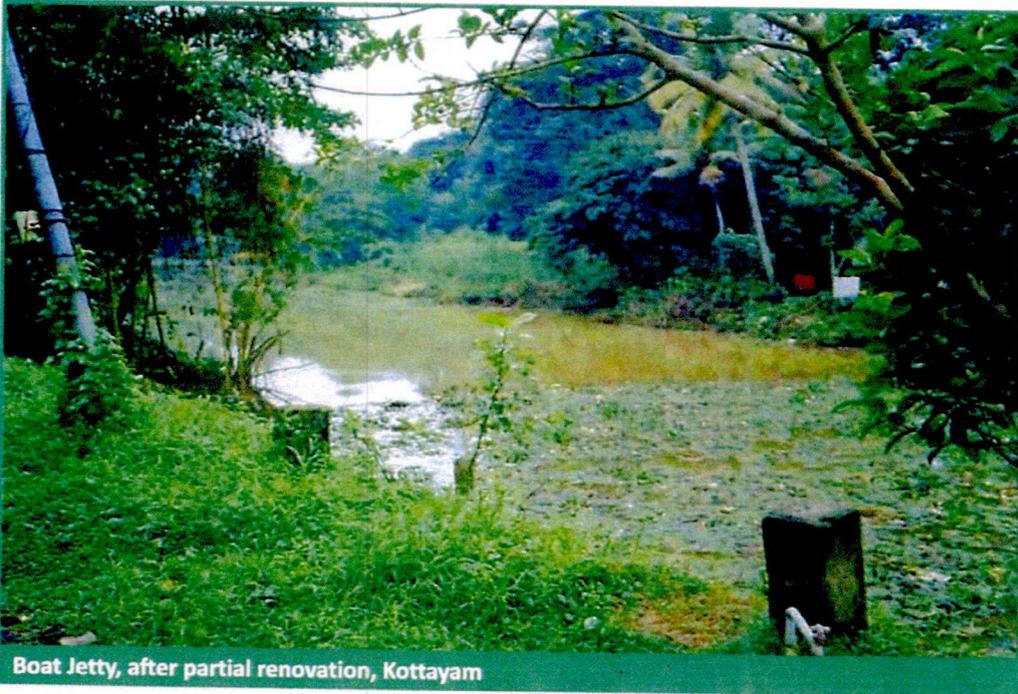
In February 2010, MoEF replied that there has not been any significant progress in case of Puri. It further stated that since this town was also covered under the JNNURM programme, the Ecocity programme for Puri was, therefore, being closed and the SPCB was being pursued to return the unspent amount along with accrued interest thereon. The reply was not acceptable in audit as these projects were scheduled for completion between August and December 2006, however even after a delay of more than three and half years, CPCB failed to get the project work executed by the municipality. Moreover, the reply was silent as to whether this particular incomplete work covered under ecocity programme has been included in the JNNURM programme.

4.1.3 Kottayam

In January 2005, after approval of the DPR, CPCB sanctioned two projects namely, rejuvenation of Mundar river and renovation of Kacherikadavu boat jetty canal for ₹1.29 crore with scheduled date of completion by March 2005. The total share of CPCB was ₹64.33 lakh. CPCB released ₹21.55 lakh as advance to Kerala SPCB in March 2003 and released the remaining amount between April 2006 and July 2007. Kerala SPCB in turn released ₹51.47 lakh to Kottayam municipality. In this regard, it was observed in audit that:

70
28

Report No. 17 of 2010-11



Boat Jetty, after partial renovation, Kottayam

- The first installment of ₹21.55 lakh was released by CPCB to Kerala SPCB without approval of the DPR by the Expert Committee.
- In January 2008, a physical verification of the project site carried out by the CPCB Zonal office, Bangalore indicated that the work relating to only one of the projects⁶⁰ was complete and the other project⁶¹ was partially complete. However, in December 2008, Kerala SPCB sent a revised proposal of ₹40.94 lakh for completing both the pending projects. This is indicative of the fact that both the projects were incomplete. CPCB took no action on the revised proposal.

As a result, both the projects identified under the Ecocity programme remained incomplete leading to wasteful expenditure of ₹51.47 lakh. In addition, ₹12.86 lakh was lying unutilised with Kerala SPCB for more than seven years.

In February 2010, MoEF replied that most of the schemes have been completed in Kottayam and that the matter is being followed up for completion of the rest of the schemes and furnishing of utilisation certificates for this town.



Mundar river, Kottayam after partial work under Ecocity scheme

⁶⁰ Kacherikadavu boat jetty canal.

⁶¹ Rejuvenation of Mundar river.

The reply of MoEF was not supported by the completion reports for the projects. In the absence of completion reports and utilisation certificates from the Kottayam municipality, it is not clear as to how MoEF satisfied itself about the completion of the projects.

4.1.4 Ujjain

CPCB released an advance of ₹67.42 lakh to Madhya Pradesh SPCB in March 2003 for implementing a project "Mahakal Core Area Development" at a total cost of ₹11.70 crore. In view of the upcoming Simhastha⁶² in 2004, the Ujjain Municipal Corporation (UMC) took up a sub-component "Excavation/Embankment of Rudrasagar" of the project on priority. The DPR for the said sub-component was approved by CPCB in May 2003 at a cost of ₹94.88 lakh, of which CPCB's share was ₹47.44 lakh. The project was to be completed by March 2004 which was extended to March 2005. In this regard, it was observed in audit that:



On going work at Rudrasagar, Ujjain

- In July 2004, UMC submitted audited utilisation certificate (UCs) for an amount of ₹63.21 lakh for the work done under the project. CPCB, in June 2004, requested Madhya Pradesh SPCB to verify the work but Madhya Pradesh SPCB, in the inspection conducted by it in July 2004, was not satisfied with the desiltation operation and was not in a position to verify the claim of UMC due to waste water entering the water body. Despite this, in January 2005, CPCB authorised Madhya Pradesh SPCB to release ₹14.23 lakh to UMC.
- In July 2005, Madhya Pradesh SPCB recommended that CPCB keep the Ecocity programme in abeyance due to unsatisfactory implementation of the earlier sanctioned projects.
- Two more review meetings were held in May 2007 and in August 2008 but the new schemes to be implemented with the unspent funds lying with Madhya Pradesh SPCB were yet to be identified. CPCB did not take any efforts to get the project re-started. No further progress was reported as of date.

⁶² Simhastha is a bathing festival of Ujjain and a dip in the river during the bathing festival is considered holy.

72
30**Report No. 17 of 2010-11**

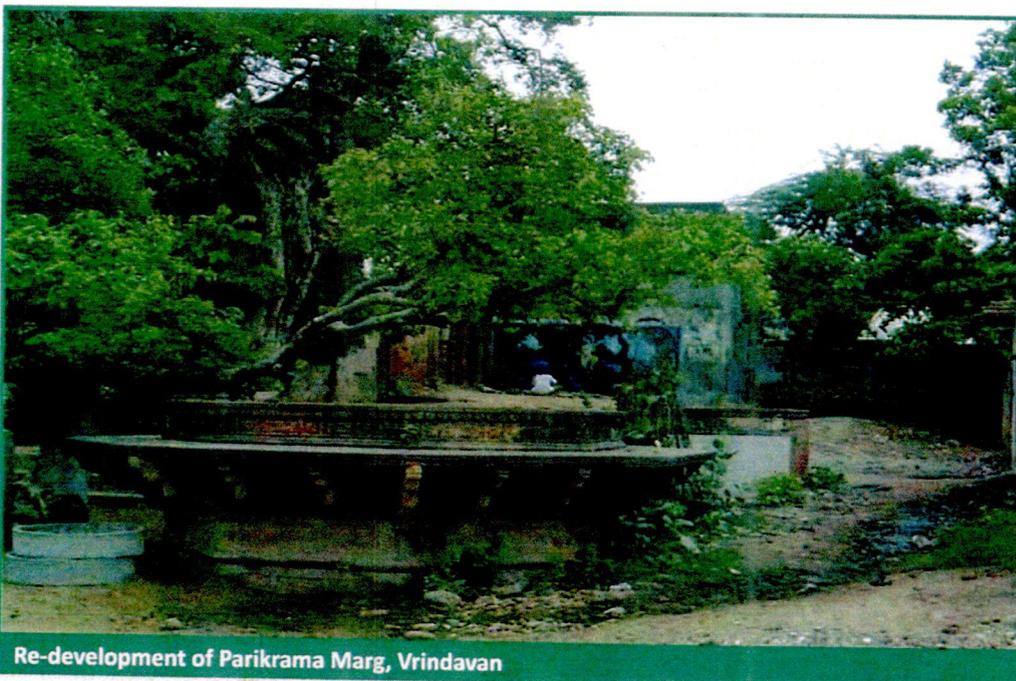
Thus, the projects being implemented under the Ecocity programme remained incomplete and ₹73.58 lakh already spent on the project was rendered wasteful. Further, UMC had submitted UCs for work worth ₹63.21 lakh against the work claimed to be done (₹73.58 lakh). Thus, UC for work worth ₹10.37 lakh was still pending.

In February 2010, MoEF agreed that there has not been any significant progress in case of Ujjain. MoEF also stated that this town was also covered under the JNNURM programme. The Ecocity programme for this place is, therefore, being closed and SPCB is being pursued to return the unspent amount along with accrued interest thereon.

However, the reply was silent as to whether this particular incomplete work covered under ecocity programme has been included in the JNNURM programme. Thus, the Ecocity programme failed to get implemented in Ujjain even after seven years of release of funds.

4.1.5 Vrindavan

CPCB released an advance of ₹43 lakh to Uttar Pradesh SPCB in March 2003 for implementation of a project "Vrindavan Ecozone" at a total cost of ₹2.87 crore. The share of CPCB towards the project was ₹1.43 crore. MoU for implementation of the activities namely, (i) improvement of 2 km stretch from Kaliadaha Ghat to Kesi Ghat of parikrama path (ii) improvement of Banke bihari area in Vrindavan' and (iii) comprehensive improvement along the road connecting all major pilgrim/tourist and restoration/development of Gandhi Park identified under the programme was signed with Vrindavan Nagar Palika Parishad (VNPP) and Uttar Pradesh SPCB in August 2006. In this regard, it was observed in audit that:



Re-development of Parikrama Marg, Vrindavan

- None of the projects sanctioned under the Ecocity programme could be taken up for implementation because VNPP was not able to provide commitment for its share of 50 per cent funds as agreed in the MoU.
- In a review meeting held in August 2008, it was decided that in case there was no commitment for the matching funds for the project from VNPP or through any other agency, Uttar Pradesh SPCB should identify appropriate schemes to be taken up under the Ecocity programme within 40 days.
- No further progress was reported as of date and CPCB did not make any efforts to get new projects identified. In October 2007, it asked Uttar Pradesh SPCB for refund of the pending amounts which has not been returned so far (February 2010).

Thus, no project was implemented under the Ecocity programme and the entire amount (₹43 lakh) released to Uttar Pradesh SPCB was lying unutilised with it for more than seven years.

In February 2010, MoEF replied that there has been no progress under the project and that Uttar Pradesh SPCB has been asked to return the amount released along with accrued interest.

4.1.6 Thanjavur

In June 2006, the Expert Committee recommended the project "Renovation of four old tanks" for implementation. However, the administrative approval was accorded in March 2007 at an estimated cost of ₹76 lakh with CPCB's share of ₹38 lakh. In this regard, it was observed in audit that:

- Though the agreement for implementation was sent to Tamil Nadu SPCB in March 2007, the signed agreement was returned by Tamil Nadu SPCB to CPCB only in August 2008, i.e., after a delay of more than 17 months.
- Tamil Nadu SPCB had agreed to take only some parts of the project⁶³ at a total cost of ₹44 lakh. CPCB did not make any effort to sanction the works which Tamil Nadu SPCB had agreed to take up under the programme. As a result, no projects could be implemented till date under the Ecocity programme.

In February 2010, MoEF agreed that there has been no progress in the case of Thanjavur and stated that there had been no release of funds in this case.

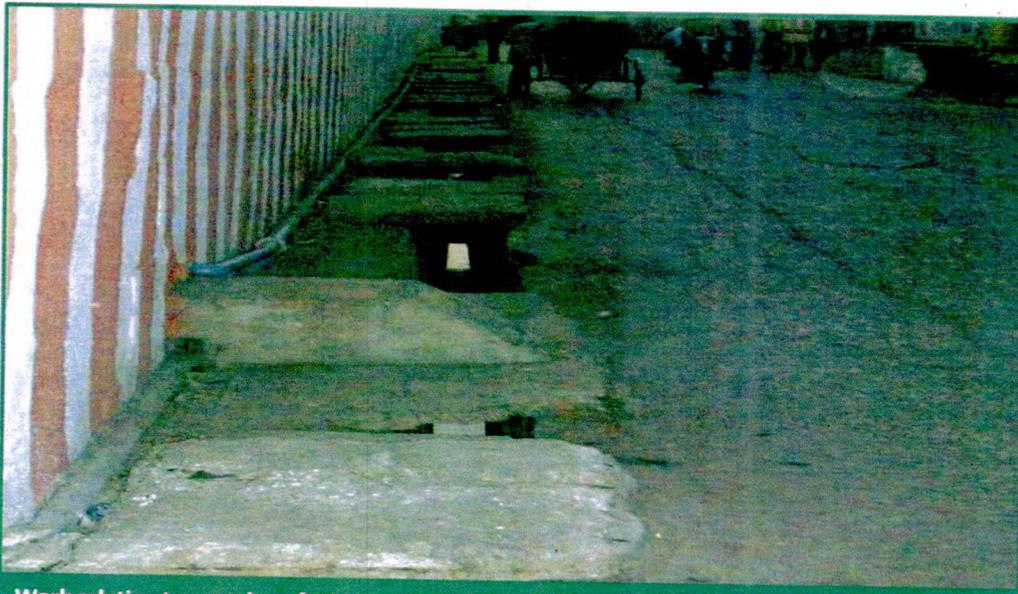
4.1.7 Tirupati

In March 2003, CPCB released an advance of ₹49.35 lakh to Andhra Pradesh SPCB for a project "Core Area Development", the total cost of which was ₹8.07 crore and the contribution of CPCB was ₹1.64 crore. The balance amount of ₹6.43 crore was to be contributed by other agencies, including Tirupati Municipal Corporation (TMC). It was observed in audit that:

- CPCB sanctioned only three projects namely (i) Covering of storm water drains on the northern, southern & western side of the Govindarajaswamy temple, (ii) connecting Koneru to Narsimha Tirtha by pipeline to replenish water on permanent basis and (iii) Cleaning/ desilting of drains in the Core Area out of the fifteen projects submitted by TMC. The total cost of the three projects was ₹39.97 lakhs with CPCB's share of ₹19.99 lakhs.

⁶³ Renovation of only two tanks instead of four tanks.

Report No. 17 of 2010-11



Work relating to covering of storm water drains, Tirupati

- Andhra Pradesh SPCB sent three more proposals⁶⁴ for Tirupati at a cost of ₹4.78 crore. However, CPCB did not take any action to sanction these projects.
- In August 2008, Andhra Pradesh SPCB intimated that the three sanctioned projects were completed and the same was verified by CPCB's Zonal office.

Thus, only three out of six projects sanctioned under the Ecocity programme were carried out for Tirupati, that too after a delay of four years.

It was further observed in audit that no action had been taken by CPCB after August-September 2008 on the Ecocity project, leaving the works undertaken under the programme incomplete in all the six cities. This resulted in non-achievement of the objectives for which the programme was initiated. In addition, the second phase of the project, which was to be built on the successes of the first phase, was not yet initiated.

In February 2010, MoEF replied that most of the schemes have been completed in Tirupati and that the matter was being followed up for completion of the rest of the schemes and furnishing of utilisation certificates for this town. The fact remained that work was done in only one out of six cities under the Ecocity programme and that too, partially.

4.1.8 General audit findings

In addition to the specific city-wise audit observations discussed above, there were some common deficiencies observed in Ecocity programme implementation which are discussed below:

- **Unspent balance not refunded:** CPCB released ₹2.79 crore to SPCBs against which SPCBs released ₹92 lakh to municipalities. The unspent balance of ₹1.88 crore was lying with SPCBs. CPCB did not approach SPCBs for refund of the unspent funds lying with them since March 2003. In February 2010, MoEF replied that the matter of refund was being pursued by CPCB

⁶⁴ (i) construction of Public toilets at appropriate locations, public drinking water facilities etc., (ii) covering of drains and (iii) multi-storied parking facility.

- **Interest accrued by the SPCBs not disclosed:** As per MoUs, SPCBs were to keep a record of the interest accrued on the budget releases by CPCB and same was to be provided to CPCB while submitting request for release of subsequent installments. The interest accrued was to be adjusted while releasing subsequent installments to SPCBs. It was observed in audit that only two SPCBs, Kottayam and Puri had disclosed the accrued interest earned on payments released to them and that too only once in a span of the seven year duration. In February 2010, MoEF replied that all the SPCBs involved in the project have a separate account for this project. The refund of the unspent amount will therefore include interest accrued in their accounts. The reply is not acceptable as three SPCBs namely, Vrindavan, Ujjain and Tirupati had not intimated the actual accrued interest earned by them to CPCB.
- **Commitment from the municipalities not taken:** It was observed that CPCB did not take firm commitment from municipalities regarding contribution of matching fund. As a result, in the case of the cities of Puri and Vrindavan, work could not be started till date as there was no commitment from the municipalities for the matching fund. In February, 2010, MoEF replied that the award and implementation of the project was based on the tripartite agreement, which is a binding instrument and involves commitment for all parties including municipalities. The reply is not acceptable as CPCB did not include any penalty clause in the agreement which can be invoked in the event of default.
- **Delay in implementation of the projects:** On an average, the duration of the projects sanctioned by CPCB was for six months. However, there were delays of almost four years in implementation of these projects and they continued to be implemented without any sanction for extension by CPCB. Accepting the facts, in February 2010, MoEF replied that these are operational issues and CPCB has been directed to frame revised guidelines to address these issues.

4.1.9 Conclusion

The overall objective of the Ecocity programme was to improve the environment of cities having cultural/historical/heritage and tourism importance and bring in visible results through implementation of identified environmental improvement projects in these towns and cities.

It was observed in audit that no commitment was taken from municipalities regarding contribution of matching fund and works undertaken under the programme remained incomplete in all selected six cities. Moreover, ₹1.88 crore was lying unspent with SPCBs for over seven years.

In February 2010, MoEF replied that CPCB has been asked to recast the entire Ecocity programme in order to dovetail the environmental concerns with municipal functions and budget to ensure participative and pragmatic planning as well as to take care of shortcomings in the implementation of the scheme.

Recommendation - 27

CPCB/MoEF may strengthen the project implementation mechanism and its control/monitoring mechanism before the second phase of the programme is launched, so that it can effectively achieve the objectives set out for the Ecocity programme and improve facilities for tourists/pilgrims.

4.2 Non-achievement of objectives of control of pollution caused by leather tanneries

National River Conservation Directorate (NRCD) sanctioned interest-free loan of ₹67.72 crore to Government of West Bengal for construction of a Common Effluent Treatment Plant at Bantala, about 20 km south-east of Kolkata. The project was originally targeted for completion by November 1997 but could not be completed as of June 2010. NRCD has sanctioned only four out of seven components under the project as yet. Delay of more than 12 years in completion of the project adversely impacted the objective of ensuring safe disposal of toxic industrial effluents and solid waste from tanneries, causing immense environmental damage and health risks.

4.2.1 Introduction

Hon'ble Supreme Court of India, in a public interest litigation case, ordered in April 1995 that 538 tanneries located in three clusters in Kolkata and generating about 30 million litres per day (mld) of effluents be shifted from the city to a leather complex and a Common Effluent Treatment Plant (CETP) be provided to treat the effluent generated from the proposed leather complex. Accordingly, the Government of West Bengal (GWB) decided to relocate the tanneries in a 1100 acre integrated leather complex, Calcutta Leather Complex (CLC) at Bantala, about 20 km south-east of Kolkata. In May 1995, National River Conservation Directorate (NRCD) received a proposal from GWB in this regard. The Cabinet Committee on Economic Affairs (CCEA), in its meeting held in October 1995, approved the proposal to set up 30 mld CETP in Calcutta Leather Complex. Accordingly, in November 1995, NRCD issued administrative approval for setting up of CETP, indicating that the expenditure sanction would be issued after the Detailed Project Report (DPR) was approved. Out of the total estimated project cost of ₹65 crore, the share of NRCD was ₹32.50 crore and balance of ₹32.50 crore was to be contributed by GWB. GWB decided to implement the project on Build, Operate and Transfer (BOT) basis and an agency was identified for implementation. The share of Central Government was in the form of interest free loan to GWB. The project was to be completed by November 1997.

However, it was observed that the estimated project cost of ₹65 crore did not include the cost estimates of Effluent Transportation System (ETS), Common Chrome Recovery System (CCRS), Safe Solid Waste Disposal System (SSWDS) and Treated Effluent Sump and Pumping station (TESPS) which were integral parts of the CETP network and the working of the CETP was incomplete without these components. Only in November 2007, CCEA approved the revised proposal for the CETP with seven components at a revised cost of ₹135.44 crore with NRCD's share being ₹67.22 crore. The scheduled date of completion of the project was March 2010. The overall project envisaged construction of : (i) module 1 and 2 of CETP: 2 CETPs of 5 mld capacity each, (ii) module 3 and 4 of CETP: 2 CETPs of 5 mld capacity each, (iii) module 5 and 6: 2 CETPs of 5 mld capacity each, (iv) Effluent Transportation System, (v) Common Chrome Recovery System, (vi) Safe Solid Waste Disposal System, and (vii) Treated Effluent Sump and Pumping station.

NRCD released ₹42.24 crore to GWB against which an expenditure of ₹39.52 crore was incurred on the project as on 31 March 2009. In July 2005, CLC had started partial operations with completion of four modules of CETP. However, as of February 2010, the Common Chrome Recovery System, Safe Solid Waste Disposal System, and Treated Effluent Sump and Pumping Station are yet to be completed even after 15 years of the decision of the Supreme Court.

The audit findings with respect to the implementation of the project are given below:

4.2.2 Delay in implementation

The entire project was envisaged to be completed by March 2010 as per revised EFC (original completion date was November 1997). The current status of implementation of seven components approved by CCEA under the project is summarised in table below:

Table - 16

Status of implementation of seven components		
Sl. No.	Name of the component	Remarks
1.	CETP Modules 1 & 2 (5 mld capacity each)	Completed after a delay of nine months
2.	CETP Modules 3 & 4 (5 mld capacity each)	Completed
3.	CETP Modules 5 & 6 (5 mld capacity each)	Not sanctioned
4.	Effluent Transportation System (ETS)	Completed after a delay of two years
5.	Common Chrome Recovery System (CCRS)	Completed
6.	Safe Solid Waste Disposal System (SSWDS)	Not sanctioned
7.	Treated Effluent Sump and Pumping Station (TESPS)	Not sanctioned

Thus, even after delay of more than 12 years, NRCD could sanction only four out of seven components under the project and the project remained incomplete as of June 2010.

4.2.3 Irregular release of interest-free loan from Grants-in-Aid head

According to Government Accounting Rules 1990, provision for the release of grants-in-aid and loans to State/Union Territory Governments under Central Plan Schemes and Centrally-sponsored Plan Schemes should be made in the Union Budget under the major heads '3601/3602-Grants-in-aid to State/Union Territory Governments' and '7601/7602 Loans and Advances to State/Union Territory Governments' respectively. However, it was noticed in audit that NRCD did not make any budgetary provisions for sanctioning the loan under the project. Instead, during 2001-09, NRCD released interest free loan of ₹42.24 crore to GWB from its Grants-in-Aid head. This was in violation of provisions of Government Accounting Rules 1990. In July 2009, NRCD replied that subsequent to the signing of loan agreement, the account under the loan head would be created and funds released so far would be adjusted as loan amount accordingly. The reply was not acceptable as all these provisions were to be complied with before releasing the loan.

4.2.4 Loan agreement not signed

According to Rule 219 of General Financial Rules, 2005 (GFRs), all sanctions to loans should specify the terms and conditions of loan including repayment terms. However, it was noticed that NRCD was yet to finalise the terms and conditions for repayment of loan and sign the loan agreement. In July 2009, NRCD replied that the draft loan agreement had not been submitted by GWB despite repeated requests. As such, further funds would not be released till the loan agreement was signed. In Audit's opinion such formalities should have been completed before release of funds.

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Report No. 17 of 2010-11

Further, NRCDC stated in November 2009 that GWB had signed an agreement with CLC Tanners Association in May 2005 whereby the tanners were to return the cost of construction of the CETP. It was, however, noticed that the Association was now reluctant to pay back the construction cost and was requesting that the loan be converted to a grant, raising the prospect of GWB not returning the loan to NRCDC. In Audit's opinion such request of CLC Tanners Association should not be entertained as it will go against the 'polluters pay principal'.

4.2.5 Improper monitoring by NRCDC

As per the terms and conditions of the sanction, the progress of the project would be reviewed from time to time by the Steering Committee (SC) headed by Secretary, MoEF. The SC had to meet at least once in three months. However, it was noticed in audit that the SC was not meeting regularly and during 2002-2009 only six meetings of SC were held. Further, four components of the project namely (i) CETP Modules 1 & 2, (ii) CETP Modules 3 & 4, (iii) ETS and (iv) CCRS were completed but NRCDC was yet to receive formal completion report from GWB. Moreover, NRCDC had also not carried out any evaluation of these components as required under the approved guidelines.

4.2.6 Idling and improper maintenance of equipment

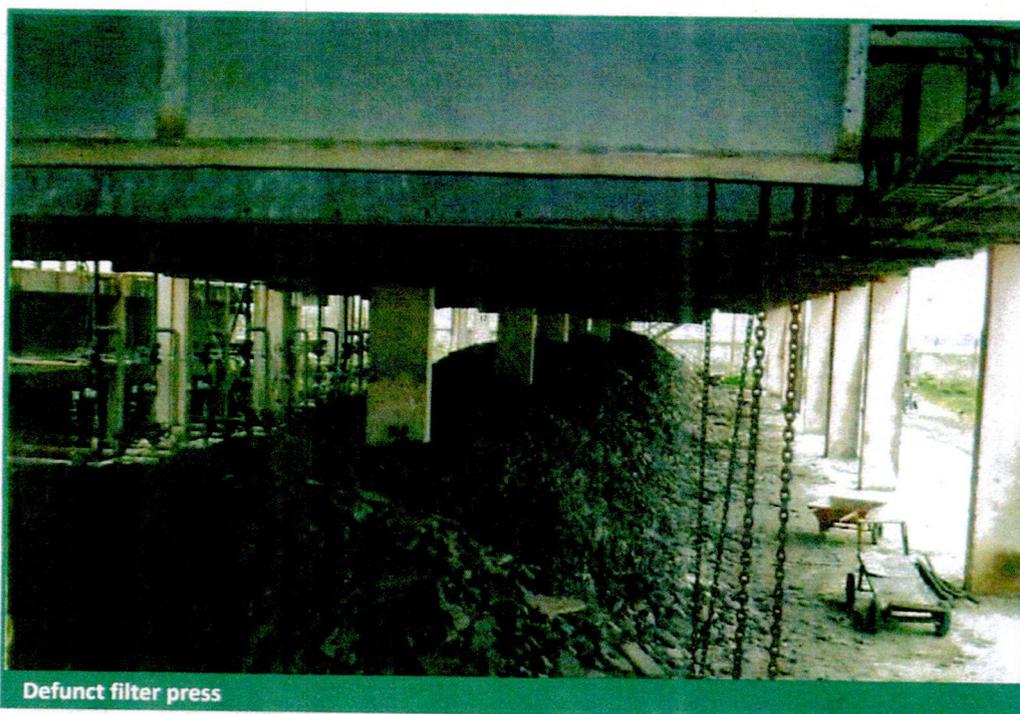
In April 2008, Deputy Director, NRCDC visited the site of CETP at Calcutta Leather Complex for monitoring and observed that:

- i. Most of the industries were not doing proper pre-treatment which had led to the choking of ETS at some locations. Few tanneries were not discharging into the ETS and were bypassing it by releasing untreated effluents which had contaminated the water in the storm water drains.
- ii. The CCRS costing ₹5.96 crore had not started its operations even though the same had been constructed more than two years back.
- iii. CLC Tanners Association, the agency managing the operations of CETP, had not employed technical persons with adequate qualification and experience. As a result, CETP was not functioning properly creating a situation where disposal of the untreated/ partially treated wastewater might create further environmental pollution in CLC.



Defunct aerator tank

- iv. CLC Tanners Association had been illegally depositing the sludge on the land earmarked for CETP Modules 5 & 6.
- v. The temporary hazardous wastes storage sites created within CETP had completely filled up and further storage facility was not available. Further, no activity had been initiated on the site earmarked for disposal of hazardous solid wastes of the CLC.
- vi. The filter presses in the CETP Modules 3 and 4 were not in working condition. Also, most of the filter presses in CETP Modules 1 & 2 were not working.



Defunct filter press

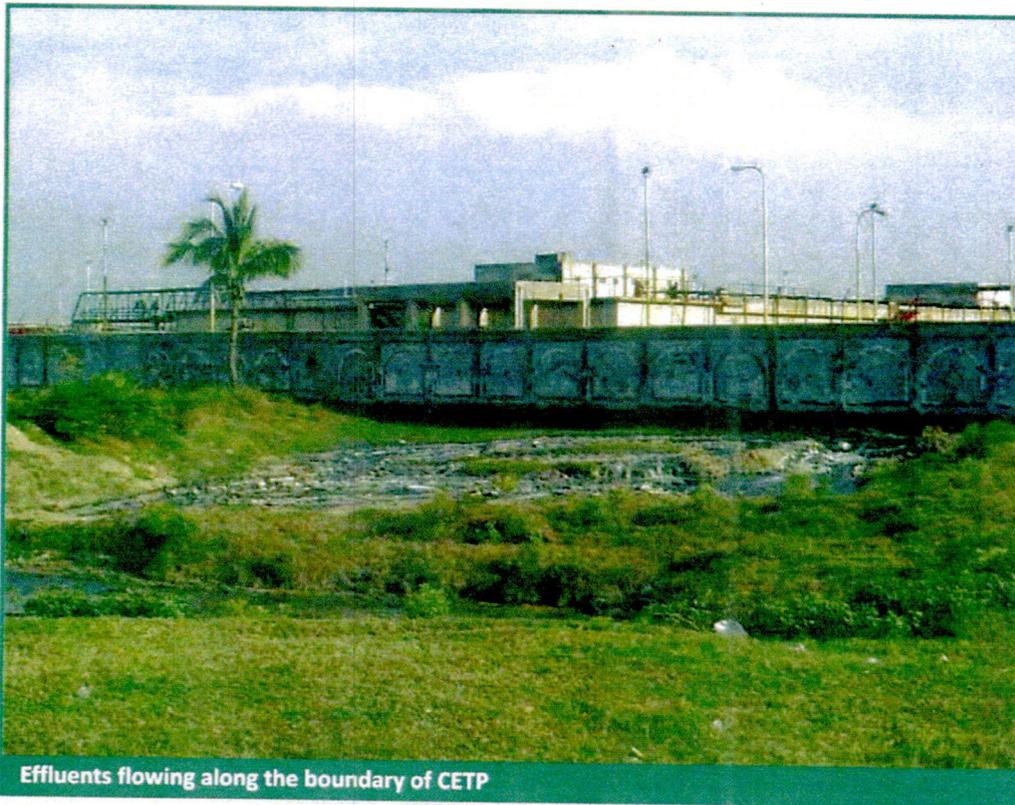
In May 2008, NRCD requested GWB to follow up with the agencies concerned so that the performance of CLC was improved and all mandatory environmental norms were complied with. However, GWB was yet to intimate the follow up actions taken by it and NRCD had also not reminded GWB to expedite the same. NRCD replied in November 2009 that GWB had been repeatedly reminded for improving the performance of the components already commissioned.

4.2.7 Environmental impacts of non-achievement of objectives

It was observed that only 15 mld waste water was reaching the CETP from around 250 tanneries operating in CLC. Few tanneries were not discharging effluent into ETS and a major portion of the effluent was either percolating to the ground water or creating cesspools in CLC and not reaching the designated disposal point, since there was no proper final disposal point for the treated effluent from CETP.

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Report No. 17 of 2010-11



Effluents flowing along the boundary of CETP

Further, MoEF, Eastern Regional Office, Bhubaneswar observed the following in February 2009:

- The aerator tank, primary and secondary clarifiers were found not functioning properly. The colour of final discharge of treated effluent into the main course was found to be black and spreading bad odour.
- Analysis report revealed that levels of TSS⁶⁵, COD⁶⁶, BOD⁶⁷, Cr⁶⁺ (hexavalent chromium⁶⁸) and total chromium were much higher than the prescribed limits and were in gross violation of norms.
- Saving dust (end cuts of finished leather products), flesh linings and trimmings were seen dumped on the roadside. Since, saving dust, flesh linings and trimmings contain chromium, its dumping would pollute the surface water and therefore, further dumping should be stopped and all the dumped materials should also be removed immediately to the Common Solid Waste Disposal Facility.
- The solid wastes were chromium bearing residue and sludge, which might also leach and contaminate the ground water and create water pollution.
- Some of the individual tanneries were releasing plant effluents in the open area outside their boundary, instead of discharging into common drains set up for the purpose, from where effluents were sent to CETP.

⁶⁵ Total Suspended Solids

⁶⁶ Chemical Oxygen Demand

⁶⁷ Biological Oxygen Demand

⁶⁸ Hexavalent chromium is recognized as a human carcinogen.

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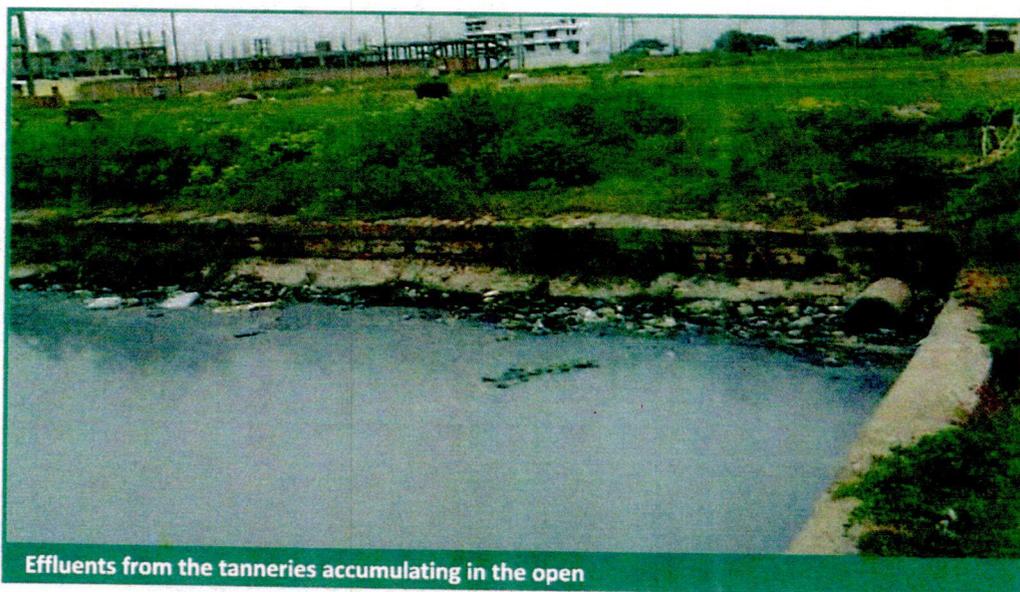
Report No. 17 of 2010-11



Savings dust being dumped at roadside

Also, as per the report of Central Pollution Control Board, Zonal Office, Kolkata (visit to CLC in January 2009), the following environment impacts were reported:

- Analytical results show that the performance of CETP is not proper and yet to be stabilised.
- Two fixed chromium recovery units were not in use and the total chromium concentration of about 25mg per kg of ETP sludge was a matter of serious concern.



Effluents from the tanneries accumulating in the open

POLLUTION
CONTROL

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4/10

Report No. 17 of 2010-11

4.2.8 Conclusion

Thus, the project failed to achieve its stated objective of ensuring safe disposal of industrial effluents and solid waste from tanneries, causing immense damage to the environment. The project still remained incomplete even after more than 12 years of the original scheduled date of completion. Further, the possibility of recovery of interest free loan of ₹42.24 crore released to the Government of West Bengal is also doubtful.

Recommendation - 28

MoEF may monitor execution of the project more closely to ensure its speedy completion and achievement of planned objectives in a time bound manner. The sanction of remaining components may be expedited after ensuring that the technologies adopted for them is not obsolete. MoEF may involve its state units to provide continuous feedback on actual usage of infrastructure by the tanneries situated in CLC and insist on imposing heavy penalties/closure of tanneries in case the tanneries do not route their effluents through ETS and CETP so that the damage to the environment is minimised and it serves as a deterrent to not only tanneries situated in CLC but also at other places.

ANNEXURE- "E"

GOVERNMENT OF WEST BENGAL
 DIRECTORATE OF INDUSTRIES
 New Secretariat Buildings (9th Floor)
 1 Kiran Sankar Roy Road, Kolkata - 700001

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No 46/DI/CLC/53/02

Dated, the 9th March, 2006

To
 The General Secretary
 CLC Tanners Association
 162, Metropolitan Co-operative
 Housing Society Ltd., Sector-A,
 Kolkata-700105

Sub: CETP at CLC.

Sir,

It has come to the notice of the undersigned that the tanneries operating in the CLC are discharging pieces of hides and other non-soluble wastes into the conveyance system to the CETP. This naturally, shall very soon result in a choking of the CETP system, thereby destroying the whole network of de-pollution.

You are requested to ensure that no tannery discharges the tannery waste or the objectionable material into the effluent pipelines as the ETS as you know is meant for transporting only the tannery effluent which can be released after thorough screening.

Yours faithfully,


 9/3/2006
 Director of Industries
 Govt. of W.B

Copy forwarded to :

M. L. Dalmia and Co. Ltd
 32, Shakespeare Sarani,
 Kolkata- 700017.



ANNEXURE-

"F"

'A'

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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

R.P.(C) No.792 of 1997

IN

WRIT PETITION (CIVIL) NO.3727/1985

WITH

R.P.(C) Nos. 109-118, 121,148-377 and 8290/1997

WITH

L.A. Nos. 86,88, 112-340, 346.

IN THE MATTER OF :

M.C.MEHTA

PETITIONER

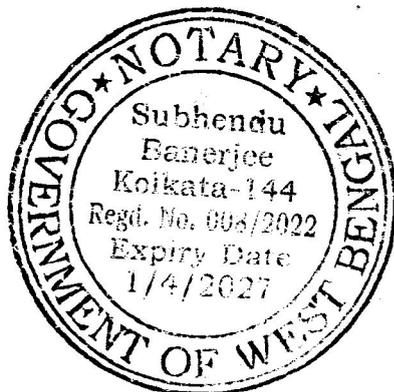
VERSUS

UNION OF INDIA & OTHERS

RESPONDENTS

21st STATUS REPORT
OF
THE STATE OF WEST BENGAL

FILED BY :

SINHA & DAS
ADVOCATES
LAWYERS CHAMBER
SUPREME COURT.

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21st STATUS REPORT.

This **21st Status Report** is submitted by the State of West Bengal before this Hon'ble Court in continuation of its earlier Status Reports. The State of West Bengal begs leave of this Hon'ble Court to submit the undermentioned facts and/or developments that have taken place in the implementation of Calcutta Leather Complex Project subsequent to its **20th Status Report** dated 19th day of September, 2002.

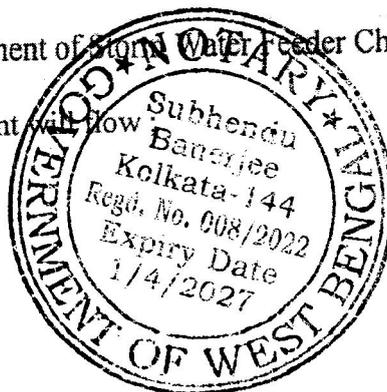
LAND.

The land acquisition process for approximately **535** acres out of **1100** acres for Calcutta Leather Complex has been completed. The BOT Party has taken physical possession of the whole area (**1100 acres**), including the vested land of approximately 565 acres.

OFFSITE INFRASTRUCTURE.

The State Government has fully developed all the components of Offsite Infrastructure at a cost of **Rs.32.31 crores** save and except the Solid Waste Management Network. The completed Offsite Infrastructure include :—

- (i) 132/33 KVA electricity sub station network ;
- (ii) Widening and improvement of link road between Kolkata and Calcutta Leather Complex ;
- (iii) Desiltation and improvement of ~~Stone Water~~ Feeder Channel through which the treated tannery effluent will flow



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- (iv) Realignment of Karaidanga canal at the fringe of the Complex ;
 - (v) Construction of Bederhat Rehabilitation Village at the fringe of the Complex.

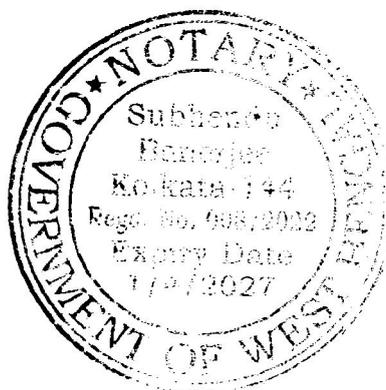
The work on development of Solid Waste Management Network (**Rs.11.22 crore**) would commence soon. Till the completion and commissioning of the Solid Waste Management Network, the arrangement for solid waste disposal will be made at temporary location.

ONSITE INFRASTRUCTURE.

The BOT Party asserted before this Hon'ble Court during the Hearing of the instant matter on 27.09.2002 that they would complete the development of the entire work allotted to them on or before **30.10.2002**. It is expected that the BOT Party would furnish a compliance report on the matter before this Hon'ble Court. The BOT Party has informed the State Government that it has completed the following infrastructure in **Zones 1 to 8** of Calcutta Leather Complex :—

1. Electrical Infrastructure.

- (a) Installation and commissioning of one 12.5 MVA 33/11 KVA sub station.
- (b) Drawal and commissioning of 3 Feeder lines of 4 MVA each from the said sub station – thereby ensuring a total power availability of 12 MVA in Zones 1 to 8.



45

(c) Installation and Commissioning of sufficient 11/0.44 KVA Transformers located all over Zones 1 to 8 – thereby ensuring availability of low & medium voltage power for those consumers who may require such power.

(d) Completion and commissioning of all overhead conductors and underground cables in Zones 1 to 8 ensuring availability of power alongside all plots in these Zones.

2. Water.

Provisions for providing 10 MLD of process water in Zones 1 to 8 have been made.

3. Road Network.

The entire road network in Zones 1 to 8 alongwith the connection Trunk roads from the highway is complete. The BOT Party will increase the crust thickness of the roads in the second phase.

4. Public Utilities.

The space for Bank/Medical Centre, Post Office/Trade Mart are ready. Land has been allotted for development of Fuel Station, Taxi/Auto/Cycle Stand/Truck Terminal.

The State Government has assessed through Kolkata Metropolitan Development Authority the progress of work done by the BOT Party towards development of onsite infrastructure at Calcutta Leather Complex. The report emphasise the following points :—

(a) About 16.6 km of bituminous road has been built in Zones 1 to 8. All these roads are yet to be strengthened by use of bituminous macadam and asphaltic concrete. About 9 km of roads are completed up to WBM stage. However, for

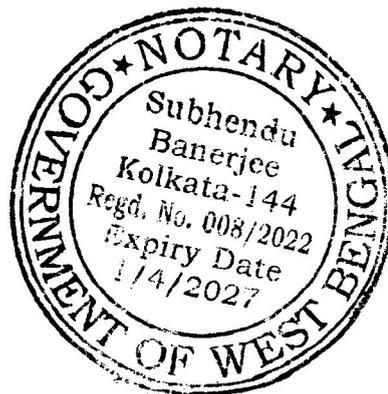


all cases, special attention has to be taken by the BOT Party for upkeep and maintenance of the roads.

- (b) The laying of sewer line measuring about 14000 metres is complete.
- (c) The entire area under Zones 1 to 8 are covered with 25000 metre of raw water line. The pump houses are also ready for operation.
- (d) About 25.5 km of storm water line has been laid which will serve the entire area under Zones 1 to 8.
- (e) 26.3 km of drinking water line has been laid which will serve the total area under Zones 1 to 8.
- (f) 4 nos of Overhead Reservoirs have been commissioned for supply of water in Zones 1 to 8.
- (g) 3 nos of Raw Water Pumping Stations are ready for supply of raw water in Zones 1 to 8 through the pipes already laid.
- (h) 8 nos of Deep Tubewells have been sunk yielding 12 MLD of water.

Kolkata Metropolitan Development Authority has concluded that almost all the Onsite Infrastructure works required for running of the leather project is complete so far as the Zones 1 to 8 are concerned. However, if the entire system remains idle for a long time, there is possibility of getting the mechanical equipments inoperative.

The report submitted by the Kolkata Metropolitan Development Authority is enclosed as **Annexure-I**.



51
47

In this connection, the observations of the West Bengal State Electricity Board in respect of development of electricity network by the BOT Party at Calcutta Leather Complex, contained in their report (**Annexure-II**) may be noted. The following facts emerge from the said report :-

- (a) Zones 1 to 8 have been fully covered through 3 nos of 11 KV Feeders.
- (b) On further growth of consumers, such infrastructure has to be developed to feed all the Zones by installing new 33 KV Substations, 11 KV lines, L.T. lines and distribution Sub Stations as per the approved scheme.
- (c) WBSEB has taken over the electrical infrastructure developed by the BOT Party so far within Zones 1 to 8 of the Calcutta Leather Complex and are in a position to supply.
- (d) Considering the present infrastructure, WBSEB is in a position to release 10 MVA power to the tanneries leaving aside the load demand of 2 MVA of the BOT Party for common services like sewerage, water supply, etc.

COMMON EFFLUENT TREATMENT PLANT.

The construction of the first 2 modules of 5 MLD capacity each Common Effluent Treatment Plant is going on as per time schedule. As committed before this Hon'ble Court, the State Government has completed the development of the preliminary effluent treatment components of the Common Effluent Treatment Plant :-

- (i) primary clarifier ;
- (ii) sludge drying bed ;
- (iii) receiving sump.



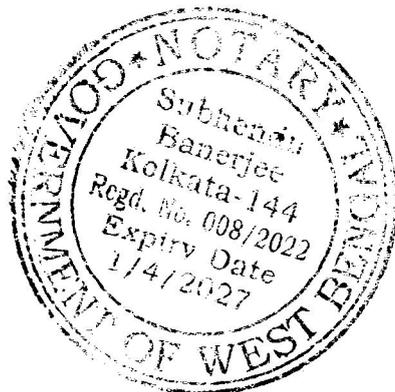
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The Common Effluent Treatment Plant is now equipped to offer the preliminary facilities to take care of the tannery wastes upto 10 MLD when to be generated by the tanneries at Calcutta Leather Complex.

However, it is unlikely that the Common Effluent Treatment Plant would have any tannery effluent to treat at present. None of the relocating tanneries or new tanneries has started tanning operations at Calcutta Leather Complex. None of the tanneries has also developed pretreatment facilities at their tanneries.

The BOT Party has stated that it had completed all works relating to Effluent Transportation System in Zones 1 to 8 of Calcutta Leather Complex including installation and commissioning of the required mechanical and electrical equipments. After inspection, Kolkata Metropolitan Development Authority, as advised by the State Government, has given the following report:—

- (a) 5 nos of Effluent Pumping Stations falling under Zones 1 to 8 have been commissioned and are ready for operation.
- (b) Laying of Pressure Line, measuring about 5 km, from 5 nos of EPS falling in Zones 1 to 8 upto the inlet of the Common Effluent Treatment Plant is complete and is ready for operation.
- (c) About 1400 metres of HDPE pipes of 400 mm have been laid up to the discharging point.



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The BOT Party has not also started the construction of Continuous Common Recovery Plants. The State Government has asked the BOT Party to commence construction of at least 2 modules of Continuous Common Chrome Recovery Plants to take care of the chrome effluents to be generated by the tanneries at Calcutta Leather Complex. 4(four) nos of Mobile Chrome Recovery Units, already in place at Calcutta Leather Complex, will be able to take care of only the initial chrome effluents to be generated by the tanneries. However, these Mobile Chrome Recovery Units will not be able to take care of the full chrome effluents to be generated by the tanneries. The BOT Party should immediately start construction of 2 modules of Continuous Common Chrome Recovery Plants.

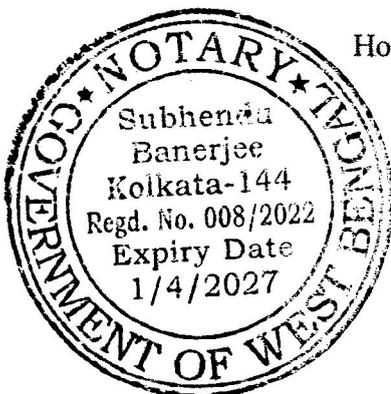
RELOCATION OF TANNERIES TO CALCUTTA LEATHER COMPLEX.

An up-to-date status report in respect of the allotment of land, on the basis of the proposals submitted by the BOT Party, to the relocating tanneries at Calcutta Leather Complex is given below :—

- (i) Number of relocating tanneries making full payments – 523 nos.
- (ii) Number of relocating tanneries whose original land requirement was more than 400 sq. mtrs and were, therefore, eligible to receive allotment of land in terms of the order dated 18.10.2000 of this

Hon'ble Court.

– 340 nos.



- 50
- (iii) Number of relocating tanneries who have been allotted land in Zones 1 to 8. **-323 nos.**
- (iv) Number of relocating tanneries who are yet to be allotted land as no allotment proposal has been received from the BOT Party. **- 17 nos**
- (v) Number of tanneries required to form cooperative societies or partnership firms in order to be eligible to receive allotment of land. **- 183 nos.**
- (vi) Number of tanneries who have increased their land requirement to 400 sq. mtr or more after 27.04.2001 by paying additional land cost or by adjustment of land cost payment by reduction in quantum of land **- 76 nos.**
- (vii) Number of tanneries who have taken steps to form cooperative societies or partnership firm **- 73 nos.**
- (viii) Number of tanneries who have not taken any action for forming either cooperative societies or partnership firms **- 34 nos**

The BOT Party has been asked to send allotment proposals to the State Government for 149 nos (vi + vii) of the relocating tanneries who have now become eligible to receive allotment of land at ~~Calcutta~~ Leather Complex. BOT Party has informed the State



51

22nd STATUS REPORT.

This 22nd Status Report is submitted by the State of West Bengal before this Hon'ble Court in continuation of its earlier Status Reports. The State of West Bengal begs leave of this Hon'ble Court to submit the undermentioned facts and/or developments that have taken place in the implementation of Calcutta Leather Complex Project subsequent to its 21st Status Report dated the 12th November, 2002.

LAND AND LAND ALLOTMENT.

Out of 523 nos. of tanneries of Kolkata which paid full land cost for relocation to Calcutta Leather Complex, 323 nos. have been allotted land in Zones 1 to 8 of the Complex. These allotments of land were made to the tanneries between January, 2001 and February, 2002.

200 nos. of relocating tanneries are yet to be allotted land. 183 nos. of these 200 tanneries originally booked less than 400 sq. mtr. of land and in terms of the order dated.18.10.2000. of this Hon'ble Court these 183 nos. of tanneries would be considered for allotment of land at Calcutta Leather Complex if they form cooperative societies. 76 nos. of these 183 tanneries later purchased additional land to touch 400 sq. mtr. of land and have now become eligible to receive allotment of land. 70 nos. of these 183 tanneries have taken steps to form cooperative societies and 1 nos. have formed partnership firms. Thus, 149 tanneries alongwith 17 nos. of relocating tanneries, who could not be

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allotted land at Calcutta Leather Complex earlier, have now become eligible to receive allotment of land.

There is at present, no allotted land in Zones 1 to 6 of Calcutta Leather Complex. The BOT Party has earmarked Zone 9 for housing these tanneries and is now developing the required infrastructure in the said Zone. The BOT Party has stated that development of the required infrastructure in Zone 9 of Calcutta Leather Complex would be completed by end-January, 2003. The land comprised in Zone 9 will then be required to be made free from encumbrance, if any, by the BOT Party and the lease for the same be surrendered to the State Government. Only then, the State Government will be in a position to make allotment of land to these tanneries in Zone 9 of Calcutta Leather Complex.

323 nos. of relocating tanneries, which were allotted land, have taken possession of land at Calcutta Leather Complex in the following manner:-

- | | |
|---|-------|
| (i) Number of tanneries taking possession of land in
Zone 1 in January, 2001 | — 34 |
| (ii) Number of tanneries taking possession of land in
Zones 2 to 5 during April, 2001 to July, 2001 | — 204 |
| (iii) Number of tanneries taking possession of land in
in Zone 5 in November, 2001 | — 23 |
| (iv) Number of tanneries taking possession of land in | — 56 |

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There is a personcomplex.

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(iv)	Number of tanneries taking possession of land in	56

Zones 6 to 8 during November, 2001 and December, 2001

(v) Number of tanneries taking possession of land in — 6

Zones 7 and 8 in January, 2002 and February, 2002

174 nos. of relocating tanneries have sought approval of the State Government for execution of land lease. Approval has been accorded to 145 nos. of these tanneries. Nearly 40 nos. have taken actions for execution of lease deed out of which 6 nos. have already executed the lease deeds.

INFRASTRUCTURE DEVELOPMENT

Important infrastructure like road, electricity, water supply, drainage and effluent transportation system are ready in **Zones 1 to 8** of Calcutta Leather Complex. However, at present only **10 MVA** of power load is available for **Zones 1 to 8**. **62 nos.** of tanneries have applied to the West Bengal State Electricity Board for power connection booking a power load of **6246 KVA**. Considering the prompt response of the tanneries, the WBSEB anticipates that power load demand would soon **exceed 10 MVA**. The existing substations will be overloaded in that event. WBSEB has requested the BOT Party to **complete the proposed 33 KV Substation** within the **middle of February, 2003** instead of end-March, 2003. WBSEB has also requested the BOT Party to complete simultaneously the allied jobs like drawing of **11 KV** outgoing feeders, etc. A copy of WBSEB's letter dated **03.12.2002**, addressed to the BOT Party is given at **Annexure-I** of this Status Report.

The State of West Bengal has already informed this Hon'ble Court that it has developed the first part of the **first phase of the first 2 (two) modules** (5 MLD capacity each) of Common Effluent Treatment Plant at Calcutta Leather Complex. The said infrastructure would be able to **provide preliminary facilities for treatment of tannery effluents**. The tanneries have also been advised to develop **pre-treatment facilities at their individual tanneries**. In consultation with the Ministry of Environment and Forests, Government of India, the State Government has also advised Kolkata Metropolitan Development Authority to prepare the plan and estimate for **another 2 modules** (5 MLD capacity each) of Common Effluent Treatment Plant at Calcutta Leather Complex. The Kolkata Metropolitan Development Authority has also been advised to seek the assistance of Central Leather Research Institute while preparing the said plan and estimate. The design of the first 2 modules of Common Effluent Treatment Plant, already under implementation, would more or less be followed after inserting changes brought in after tender formalities for the said modules and eliminating the costs of the common components.

The State of West Bengal has written to the BOT Party seeking to know whether the latter would construct the modules of **Continuous Common Chrome Recovery Plant** at Calcutta Leather Complex. The BOT Party has not yet responded. In order that tanneries do not face difficulties in treating chrome effluents, the State Government has requested the Central Leather Research Institute to prepare the plan and estimate for one module of Continuous Common Chrome Recovery Plant for Calcutta Leather Complex

by **December, 2002**. **73 nos.** of relocating tanneries have already conveyed their intention to join the Continuous Common Chrome Recovery Plant.

In consultation with the Ministry of Environment and Forests, Government of India, the State Government has also requested the Central Leather Research Institute to prepare the **revised plan and estimate for Solid Waste Management Network** for Calcutta Leather Complex. As a temporary measure, the State Government has requested the Kolkata Municipal Corporation to **allow and arrange for disposal of solid wastes**, to be generated at Calcutta Leather Complex, **at the latter's Solid Waste Disposal Ground**, which is located near the Complex, for the city of Kolkata.

TANNERY CONSTRUCTION ACTIVITIES.

209 nos. of relocating tanneries have started construction works Calcutta Leather Complex — out of which **58 nos.** are constructing tannery building as on **06.12.2002**. More number of tanneries are initiating actions for construction of tannery buildings at Calcutta Leather Complex.

282 nos. of tanneries have so far applied to South 24 Parganas Zilla Parishad for sanction of building plans. **187 nos.** of these tanneries have already received provisional sanction of their building plans. The remaining **95 nos.** of building plan applications suffer from defects and are awaiting rectifications by the tanneries.

~~76~~
56**RELOCATION OF TANNERIES.**

For helping the tanneries in their smooth relocation to Calcutta Leather Complex, the State Government has already taken the following steps:-

- (i) Additional buses are being placed at the existing routes on Kolkata-Basanti Road linking Kolkata with Calcutta Leather Complex.
- (ii) New bus routes are being arranged by granting temporary route permits for commuting between Kolkata and Calcutta Leather Complex.
- (iii) A primary health unit will be set up at the Complex at the earliest. The BOT Party has agreed to provide approximate 675 sq. mtr. of land to the State Government for the purpose.
- (iv) For managing the civic facilities at the Calcutta Leather Complex, the State Government has already initiated action for declaring the Complex as an Industrial Township and for constituting an Industrial Township Authority. Till such Authority can be constituted, the civic functions would be looked after by Kolkata Metropolitan Development Authority or West Bengal Industrial Infrastructure Development Corporation.

COMPLIANCE OF THE ORDER DATED 22.11.2002. OF THIS HON'BLE COURT

Immediately after the receipt of the order dated 22.11.2002. of this Hon'ble Court, the tanneries, located at Tangra, Topsia, Tiljala and Pagladanga areas of Kolkata, were

~~57~~ 57

advised by the State Government to strictly comply with such directions in letter and in spirit. The police and the administration have also been directed to keep a strong watch over the situation and take necessary actions in terms of the directions of this Hon'ble Court against those tanneries which fail to comply with the order of this Hon'ble Court.

Dated the 11th December, 2002.

Romit Mutsuddi

(Romit Mutsuddi)
Joint Secretary
Commerce & Industries Department
Government of West Bengal.