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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH , KOLKATA

M.A. 20/2024/EZ

Original Application No.65 of 2022/EZ

In the matter of :

Tribunal on its own motion

... Applicant

Versus

The State of West Bengal & Ors.

... Respondents



**AFFIDAVIT OF COMPLIANCE ON BEHALF OF KOLKATA
MUNICIPAL CORPORATION, BEING RESPONDENT NO.7**

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Filed by

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BEFORE THE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH , KOLKATA****M.A. 20/2024/EZ****Original Application No.65 of 2022/EZ**

In the matter of :

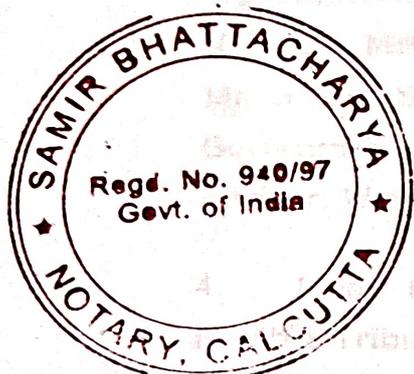
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**AFFIDAVIT OF COMPLIANCE ON BEHALF OF KOLKATA
MUNICIPAL CORPORATION, BEING RESPONDENT NO.7**

I, Payankar Ray, son of Late Sreedhar Chandra Ray, aged about 59 years, by faith-Hindu, by occupation-Service, having office at Tolly Nullah and TPDD, Kolkata Municipal Corporation, 19, Nellie Sengupta Sarani, Kolkata-700087, do hereby solemnly affirm and state as under:-

1. That I am the Executive Engineer (C)/ TRDD, K.M.C. I am well acquainted with the facts and circumstances of the case and I have been duly authorized to affirm this affidavit on behalf of the Kolkata Municipal Corporation.
2. I say that the matter originated from OA No.65 of 2024 in the Original Application wherein the Applicant alleged that huge pipelines are laid on the river Ganga as well as on the banks of the river.
3. I say that the Tribunal was pleased to constitute a committee vide order dated 20/05/22. The relevant paragraph of the Order dated

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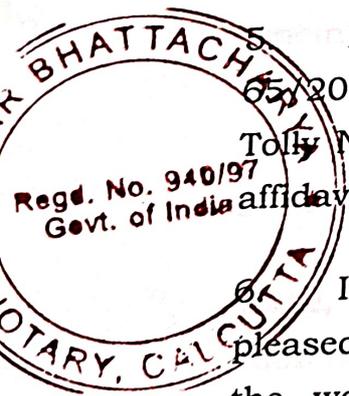
20/05/22 reads as: Considering the gravity of the situation of the river, we deem it appropriate to constitute a Committee comprising of the following members: (i) A Senior Scientist from West Bengal Pollution Control AR Board; (ii) A Senior Scientist from Central Pollution Control Board, Regional Office, Kolkata; (iii) Kolkata Municipal Corporation through Municipal Commissioner or his representative of a senior rank; (iv) Smt. Antara Acharya, C.E.O. from Kolkata Metropolitan Development Authority; (i) Mr. Rabijyoti Majumdar, Sr. Special Secretary (Retd.), Department of Environment, Government of West Bengal; and (v) Dr. Tapas Gupta, Chief Technical Advisor, West Bengal Pollution Control Board"

4. I say that that the committee submitted its report and the Hon'ble Tribunal was pleased to record the report of the committee vide order dated 17/05/24. The Committee stated that the laying of pipeline did not obstruct the flow of water, the pipelines are laid at some areas at the opposite bank. The pipe lines are laid for water supply to Rajpur Sonarpur Municipality area starting from Chetla Boat canal to Naktala area.

5. I say that it is clear from the report of the Committee filed in OA 05/2022 that laying of pipelines are in no way related to pollution in Tolly Nala or obstruction of water flow in Tolly Nala as stated in the affidavit filed by KMDA.

6. I say that this Hon'ble Tribunal vide order dated 9/01/23 was pleased to dispose of the application and direct the KMDA to complete the work of laying pipeline by 31/12/23 and file a report of compliance by 15/01/24.

7. I say that on 27.06.2024 and 13.09.2024 the Kolkata Metropolitan Development Authority filed two Affidavit of Compliance before the Hon'ble NGT which are also taken on record by the said Hon'ble Tribunal.



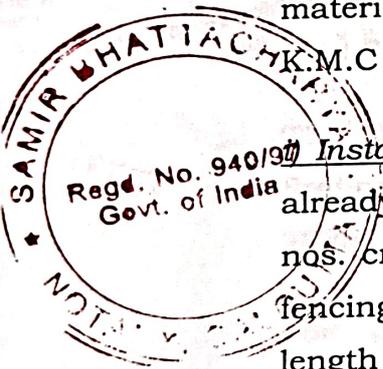
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8. I say that the Kolkata Municipal Corporation also filed one affidavit on compliance dated 19.08.2024 before this Hon'ble Tribunal which was also taken on record.

9. I say that this Hon'ble Tribunal vide order dated 01.07.2025 was pleased to direct the state respondents to file Affidavit bringing on record the status report and progress report every six months, with regard to the work.

10. I say that this Affidavit of Compliance is being filed in compliance and obedience to the solemn order dated 01.07.2025 passed by the Hon'ble National Green Tribunal/ EZ/ Kolkata.

11. That with regard to installation of fencing, cleaning of floating materials and dredging work of River Adi Ganga the actions taken by K.M.C are stated as follows :



Installation of Fencing: Kolkata Municipal Corporation (KMC) has already taken up and completed installation of fencing work over 30 nos. cross over Bridges across Tolly's Nullah. Further, installation of fencing along both the banks of Tolly's Nullah are completed up-to a length of 5.25 km. to stop throwing of garbage/rubbish into the nullah in between Khidirpur Dai Ghat Bridge to Dhalai Bridge (Garia) in the last Financial Year.

Since, Tolly's Nullah is of approx. 15.5 Km. length, therefore, in this Financial Year the Department has also planned the work of Installation of fencing along the bank of Tolly's Nullah on Pollution abatement works to stop throwing of garbage into the nullah at the next most polluted stretches for a length of 6.4 km., for which the work is in progress. The Fencing work along the bank of Tolly's Nullah is carried out in phases.

ii) Cleaning of Floating materials: Tolly's Nullah is guarded with 8 floating garbage arrester nets at different locations to arrest the floating materials for the ease of removing the same from reaching to the River Ganga. With the help of these arrester nets floating solid wastes are removed everyday at several locations.

iii) Dredging work of the River Adi Ganga: Dredging work of the River Adi Ganga has been carried out in phases.

The Phase-I (Confluence point of River Adi Ganga with River Ganga up-to Chetla Bridge of approx. 4.7 km.) has already been completed on 31-05-2023.

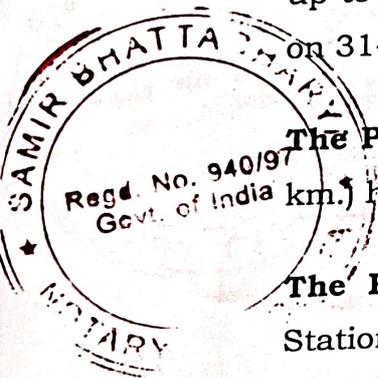
The Phase-II (Chetla Bridge to Kudghat Metro Station of approx. 5.37 km.) has already been completed on 30-06-2025.

The Phase-III (Kudghat Metro Station to Shahid Khudiram Metro Station of approx. 4.625 km.) has already been completed on 18-06-2025.

The proposal for last phase, i.e., **Phase-IV** (Dhalai Bridge to Tentulberia Sreenagar Bridge of approx. 1.15 km.) has been approved by Urban Development & Municipal Affairs Department and the tendering is in progress by Kolkata Municipal Corporation.

12. That it is further stated that with regard to "pollution Abatement Work for Rejuvenation of River Adi Ganga, Kolkata" the following is stated:-

Detailed Project Report has been submitted to NMCG on October 2022 at a tune of Rs. 934.76 Crore.



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Revised AA &ES approved in the 46th EC Meeting held on 23/12/2022, Agenda Item No. 46.01 at an amount of Rs 653.72 Crores (including cost of O & M for 15 years -Rs 211.53 Crores) under DBOT mode.

Tendering done on 29.08.2023. Tender opening date extended upto 10.01.2024.

The bid has been opened on 15.01.2024 and it has been found that, three (3) nos. of bidder has participated on response to this tender. After complying few observations from World Bank, the World Bank through NMCG and WB-SPMG has provided it's No Objection to the Technical Bid Evaluation Report recommendation on dated 16.09.2024 and subsequently informed to open the financial bids of all three technically qualified bidders.

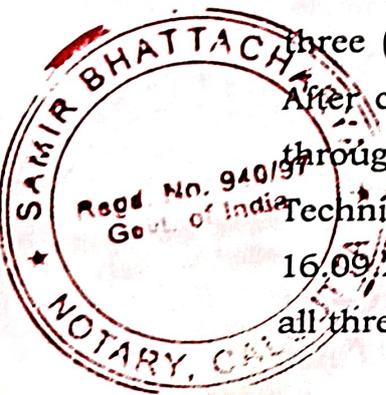
Financial Bid Opened On: 18.09.2024

L1 bidder- M/s EMS Limited- M/s Neercare India Private Limited (JV)
- Rs. 781.98 Crore.

No Objection Obtained from World Bank through NMCG on the CBER: 17.12.2024.

The revised Proposal including all components with cost enhancement amounting to Rs. 817.30 Crore has been placed before 63rd EC meeting on 21.05.2025, in which total revised cost has been accepted by NMCG. Based on that revised AA&ES has been granted by NMCG at a cost of Rs. 817.30 Crore on 03.06.2025.

Subsequently, the Letter of Acceptance (LoA) has been issued by KMC to the L1 bidder viz. M/s EMS Limited- M/s Neercare India Private Limited (JV) at a total cost of Rs. 781.98 Crore on 23.06.2025. The



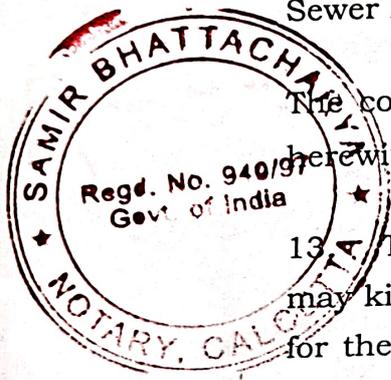
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agency has submitted the Performance Bank Guarantees and ESHS Bank Guarantees which have been vetted by the respective Banks. The Agreement has been executed on 30.07.2025. The payment for 1st part of Mobilization Advance (5%) in favour of the Agency i.e., M/s EMS-NIPL(JV) has been credited to their JV Account against their submitted Bank Guarantee for Mobilization Advance.

Moreover, at site, the survey, soil investigation has been completed, based on which the hydraulic design and basic engineering plan for Sewer Network, Pumping Station and STP's are in progress.

The copy of the report of Kolkata municipal Corporation is annexed herewith and marked as **Annexure R/1**.

13. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary order or orders as it deem fit for the ends of justice and that the deponent has high regard to the order or orders as passed by the Hon'ble Tribunal.



Pravankar Ray
DEPONENT
OSD & EO,
Exc. Eng. (Civil) P&D
K.M.E.

Identified by me
D. Bisishok
Advocate
F/1154/2007.

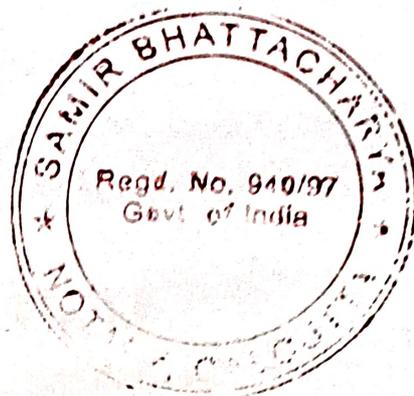
Samir Bhattacharya
Notary Govt. of India
Regd. No. 840/97
City Civil Court, Calcutta



Solemnly Affirmed and
Declared before me U/S 139
CPC, U/S 297 (C) CrPC

31 DEC 2025

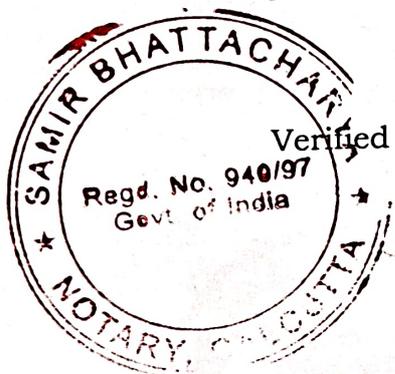
Notary
31.12.25



VERIFICATION

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

Verified at Kolkata 31st on the day of December, 2025.



Identified by me

Dipankar Ghosh

Advocate

*F/1154/207
High Court, Kolkata*

31 DEC 2025

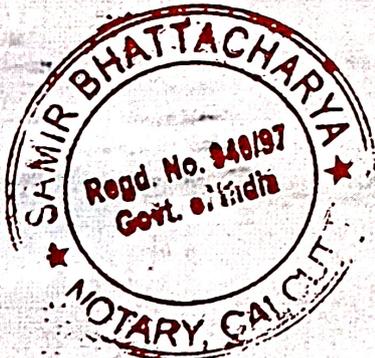
Pravankar Ray
Deponent
OSD & EO,
Exe. Eng (Civil), P&D
K. M. C.

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Annexure - R/I

Actions and plannings already taken for pollution Abatement of Tolly's Nullah (Adi-Ganga) as per Miscellaneous Application No. 20/2024/EZ in Original Application No. 65/2022/EZ

Sl. No.	Observations by Hon'ble NGT	Action taken by KMC
1)	<p>A Letter of Acceptance (LoA) dated 23.06.2025 issued to M/s EMS Limited - M/s Neercare India Private Limited (JV) has been filed wherein the time limit of 36 months for completion of the work (including Detailed Survey, Design & Approval, Construction Duration and Commissioning & Trial Run) with another 15 years for Operation and Maintenance has been given.</p> <p>We therefore direct the State Respondents to file affidavit bringing on record the Status Report by 31.12.2025 and Progress Report every six months, with regard to the works.</p>	<p>Detailed Project Report has been submitted to NMCG on October 2022 at a tune of Rs. 934.76 Crore.</p> <p>Revised AA&ES approved in the 46th EC Meeting held on 23/12/2022. Agenda Item No. 46.01 at an amount of Rs 653.72 Crores (including cost of O & M for 15 years -Rs 211.53 Crores) under DBOT mode.</p> <p>Tendering done on 29.08.2023. Tender opening date extended upto 10.01.2024. The bid has been opened on 15.01.2024 and it has been found that, three (3) nos. of bidder has participated on response to this tender. After complying few observations from World Bank, the World Bank through NMCG and WB-SPMG has provided It's No Objection to the Technical Bid Evaluation Report recommendation on dated 16.09.2024 and subsequently informed to open the financial bids of all three technically qualified bidders.</p> <p>Financial Bid Opened On: 18.09.2024</p> <p>L1 bidder- M/s EMS Limited- M/s Neercare India Private Limited (JV) - Rs. 781.98 Crore</p> <p>No Objection Obtained from World Bank through NMCG on the CBER: 17.12.2024.</p> <p>The revised Proposal including all components with cost enhancement amounting to Rs. 817.30 Crore has been placed before 63rd EC meeting on 21.05.2025, in which total revised cost has been accepted by NMCG. Based on that revised AA&ES has been granted by NMCG at a cost of Rs. 817.30 Crore on 03.06.2025. Subsequently, the Letter of Acceptance (LoA) has been issued by KMC to the L1 bidder viz. M/s EMS Limited- M/s Neercare India Private Limited (JV) at a total cost of Rs. 781.98 Crore on 23.06.2025. The agency has submitted the Performance Bank Guarantees and ESHS Bank Guarantees which have been vetted by the respective Banks. The Agreement has been executed on 30.07.2025. The payment for 1st part of Mobilization Advance (5%) in favour of the Agency i.e., M/s EMS-NIPL(JV) has been credited to their JV Account against their submitted Bank Guarantee for Mobilization Advance.</p> <p>Moreover, at site, the survey, soil investigation has been completed, based on which the hydraulic design and basic engineering plan for Sewer Network, Pumping Station and STP's are in progress.</p>



[Signature]
17.12.25

O.S.D & E.O
Exo. Eng. (Civil) P & D
K. M. C.

[Signature]
17/12/25
Dy. CE(C) / P & D
K M C

[Signature]
17/12/25
D. G (P & D)
K M C