

SL. No. 52/2022
Date 16/11/22

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
IN
OA. No.84/2022

IN THE MATTER OF:

T.V. George

.....APPLICANT

VERSUS

The Chairman, Railway Board,
Ministry of Railway & ORS.

.....RESPONDENTS

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Filed by:-

Ashok Prasad

(ASHOK PRASAD, ADVOCATE)
Counsel for Ministry of Railway

Dated: _____, 2022
Place: Kolkata

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**The Chairman, Railway Board,
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.....RESPONDENTS

**PARAWISE REPLY AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 2
i.e., Divisional Railway Manager**

I, Dilip Kumar Singh S/o Ram Singh, aged about 52 Years, by Religion – Hindu, by Occupation-Service, having office at Divisional Railway Manager/Alipurduar Jn./N. F. Railway do hereby solemnly affirm and declare as under: -



1. That I, in the capacity of Divisional Railway Manager, Alipurduar, North East Frontier Railways, Alipurduar, West Bengal, and as such, is competent have to file the present affidavit. I am fully

conversant with the facts of the case and hence, competent to depose and swear the present reply affidavit as under:

- 2. I have read a copy of the petition purportedly made under section 18(1) read with section 14,15,16 & 17 of the National Green Tribunal Act, 2010 (hereinafter referred to as the said petition) affirmed by petitioner and I have understood the meanings, contents and purports thereof.
- 3. The deponent has been advised to traverse and/or deal with only such allegations and/or contentions and/or averments and/or statement made in the said petitions which are material and relevant for the purpose of just adjudication and disposal of the instant case. All other allegations and/or contentions and/or averments and/or statements made in said petition may be deemed to have been denied and disputed in toto and to have not been admitted in any way. Save and except what matters are of record and save and except what have specifically been admitted herein each and every allegations and/or contentions and/or statements made in the said petition are deemed to have been denied and disputed by me in seriatim.
- 4. That the deponent craves liberty to raise additional submission or file additional affidavit in case need arises during the course of arguments.



5. Now the Deponent proceeds to submit before the Hon'ble National Green Tribunal, Eastern Zone at Kolkata in compliance of the directions given on 22nd July, 2022 by the Hon'ble Tribunal.

PARA WISE REPLY

6. That with regards to Para 1 to 7, the answering respondents beg to state that, the existing dolomite siding at Dalgaon Railway Station has been running since long before the present demographic phenomenon in the locality. The railway siding is playing an important logistic role in the growth of railways' revenue as well as generation of local employment and business growth of the Dalgaon area.
- a) On having received many a complaints from the local public and the convenor of college and School Forum of Birpara, including the member of Parliament of the locality, N. F. Railway at the guidance of the Ministry of Railways had decided to construct new siding on another area and at the same time, efforts are being made to mitigate the pollution at the siding at par the norms of State Pollution Control Board, the full details of the measures which are laid out clearly in the subsequent paragraphs of this written statement.
- b) Further, in this connection, DM Jalpaigurui Vide his memo No.641/CC dtd.17/09/2012 (Annexure-A) had also requested the DRM, N. F. Railway, Alipurduar Junction for sorting out the problem regarding Pollution at Dalgaon Railway Station arising from the existing Dolomite siding. Accordingly, while railway is keeping operation of the Dalgaon siding alongside actively had taken up the preventive measures for arresting the pollution at the Dalgaon railway siding. As per earlier decision to shift the siding to a non residential area i.e. to Mujnai, railway had proposed the District Administration of Alipurduar vide the office letter of even No. dtd.08/06/2015 for acquisition of 10.81 acres of land in favour of N.F Railway at Mujnai Railway station for constructing/establishment of alternative siding.



A copy of the letter dated 17/09/2012 and 08.06.2015 is enclosed here with and marked as Annexure as R/ 1 (Colly)

- c) The plan and progression of the proposed of railway siding at Mujnai Railway Station is submitted for kind appraisal of this Hon'ble Tribunal as under- After further assessment, the area of land was found reduced to 7.16 Acres with minimum land requirement. The survey for mouza was conducted with BL&LRO, Madarihat and requested for transfer of land to Railways vide letter No 338/Dolomite siding/AP/W-4 dtd 26.07.2017 and 09.08.2017. The mouza details are as follows:
- i) Dhumchi, JL No 18, Sheet No 2 (2.63 Acres)
 - ii) Uttar Sishu Bari JL No 19, Sheet No 1 (4.05 Acres)
 - iii) Birpara TG, JL No 9, Sheet No 6 (0.48 acres)
- d) ADM and DL&LRO Alipurduar stated that land cannot be given to Railway as LR plot No. 430, Khatian No 6 belongs to Shri Rajen Oraon. Hence the said land cannot be transferred to Railway Department vide letter No 1318/IV-1/106/LMS/DLLRO/APD/2017 dtd. 18.08.2017.
- e) In response to above letter, ADM and DL&LRO Alipurduar stated vide letter No 1945/IV-1/106/LMS/DLLRO(APD)/2017 dated 12.12.2017 that the land in question is not free from all encumbrances to initiate the proposal for transfer of Government vested land in favour of Indian Railways for setting up Dolomite siding.
- f) That, as the project was very important and in view of the shifting of siding less crowded area, Railway again requested to the District Land Authority for Acquisition of said 7.16 Acre of land as per Railway (Amendment) Act-2008 Chapter IV A. Item No. 20A (1).

A Copy of letter dated-26.07.2017, is requesting again the DLA for acquisition of 7.16 acre land is enclosed here with and marked as Annexure R/2



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- g) That, in this context several correspondences were made with the District Land Authority of Alipurduar from Railway side. On 26/12/2017 the District Magistrate & Collector Alipurduar had forwarded the proposal of interdepartmental transfer of Land to the Principal Secretary & Land Reforms commissioner to the Govt. of West Bengal.
- h) That, on 20/03/2018, Deputy Secretary to the Government of West Bengal Vide his Memo No. DS-782/LA/N/1R-01/2018 has directed to the District Magistrate & Collector, Alipurduar to explore if there is any other alignment whereby the Land owned by tribal families can be avoided. On 12 to 15th April 2018 the Commissioner, Jalpaiguri has requested to Land Reforms Commissioner, West Bengal "NABANNA" to take necessary action on aforesaid matter.
- i) That, on 28/05/2018 the District Magistrate & Collector, Alipurduar Vide his Memo No.2791/IV-1/106/LMS/DLRO(APD)/2017 requested to this end to identify to any other land which is free from all encumbrances and suitable for the same proposed siding. But after joint physical verification it was found that there had no alternative land available suitable for the re-alignment of the said project.
- j) Railway, again requested for transfer of 7.16 Acre of land vide letter No W/338/DOLOMITE SIDING/AP/W-4 (Loose) dated 02.11.2017 to DM/Alipurduar and requested to intervene personally for annulment of Patta which was initiated earlier.
- k) The DM & Collector Alipurduar vide letter No 2021/IV-1/106/LMS/DLRO(APD)/2017 dtd. 26.12.2017 asked for direction from The Principal Secretary and land Reforms Commissioner to the Govt of West Bengal stating that land is under possession of tribal farmers.



- l) That, on 13.08.2018 the District Magistrate & Collector, Alipurduar has sent his reply in this matter to the Principal Secretary & Land Reforms Commissioner to the Govt. West Bengal L & L.R and R.R & R. Department, Land Acquisition Branch for necessary direction.
- m) That, there is no response from the District Authority till date, though constant persuasions were made with the District Land Authority and Commissioner Jalpaiguri Division.
- n) That, on 21.10.2019 a meeting was conducted by DRM/Alipurduar N.F. Railway with Principal Secretary (Land) at Calcutta for early acquisition of Land. But, till date the land acquisition is pending from their end and no positive response for land acquisition has been received.
- o) As the Mujnai siding is an Approved Sanctioned Project so an active co-operation from the concerned state authority is urgently needed to execute the project early to sort out the problems of pollution. Furthermore, **one letter was sent to Land Acquisition Officer on 09.06.22 regarding estimate of the land surveyed.** After this a fresh land survey was done with Railway and State Administration in Sept, 2022.

A copy of letter dated 09.06.2022 is enclosed here with and marked as Annexure R/3.

That, from above stated facts and circumstances, the allegations of the applicant of violating railway's own undertaking and flagrant violation of various Environmental Provisions are found to be baseless, have no ground reality and not tallying with the facts in relation to the siding at Dalgaon. Further, as alleged by the applicant, there is no report of hazardous health problems to the people working in the siding for loading /unloading of dolomite due to spoilage of dolomite particles instead and admittedly, soil dust are fuming due to flying of lorries and dumpers carrying dolomite nearby the habitat which has now been under control due to



effective measures adopted by the railway as per guideline prescribed from the concerned State Pollution Control Board. Hence, the allegation is denied too.

7. That, with regard to contention made in para -6, the answering railway respondents beg to submit that, Railway being concerned with the mitigation of pollution therein the siding area of Dalgaon, Mujnai railway station area has been opted good for alternative siding which is far away from residential area. For this purpose, land has been identified and proposed for acquisition before the state authority but had not been provided by State government till date.

Further, Railway respondents beg to inform the Hon'ble Tribunal that, railway has also developed a new drawing for construction of siding on Railway land, which has been approved from N.F. Railway HQ at Maligaon for construction of siding on newly alignment location in railway area. As stated in earlier para of this written statement, N. F. Railway of Alipurduar Junction, for sorting out the problem regarding Pollution at Dalgaon Railway Station arising from the existing Dolomite siding vide the letter dated 08.06.2015, had proposed the state District Administration/Alipurduar for acquisition of 10.81 acres of land for railway at Mujnai Raiwlay Station. But the state authority could not release the required land free of encumbrances till date.

A copy of letter dated 08.06.2015 is annexed here with and marked as Annexure-R/4.

The works involving in the Plan at Mujnai Railway Station siding are-

- i) **The Drawing of Mujnai siding has been approved.**
The approved drawing and correspondences regarding land for Mujnai siding would be produced with the leave of the Ho'nble Tribunal during the course of hearing of the case.
- ii) **Station building is to be shifted from North side to South side.**
Tender for building work has been awarded on 22.10.2022
- iii) **The material for approach road is available at site and work is in progress.**



- iv) **A new bridge (Box culvert [Br. No. 199(1)], Span 3X6.00m parallel to existing Br. No. 199 (Span, 3X6.10m), PSC Slab) is to be constructed for construction of Approach road. The tender has been floated.**
- v) **Shifting of L.C. Gate No. 152 from KM 114/5-6 to KM144/7-8.** The estimate has been vetted. The work will be completed tentatively by 30.09.23 as it required the sanction of Commissioner of Railway Safety. Accordingly, the Commissioner of Railway Safety / Calcutta Zone has been requested for approval in this regard and tender has already been floated.
- vi) That, total 106 Nos. of Encroachments are to be removed from the railway project land. In this regard, Form A and B has been issued to the encroachers fixing the eviction drive which was fixed on 26.10.2022. However, encroachments could be removed as the local administration could not provide assistance for it. so:-
 - a) New station building could not be started due to encroachment within railway land. So, New Line could not be constructed at North side where old station building is presently situated.
 - b) Works on approach to New Station is held up.
 - c) Construction of quarters for Railway staff could not be started due to existing unauthorized occupations.

A copy of the request Letter made to the concerned state authority dated 01.09.2022 is annexed herewith and marked as Annexure R/5



- vii) That, State government is requested for acquisition of land as proposed which is far away from free of all constraints.
- viii) Since there is no existing siding at Mujnai Railway Station, CTO will be obtained accordingly during process of establishment of the siding.

Regarding CTE, as Mujnai Railway Station was established much before 1997 hence, CTE is not required for this station.

- ix) **However, a proposal is there to establish a goods siding at Mujnai Railway area. CTO will be obtained accordingly.**
- x) **Environment Engineering, Siliguri Regional Office/WBPCB has visited the proposed site on 01.09.2022.**

8. That, the answering railway respondents beg to submit that, **as per guideline of WBPCB, the following measures have already been taken to arrest the pollution at Dalgaon siding;**

- a) Materials are carried in wet condition only to arrest the dust spreading during loading/unloading.
- b) Trucks carrying dolomite are being covered with tarpaulin to arrest spread of dust particle during transportation.
- c) Loaded trucks are passed under a water spring to moist the consignment before unloading to minimise dusting effect.
- d) Water is being sprinkled time to time over the road through the township area and also in the whole goods yard of Dalgaon to prevent from dusting.
- e) Water mist spray system has been installed over the loading line covering complete length to prevent dust to be spread during loading of the wagons by JCBs.
- f) Some area around the siding is already having greenery patches. Plantation has been done along the platform edges. More plantations has been planned to provide two layered shield to prevent dust to be spread out.
- g) Automatic Smart Environ Monitoring system has been planned to be installed at Dalgaon Siding to monitor several aspects of pollution over the area.
- h) Since, Railway wants to continue to operate the existing Dalgaon siding, in this regard some more necessary preventive measures as per WBPCS guideline have already been implemented. Rest will be ensured shortly. Also, fees for the CTO have already been deposited
- i) A work of ROB was sanctioned by Railway and State Government on 50:50 cost sharing basis in lieu of LC No SK155 at approach of Dalgaon Railway Station. This LC carries TVU more than 5, 00,000. The revised estimate proposed by State Government of railway has been sanctioned but same has been dropped by State. If it would have been sanctioned then the problem of traffic jam would have been solved.
- j) That joint inspection and meetings were conducted with the concerned State Pollution Control Board on 11.09.2022, to suggest the way and measures for total control of pollution at the dolomite loading dumping siding at Dalgaon as well as the Mujnai Railway siding. Railway has to be received the joint inspection report from the concerned state Authorities.

9. That, while, the answering railway respondents has already taken up the active measures for arresting the dolomite dust pollution



16/11/22

due to loading/dumping of dolomite at the siding at the same time further action have been taken at Dalgaon Railway siding for arresting pollution as under:-

- i) **As Dalgaon Railway station was established much before 1997, CTE is not required to be obtained. Online Application has been processed to obtain CTO for Dalgaon Railway Siding. Fee for the same has been deposited on 07.06.2022. CTO is yet to receive.**
- ii) **Officials of WBPCB's Siliguri Regional Office have visited the site on 08.02.2022. Accordingly, a hearing was attended by Railway officials at Chief Engineer WBPCB/ Kolkata on 19.04.2022. In this regard, directives of WBPCB have been received through Memo No. 807(01)-1M-11/2009(Pt.-IV), dated 04.08.2022**

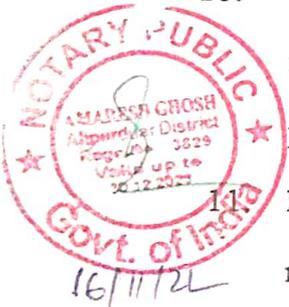
A copy of WBPC/Kolkata's letter dated 04.08.2022 is enclosed here with and marked as Annexure R/6.

- iii) **Again, as per order of Hon'ble NGT/EZ, a team comprising officials of CPCB, SPCB and district administration of Alipurduar have visited the siding on 01.09.2022.**

10. It is submitted that while deciding the case on merit the above facts, reasons, and circumstances stated by answering respondent in the preceding paragraphs may be considered by the Hon'ble Tribunal.

11. It is submitted that while deciding the case on merit the above facts, reasons, and circumstances stated by answering respondent in the preceding paragraphs may be considered by the Hon'ble Tribunal.

12. The statements made in paragraphs 1 to 5 are true to my knowledge and those made in paragraphs no.are my respectful submissions before this Hon'ble Tribunal.



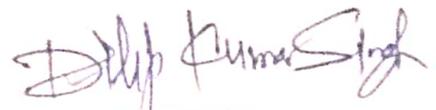
Raj Kumar Singh

DEPONENT
 Divl. Railway Manager
 नं० सी० रेलवे / N.F. Railway
 मन्दिपूरद्वार जं / Alipurduar Jn

VERIFICATION

I, Dilip Kumar Singh, aged about 52 Years, by Religion-Hindu, by Occupation-Service, having office at Divisional Railway Manager/Alipurduar Jn. /N. F. Railway, the above-named deponent do hereby verify that, the contents of the above affidavit are true and correct to my knowledge based on official records, no part of it is false and nothing material has been concealed there from.

Signed and verified on this 16th Day of November, 2022 at Kolkata.



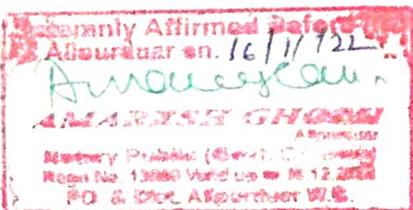
DEPONENT

Jvl. Railway Manager
एन सी एलवे / N.F. Railway
अलिपुरद्वार जं / Alipurduar Jn

Identified by me


16.11.22

Advocate



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE
JALPAIGURI

Date 17/9/2012

Memo. No. 641 / CC

From : District Magistrate,
Jalpaiguri.

To : The Divisional Railway Manager,
N.F. Railway,
Alipurduar Junction.

Sub: Pollution problems due to dumping of dolomite at
Dalgaon Railway Station yard.

Ref.: Letter dated 10/09/2012 of Sri Krishna Bahadur
Shrestha, Convener of College & School Staff Forum,
Birpara.

Sir,
With reference to the subject as mentioned above enclosed kindly
find herewith one letter from Sri K.B. Shrestha, Convener of College &
School Staff Forum, Birpara, addressed to the Hon'ble Minister of
Railways, Government of India which is self explanatory.

Similar complaints had been received by us from the other ends
also earlier and this office had forwarded those complaints to your end for
necessary action.

This is once again to remind you for your intervention in solving this
problem of pollution due to dumping of dolomite at Dalgaon Railway
Station yard.

Thanking you,

Yours faithfully,

District Magistrate,
Jalpaiguri.

Encl.: As stated.

34) 115
D. Dasgupta
25/9/12
Rajendra

DRM
25/9/12
DRM

D. Dasgupta

25/9/12
DRM

Office of the
Divisional Railway Manager(W)
Alipurduar Junction

Date: 08.06.2015

No. W/338/DOLOMITE SIDING/APW-4

To,

The District Magistrate
Alipurduar District
West Bengal.

Dear Madam,

Sub: Acquisition of 10.81 acres of land for construction of new Railway siding in between Dalgaon-Mujnai Railway station.

Dalgaon is an important location under Alipurduar District. From Railway point of view it is a vital station in respect of passenger movement and goods transportation. Dolomite is an important commodity which is transported to other parts of the country from Dalgaon and nearby area. Presently Dolomite is being loaded at Dalgaon Station only as there is no other option available. The approach of Dalgaon station is congested due to traffic. The station approach is further congested by the movement of dolomite carrying trucks which has increased in last two years. Local people have raised their concern about the deteriorating environment on account flying dolomite dust and demanded shifting of the Dolomite loading point from Dalgaon to other locations.

Considering the environmental problem faced by the public and congestion near the station approach, it is decided to reduce dolomite loading at Dalgaon by constructing a new loading siding between Dalgaon and Mujnai station.

Railway has surveyed the area and approximate alignment of new siding has been decided. It is found that extra land is required in addition to existing Railway land towards NH side. The extra land (beyond railway boundary) needed for the construction of siding is to be acquired. The additional land requirement has further assessed through joint field survey with representative of BL & LRO/Madarihat (Report attached).

Approximate 10.81 acres of land needs to be acquired which consists of Government Vested Land as 9.71 acre, T.G land – 0.74 acre and Raiyati land – 0.36 as detailed below :

Mouza	JL No.	Sheet No.	RS Plot	Land	Land area	Total area (acre)
Dhumchi	18	2	265 263 264	Vested	2.25	9.71 acre
Uttar Sishubari	19	1	1 4 17 18 19 20	Vested	5.75	
Uttar Sishubari	19	2	229 326	Vested	1.71	
Birpara TG	9	6	654	TG Land	0.74	0.74 acre
Dumchi	18	2	264	Raiyati	0.32	0.36 acre
Uttar Sishubari	19	1	2	Raiyati	0.04	
					Total =	10.81 acre

Therefore, it is requested to initiate the procedure for land acquisition from your end.
Your earliest action will be highly solicited.

Thanking you,

DA: As above.

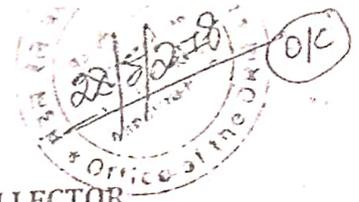
Yours faithfully,



(Ajay Kumar, IRSE)
Divisional Engineer/III
Alipurduar Junction/N.F.Rly



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE AND COLLECTOR
ALIPURDUAR.



Memo No. 8081 /IV-1/106/LMS/DLLRO(APD)/2015

Dated: 26/12/2017

To,

The Principal Secretary &
Land Reforms Commissioner to the Govt. of West Bengal
L & L.R. and R.R. & R. Department
"NABANNA", 325 - Sarat Chatterjee Road,
P.S.- Shibpur, Dist:- Howrah,
PIN:- 711102

Sub:- Acquisition of 7.16 acres of land in the district of Alipurduar between Mujnai -
Dalgaon Railway Station.

Ref: Memo No:- W/338/DOLOMITE SIDING/AP/W(loose) dated. 13.12.2017.

Sir,

In respect to the above referred memo and subject this is for your kind information that after receiving the letter for land transfer of 10.81 acre of land in three mouzas namely Dhimchi (J.L. No:- 18) with an area of 2.57 acres, Uttar Sishubari (J.L. NO. 19) with an area of 7.50 acres & Birpara T.G. (J.L. No. 9) with an area of 0.32 acres; subsequently the B.L. & L.R.O. Madarihat was requested to submit the detail status report of the subject land. The office of the B.L. & L.R.O., Madarihat along with the representatives from the Railway authority have duly enquired the land in question and the railway authority have identified a total 7.16 acre of land for transfer. But From the physical verification report (copy enclosed) it appears that the subject land is under possession of some tribal farmers.

Meanwhile the Railway authority has submitted a prayer vide memo no. W/338/DOLOMITE SIDING/AP/W-4(Loose) dated. 02.11.2017 for transfer of Govt. land in favour of Railway Authority. The office of the undersigned has informed the Railway authority that the subject land can not be proposed for transfer to the Railway Department as the land is not free from encumbrances. Now the Railway authority has prayed for acquisition of the 7.16 acre of land in consonance with the Railway (Amendment) Act, 2008, chapter IV A item no.20A(1). They have requested the District authority to initiate the process for acquisition accordingly.

This is for your kind information & soliciting necessary direction in this regard.

Encl:- As stated above.

Yours faithfully,

(Signature)
District Magistrate & Collector
Alipurduar

Dated: 26/12/2017

Memo No. 8081/B /IV-1/106/LMS/DLLRO(APD)/2015

Copy forwarded for kind information to :-

1. The Divisional Railway Manager, N.F. Railway, Alipurduar Division, Alipurduar Jn.
2. The Sr. Divisional Manager, N.F. Railway, Alipurduar Division, Alipurduar Jn.

(Signature)
District Magistrate & Collector
Alipurduar

**Northeast Frontier Railway
Alipurduar Division**

Alipurduar Junction, Dist.-Alipurduar, West Bengal, India, PIN – 736123

पिंकू, आई आर एस ई
विभागीय अभियंता (III)
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रेलवे: 34406 (ओ), 34407 (आर)
ईमेल: den3apdjnfr@gmail.com



PINKU, IRSE
Divisional Engineer (III).
Cell : +919002052204
Railway : 34406 (O), 34407 (R)
Email : den3apdjnfr@gmail.com

No. W/338/Dolomite siding/AP/W-4

Dt:- 09.06.2022

To
The Land Acquisition Officer
Alipurduar
Govt. of West Bengal.
Dooars Kanya, Alipurduar
Post-Alipurduar Court.
Pin-736123

Sub: -Acquisition of 7.16 acres of land in the district of Alipurduar between
Mujnai – Dalgaon Railway station for developing a goods siding.

Ref: - This office letter of even No.dt.07.06.2018,18.06.2018,07.01.2019,14.02.2019,
4.03.2019,8.12.2021 &01.02.2022.

With reference to the subject as mentioned above, It has requested for acquisition of 7.16 acres of land falls under the mouza Dhumchi (J.L.No.18) Birpara T. G (J. L No .09) Uttar Sishubari (J.LNo 19) in the district of Alipurduar for the purpose of sanctioned Railway project for construction of good siding In between Mujnai -Dalgaon Railway station,

Therefore, the process for acquisition will be done in consonance with the Railway (Amendment) Act. 2008, chapter IV A item No. 20A (1). In this respect the mouza map duly signed by the State and Railway with mentioning all involve plots of land of the above mentioned 3 mouzas are attached. Now it is requested to submit the estimate for the further process for acquisition of land please.

DA: - As above

Pinku
09.06.22

Divisional Engineer/III
Alipurduar Junction

Copy forwarded for kind information please.

1) ADM and DL&LRO/ Alipurduar

o/c
S



Date: 08.06.2015

(1/8) 119

No. W/338/DOLOMITE SIDING/APW-4

To,

The District Magistrate
Alipurduar District
West Bengal.

Dear Madam,

Sub: Acquisition of 10.81 acres of land for construction of new Railway siding in
between Dalgaon-Mujnai Railway station.

Dalgaon is an important location under Alipurduar District. From Railway point of view it is a vital station in respect of passenger movement and goods transportation. Dolomite is an important commodity which is transported to other parts of the country from Dalgaon and nearby area. Presently Dolomite is being loaded at Dalgaon Station only as there is no other option available. The approach of Dalgaon station is congested due to traffic. The station approach is further congested by the movement of dolomite carrying trucks which has increased in last two years. Local people have raised their concern about the deteriorating environment on account flying dolomite dust and demanded shifting of the Dolomite loading point from Dalgaon to other locations.

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Railway has surveyed the area and approximate alignment of new siding has been decided. It is found that extra land is required in addition to existing Railway land towards NH side. The extra land (beyond railway boundary) needed for the construction of siding is to be acquired. The additional land requirement has further assessed through joint field survey with representative of BL & LRO/Madarihat (Report attached).

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Uttar Sishubari	19	2	229 326	Vested	1.71	
Birpara TG	9	6	654	TG Land	0.74	0.74 acre
Dumchi	18	2	264	Raiyati	0.32	0.36 acre
Uttar Sishubari	19	1	2	Raiyati	0.04	
					Total =	10.81 acre

Therefore, it is requested to initiate the procedure for land acquisition from your end.
Your earliest action will be highly solicited.

Thanking you,

DA: As above.

Yours faithfully,



(Ajay Kumar, IRSE)
Divisional Engineer/III
Alipurduar Junction/N.F.Rly



No: W/557/MBZ/AP/W-4

Date: 01/09/2022

To
The District Magistrate
Alipurduar (West Bengal)

Sub:- Deployment of Magistrate for removal of encroachment at Dalgaon, Mujnai, Madarihat, Hasimara Hamiltanganj, Kalchini Damanpur, Garapara & Rajabhatkhawa unauthorized structures from the Railway land.

Sir/Madam,

It is to bring to your kind notice that there are several nos. of unauthorized structures existing in Railway land at Dalgaon, Mujnai, Madarihat, Hasimara Hamiltanganj, Kalchini Damanpur, Garapara & Rajabhatkhawa which obstructing the Rly. Development work of the mentioned stations Because of unauthorized occupants in Railway land, Railway staff and their families are facing a lot of problems viz unhygienic environment, law & order problem. Unauthorized structures and their occupants are also creating impediment to Railway working. The job nature of railway men is related to safety of trains as well as the train passengers. The eviction of unauthorized structures is vital to address the above problems.

In this regard, eviction notices have been served to unauthorized occupants. 191 nos. at Dalgaon, 106 nos. at Mujnai, 79 nos. at Madarihat, 238 nos. at Hasimara, 68 nos. at Hamiltanganj, 259 nos. at Kalchini, 60 nos. at Damanpur, 92 nos. Garopara & 20 nos. at Rajabhatkhawa, (Total 1113 no's) unauthorized occupants have been served with Form 'A' and Form 'B' the eviction notices as per Public Premises Act, 1971. The period of notices is also over.

Under the circumstances, Railway has made several correspondences in this regard. Now therefore, it is requested to fix a further suitable date and let this office know from your end.

SN	Location	No. of unauthorized structures	Date	Time
1	Dalgaon	191	24.10.2022 & 25.10.2022	10.00 A M
2	Mujnai	106	26.10.2022	- Do -
3	Madarihat	79	27.10.2022	- Do
4	Hasimara	238	28.10.2022 & 29.10.2022	- Do
5	Hamiltanganj	68	02.11.2022	- Do
6	Kalchini	259	03.11.2022, 04.11.2022 & 05.11.2022	- Do
7	Damanpur	60	18.11.2022	- Do
8	Garopara	92	07.11.2022 & 08.11.2022	- Do
9	Rajabhatkhawa	20	09.11.2022	- Do

In this context, your kind co-operation is solicited in advance to assist the Railway administration by deputing Executive Magistrate along with adequate Police Force to maintain law & order during the date of eviction.

Yours Sincerely,

(Pinku)

Estate Officer

&

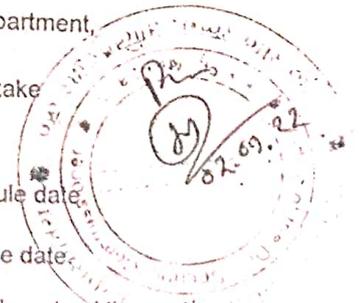
Divisional Engineer/III
Alipurduar Junction.

Copy to :-

- Addl. Chief Secretary (Home) and Home Secretary Government of West Bengal, Home Department, NABANNA, Howrah: - For kind information please.
- Inspector General of Police North Bengal Region, Siliguri --- Kindly advise SP/Jalpaiguri to take necessary action on this issue please.
- Sr. Divisional Engineer/ Co-Ord., N.F. Railway - for kind information please.
- SP/Alipurduar - for deputing sufficient police force at the proposed eviction sites on schedule date.
- DSC/ N. F. Rly/APDJ -
 - For deputing sufficient Railway Protection force at the proposed eviction sites on schedule date.
 - Coordinating with the local police for the above purpose.
 - To warn the encroachers 2 days before the eviction date so that they may leave the Railway land themselves.

Asstt. Divisional Engineer/W/APDJ -

For arranging sufficient labour and machineries required for the above-mentioned eviction programmer.



R
02.09.22

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02/09/22