

54
S.L. NO...

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
Original Application No. 20 of 2022/EZ

Suprova Prasad

...Applicant

-Versus-

Ministry of Environment Forest &
Climate Change & Ors.

...Respondents

INDEX

Sl. No.	Particulars	Annexures	Page nos.
1.	Compliance Affidavit on behalf of General Manager, Eastern Railway, Kolkata (Respondent no. 11), Divisional Railway Manager, Sealdah Division, Eastern Railway (Respondent no. 12)	--	
2.	Letter dated 18.7.2022	A	
3.	Copy of the letter dated 9.9.2022	B	
4.	Copy of the letter dated 27.02.2023	C	
5.	Vakaltnama & Aadhar card		

Date: 13.04.2023

Filed by

Amrita Pandey

Amrita Pandey, Advocate
(F/747/2009)

Respondent no. 11 and 12

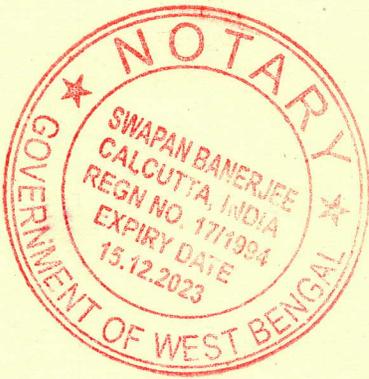
M: 9830609262; 9432820002

Email id: amritalegal@gmail.com

Address: Hastings Chamber, 7C,

KSR Road, 2nd Floor, Room No.

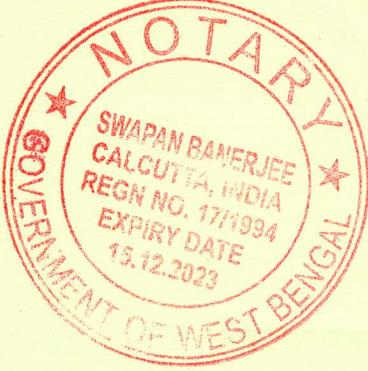
6, Kolkata - 700 001



Shyamal Kumar Ghosh

वरिष्ठ मंडल इंजीनियर (प्र
पूर्व रेलवे, सियालदह
Sr. Divisional Engineer (E.Z.)
E. Railway, Sealdah

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
Original Application No. 20 of 2022/EZ



Suprova Prasad
...Applicant

-Versus-
Ministry of Environment Forest &
Climate Change & Ors.
...Respondents

COMPLIANCE AFFIDAVIT ON BEHALF OF THE RESPONDENTS NO. 11 & 12
IN TERMS OF THE ORDER OF THE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH, KOLKATA.

I, Shyamal Kumar Ghosh, son of Late Amritalal Ghosh aged about 59 years, by
faith – Hindu, by occupation – Service, working for gain in the Office of Sr.
Divl. Engineer (Co-Ordn.) at Eastern Railway, Sealdah Division, do hereby
solemnly affirm and state as follows:

1. I am the Senior Divl. Engineer (HQ), Eastern Railway, Kolkata and the
authorized signatory of the respondents no. 11 & 12 herein (hereinafter
referred to as the “answering respondent”). I am acquainted with the
facts and circumstances of the case, and I am competent to affirm this
affidavit on behalf of the respondent no. 11 & 12.
2. That I affirm this Affidavit in terms of the directions passed by the
Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.
3. That nothing contained in this Affidavit shall be construed as admission
of any statement unless specifically admitted by me. I reserve the right
to deal with legal position of the matter at the time of hearing.

Shyamal Kumar Ghosh

वरिष्ठ मंडल इंजीनियर (प्र.का.)
पूर्व रेलवे, सियालदह
Sr. Divisional Engineer (HQ)
E. Railway, Sealdah

4. That the answering respondent states that vide order dated 16.02.2022, Hon'ble Tribunal directed for constitution of a Committee comprising of members from CPCB regional office at Kolkata, MoWR, RD&GR & WBPCB for inspecting the ghats in question and submit its report along with complete action plan for restoration and remedial measures to prevent further pollution in the river Hooghly.
5. The answering respondent states that vide letter dated 18th July, 2022 requested the Kolkata Municipal Corporation to provide the records with reference to the circular railway where the Railway track runs alongside the river bank on Port Trust land starts from Bridge No. K1 near Bagbazar Station to Majherhat station. Copy of the Letter dated 18.7.2022 is annexed hereto and marked with Letter A.
6. That the Kolkata Municipal Corporation vide its letter dated 22nd September, 2022 replied to the same and stated inter alia that no records are available with the Kolkata Municipal Corporation. Copy of the reply dated 22.09.2022 is annexed hereto and marked with Letter B.
7. That vide letter dated 27/02/2023, the answering respondent had duly informed that the land alongside the bank of river Hooghly where Circular Railway runs belongs to Kolkata Port Trust. Copy of the Letter dated 27th February, 2023 are annexed hereto and marked with Letter C.
8. The statements made in paragraphs 1 to 4 true to my knowledge, those made in paragraph no. 5 to 7 are true to my information derived from records which I verily believe to be true and the rest are my respectful submissions before this Hon'ble Court.

Identified by me

Amrita Pandey
Advocate
F/747/2009
13/04/2023

**Solemnly affirmed and declared
before me on identification**

Swapan Banerjee
SWAPAN BANERJEE
Notary, Calcutta, India
Govt. of W.B. Regn. No: 17/1994
Calcutta City Courts' Bar
Association (2nd Floor)
Calcutta-700 001

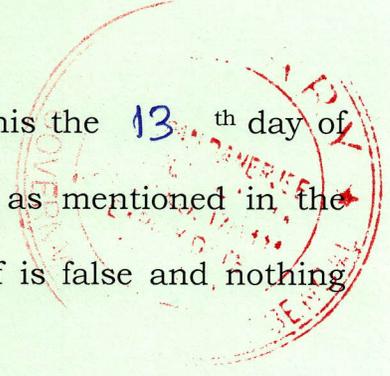
Swapan Kumar Ghosh
Deponent

वरिष्ठ मंडल इंजीनियर (प्र.का.)
पूर्व रेलवे, सियालदह
Sr. Divisional Engineer (HQ)
E. Railway, Sealdah
S. S. M. Banerjee Rd.
Kour 13

13 APR 2023

VERIFICATION

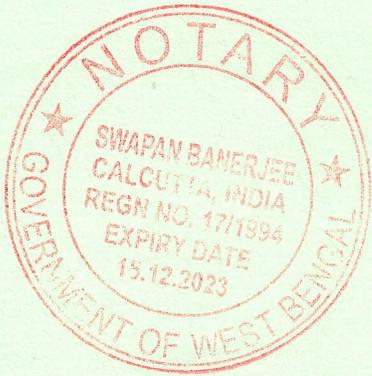
Verified at Kolkata by the Deponent above named on this the 13th day of April, 2023 and I do hereby verify that all the facts as mentioned in the affidavit are true to my knowledge and no part thereof is false and nothing material has been concealed therefrom.



Date:- 13.04.2023

Place: Kolkata

✓ *Shyam Kumar Ghosh*
Deponent *एच मंडल इंजीनियर (प्र.का.)*
पूर्व रेलवे, सियालदह
Identified by me *Divisional Engineer (HQ)*
E. Railway, Sealdah
Anurika Pandey
Aswate



शीलेन्द्र प्रताप सिंह, आई आर एस एम ई
Sheelendra Pratap Singh, IRSME
Divisional Railway Manager Eastern Railway, Sealdah



- A -

आज़ादी का
अमृत महोत्सव

No. 178-W/O/D/L

Dated : 18.07.2022

RECI	0
CONTENT NO.	IED
Date	B-66
Signature	19.7.22

Dear Sri Kumar

Sub: Requirement of copy of Smart Plan and I.B. & A.R.

Circular Railway of Sealdah Division of Eastern Railway runs from Dum Dum Jn: to Majherhat. At present, no land record detail of this section is available in this office.

You are kindly requested to arrange to provide a copy of Smart Plans and copies of Inspection Book & Assessment Roll pertaining to this section for record keeping purpose of this office.

Since it is a Government to Government transaction of office record, I kindly request you to arrange for supply these records free of cost.

Awaiting your early response and thanking you in anticipation.

With Warm Regards

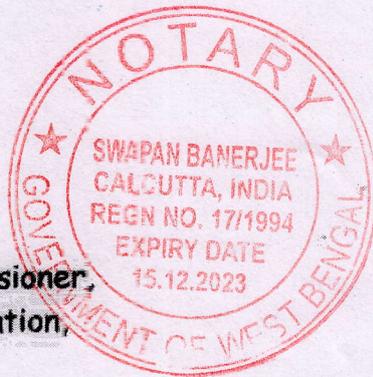
Yours faithfully,

(Signature)
18/7/2022

(Sheelendra Pratap Singh)

(Signature)

To
Sri Binod Kumar, I.A.S.
Hon'ble Municipal Commissioner,
Kolkata Municipal Corporation,
5, S.N.Banerjee Road,
Kolkata-700 013



True copy

(Signature)

श्री विष्णु मंडल इंजीनियर (प्र.का.)
पूर्व रेलवे, सियालदह
Sr. Divisional Engineer (HQ)
E. Railway, Sealdah

- 8 -

26/09
21/10/22
M/502
22/9/22

17
17/10

AROOP MAJAL
Assessor-Collector (South)



Kolkata Municipal Corporation
Central Municipal Office Building
Room No. 130, 1st Floor
5, S.N. Banerjee Road,
Kolkata-700 013

Ref. No. 52/A.C /S/P.A /2022-23

अ.मं.रे.प्र. (इफा.)
ADRM (Infra)

Date: September 9, 2022

27.9.22

To
The Divisional Railway Manager,
Eastern Railway, Sealdah,
Kaiser Street,
Kolkata-700014

व.मं.इं. (सम.)
Sr.DEN (C)

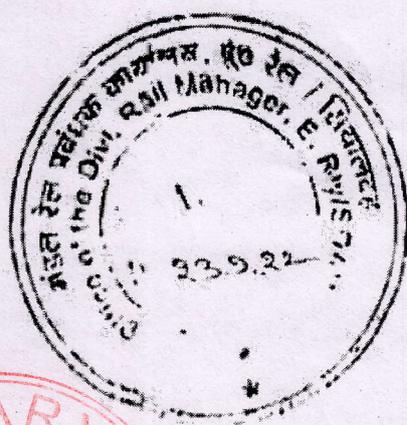
Sub: Requirement of Copy of Smart's Map, IB and AR

Ref: Your No. 178-W/O/D/L dt. 18/07/22

Sir,

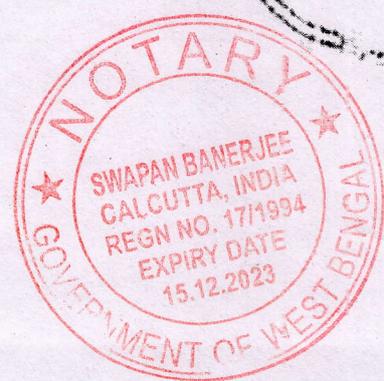
In connection with the matter under reference, this is for your kind information that since the Circular Railway runs on land belonging to Kolkata Port Trust, no record / information in this regard is available with the Kolkata Municipal Corporation.

Yours faithfully,



Assessor Collector (South)
09/09/22

Laud
Sd/-
Sr.DEN/C



True copy
Shyamal Kumar (Prk.)

वरिष्ठ मंडल इंजीनियर (प्र.का.)
पूर्व रेलवे, सियालदह
Sr. Divisional Engineer (HQ)
E. Railway, Sealdah

No. 335-W-Land-KMC-IB-AR-SM

Sealdah, 27.02.2023

OSD & E.O. (Design Head)
(Parks & Squares Department)
The Kolkata Municipal Corporation
5, S.N.Banerjee Road
Kolkata - 700 013.

SUB: Availability of land under your control along the bank of River Hooghly for making Bio-Diversity Park and River Front Development in compliance to the direction of Hon'ble National Green Tribunal (NGT) dt. 03.09.2022.

REF: 1. Your L/ No. OSD & EO(Design Head)/PRS/348/2022-23 dt. 16.01.2023.
2. Assessor Collector (South), KMC's Letter No. 52/A.C/S/P.A./2022-23 dt. 09.09.2022. (Photo copy enclosed)

The availability of Land alongside the bank of River Hooghly where Circular Railway runs belongs to Kolkata Port Trust. In this regard, may please connect Assessor Collector (South), KMC's letter quoted under reference.

This is for your information and necessary action please.

DA: As refd. to.

[Handwritten Signature]
Sr. Divl. Engineer' (Co-Ordn.)
Eastern Railway, Sealdah

मंडल इंजीनियर (प्र.का.)
पूर्व रेलवे, सियालदह
Divisional Engineer (HQ)
E. Railway, Sealdah



True copy
Shyamal Kumar Ghosh

वरिष्ठ मंडल इंजीनियर (प्र.का.)
पूर्व रेलवे, सियालदह
Sr. Divisional Engineer (HQ)
E. Railway, Sealdah

[Handwritten Signature]
27/02/23

"VAKALATNAMA"

Before the Hon'ble National Green Tribunal,
Eastern Zone

OA No. 20 of 2022/EZ

✓ Shyamal Kumar Ghosh
व. मंडल इंजीनियर (प्र.का.)
पूर्व रेलवे, सियालदह
Sr Divisional Engineer (HQ)
E. Railway, Sealdah

Suprova Prasad

...PETITIONER

-VERSUS-

Ministry of Environment, Forests & Climate Change & Ors.

.....RESPONDENT

KNOW ALL MEN by these presents that I/We Union of India through General Manager, Eastern Railway, Kolkata (Respondent no. 11), Divisional Railway Manager, Sealdah Division, Eastern Railway (Respondent no. 12), do hereby in my/our name and my/our behalf constitute and appoint Ms. Amrita Pandey, Advocate, Hastings Chamber, 7C KSR Road, 2nd Floor, Room No. 6, Kolkata – 700 001 as our true and lawful Pleader/Advocate & Attorneys to appear and act for me/us in the matter noted above to file suit, written statement, conduct suit, appeal from original suit, order etc., And for that purpose to do all acts and things, whatsoever in that connection including compromise of the above matter depositing in or withdrawing money from, filing or taking out of appear, document and payment order from Court referring matters in dispute between the parties here to arbitration, withdrawing the above matters with liberty to file fresh suit, sending properties released from attachment, filing execution or miscellaneous cases and other petitions, bidding at execution sale obtaining payment from us out of Court withdrawing custody and other fees and doing on my/our behalf other acts, in the above matter as are necessary and proper. I/We hereby agreeing to ratify and confirm all acts so done by the said advocate or attorneys as my/our own acts and as if done by me/us to all intents and purposes.

Amrita Pandey, Advocate, Hastings Chamber, 7C KSR Road, 2nd Floor,
Room No. 6, Kolkata – 700 001

M: 9830609262; Email id: amritalegal@gmail.com

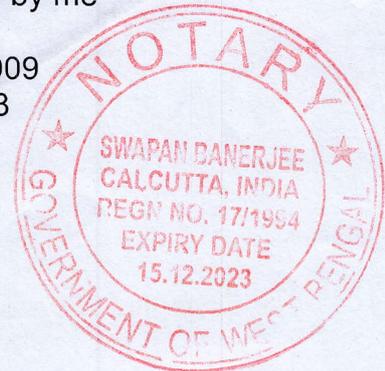
Received and accepted by me

Received & accepted Advocate F/747/2009

& satisfied by me Date: 15.03.2023

Amrita Pandey

15.03.2023.





Shyamal Ghosh <shyamalg50@gmail.com>

(no subject)

1 message

Shyamal Ghosh <shyamalg50@gmail.com>

To: shyamalg50@gmail.com

Tue, Apr 11, 2023 at 3:21 PM



Shyamal Kumar Ghosh
परिष्ठा मंडल इंजीनियर (प्र.का.)
पूर्व रेलवे, सिकंदरदह
Sr. Divisional Engineer (HQ)
E. Railway, Sealdah