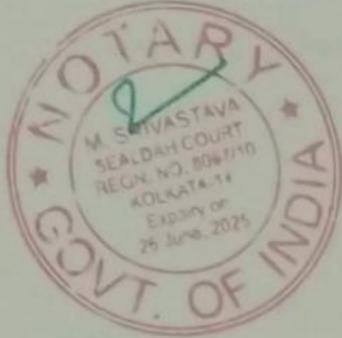


BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 32/2019/EZ



Subhas Datta

Versus

State of West Bengal and Others

ACTION TAKEN REPORT FILED BY THE ADDITIONAL CHIEF SECRETARY, GOVERNMENT OF WEST BENGAL IN TERMS OF ORDER DATED 16.12.2021 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN BENCH, KOLKATA

I, Kaliyamurthi Balamurugan, son of Shri K.Kaliyamurthi, aged 48 years, by occupation-Government Service, working as the Chief Environment Officer, Department of Environment, Government of West Bengal, having office at Prani Sampad Bhawan, 5th Floor, LB-2, Sector-III, Salt Lake, Kolkata-700106, do hereby solemnly affirm and submit as follows:-

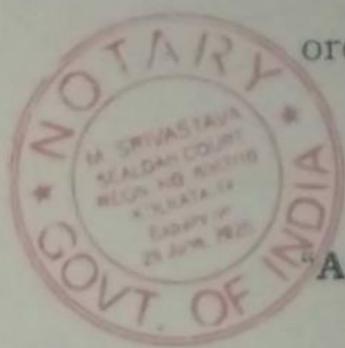
1. That I am also holding the post of the Chief Technical Officer, East Kolkata Wetlands Management Authority. I have made myself acquainted with the facts and circumstance of the instant Original Application and have gone through the documents pertaining to the subject matter of the instant

01 FEB 2022

Application. Hence, I am competent to file the instant Affidavit before this Hon'ble Tribunal.

2. That this Affidavit is being affirmed pursuant to the solemn Order passed by this Hon'ble Tribunal on 16.12.2021.

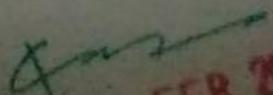
3. It is respectfully stated that with reference to the e-mail dated 06.12.2021 by the Ministry of Environment, Forest and Climate Change for the Integrated Management Plan, the State Government has met all the conditions as per the Office Memorandum of Ministry of Finance, Government of India vide F. No. 1(13)/PFMS/FCD/2021 dated 30.09.2021 and East Kolkata Wetlands Management Authority (EKWMA) has been designated as the Single Nodal Agency (SNA) by the Department of Environment, Government of West Bengal vide order dated 30.09.2021.



The relevant order is annexed herewith and marked as **Annexure R/1**.

i. Thereafter, EKWMA has also been mapped as the Single Nodal Agency(SNA) in the scheme hierarchy of the State in the Public Financial Management System (PFMS).

The relevant e-mail dated 06.01.2022 from the Senior Accounts Officer, Public Financial Management System State Directorate (PFMS State Directorate), West Bengal to the Joint


01 FEB 2022

Secretary, Environment Department, Government of West Bengal is attached herewith and marked as "**Annexure R/2**".

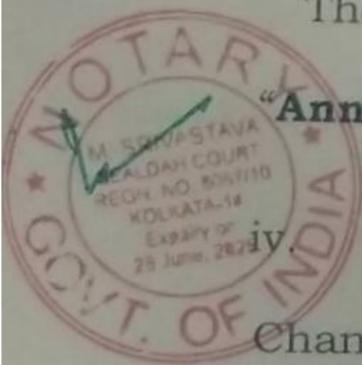
ii. The Single Nodal Agency has opened a Single Nodal Account for the operationalisation of scheme at the State level in a scheduled commercial bank authorized to conduct Government business by the State Government, on 13.12.2021.

iii. The Additional Chief Secretary, Environment Department, Government of West Bengal has submitted the required undertaking in the prescribed format and sent it through e-mail to the Ministry of Environment, Forest and Climate Change on 07.01.2022.

The said e-mail is attached herewith and marked as

"**Annexure R/3**".

iv. The Ministry of Environment, Forest and Climate Change, through e-mail dated 11.01.2022, requested to map the Child Single Nodal Agency / Implementing Agency in the PFMS. Accordingly, East Kolkata Wetlands Management Authority, Environment Department, Government of West Bengal which is the Single Nodal Agency has registered the West Bengal Forest Development Corporation Limited as the Child Single Nodal Agency / Implementing Agency and has mapped the same in the PFMS module.



01 FEB 2022

The said e-mail dated 11.01.2022 and the relevant document dated 21.01.2022 are attached herewith and marked as "**Annexure R/4 (Colly)**".

4. In the earlier affidavit dated 13.12.2021, it was stated that East Kolkata Wetlands Management Authority had released a fund of Rs 9,04,780/- in favour of Kolkata Municipal Corporation for restoration / re-excavation work of the water body a RS Dag nos 305, 306, 307 of Mouza Dhalenda, JL no. 8, PS Pragati Maidan.

It is learnt from the communication dated 22.01.2022 that the said restoration work has already been started by the Kolkata Municipal Corporation on 24.01.2022.

The e-mail dated 22.01.2022 from the Kolkata Municipal Corporation along with the photographs of the site are annexed herewith and marked as "**Annexure R/5**".

That the reply is true to my knowledge and belief, which I derive from the office records.

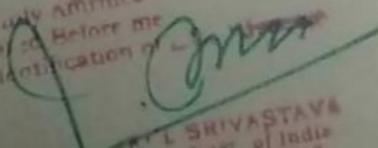
Identified by me

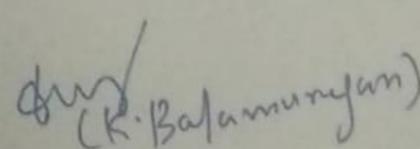
Sibojyoti Chakraborti

Advocate

for the State of W.B

01.02.2022

Subscribed and affirmed in
my presence before me
for identification of

M. SRIVASTAVA
Notary, State of India
Regd. No., 8087/10
expire on 25/08/2022

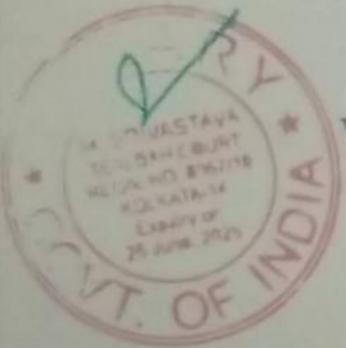

(K. Balamunjan)
DEPONENT

01 FEB 2022



VERIFICATION

I, Kaliyamurthi Balamurugan Chief Environment Officer,
Department of Environment, Government of West Bengal, do
hereby verify that the contents of the report in the form of
affidavit are true to the best of my knowledge and belief. No
part of the Report is false and nothing has been concealed.



Verified at Kolkata this 31st day of January, 2022.

Identified by me
Sibojyoti Chakrabarti
Advocate
for the State of W.B
01.02.2022

(K. Balamurugan)
DEPONENT

Truthfully Affirmed &
Ex-Parte before me
in identification of *(Signature)*
A. L. SRIVASTAVA
Advocate, Govt of India
Regd No: 4047/10
Expiry on 25/06/2022

01 FEB 2022

30/09/2021

Handwritten notes: "to be sent to the Government", "urgent", "30/9/21", "A", "12A"

Annexure R/1
406/2021
30/09/2021

Government of West Bengal
Department of Environment
Pran Sankar Bhaban, 5th Floor, LB-2, Sector-III, Salt Lake City, Kolkata-700106

Date: 30.09.2021

ORDER

Department of Expenditure, Ministry of Finance, Government of India had issued an order no.1(13)/PFMS/FCD/2020 dated 23.03.2021 detailing the procedure to be adopted for release of funds under Centrally Sponsored Schemes (CSS) and monitoring utilization of the funds released. The procedure is required to be followed by all the State Governments and Ministries/Departments of the Government of India w.e.f. 01.07.2021.

As a preparatory step, every State Government has to designate a Single Nodal Agency (SNA) for implementing each Centrally Sponsored Scheme. The SNA will open a Single Nodal Account for each CSS at the State level in a Scheduled Commercial Bank authorized to conduct government business by the State Government.

The East Kolkata Wetlands Management Authority (EKWMA), a regulatory body under the administrative control of Environment Department, Government of West Bengal, was constituted under Section 3(1) of the East Kolkata Wetlands (Conservation and Management) Act, 2006 for conservation and management of the East Kolkata Wetlands.

The Governor is pleased to designate East Kolkata Wetlands Management Authority (EKWMA) as Single Nodal Agency (SNA) for Implementation of East Kolkata Wetlands Management Action Plan 2021-26 under CSS "Conservation of Aquatic Ecosystems "(PFMS Code : 3095).

Sd/-
Additional Secretary
to the Government of West Bengal

Date: 30.09.2021

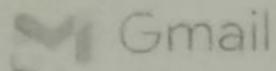
Copy forwarded for information to:

1. The Additional Secretary, Ministry of Environment, Forest and Climate Change, (Wetlands Division), Indira Paryavaran Bhavan, Jorbag Road, New Delhi-110003
2. The Chief Technical Officer, East Kolkata Wetlands Management Authority
3. The Financial Adviser, Environment Department
4. PS to MOS(IC), Environment Department
5. Sr. PS to the Additional Chief Secretary, Environment Department

Additional Secretary
to the Government of West Bengal

1/7/22, 11:41 AM

Gmail - CREATION OF SCHEME HIERARCHY & MAPPING OF COMPONENTS IN RESPECT OF CONSERVATION OF AQ...



Anusara R/2 (22)

Parthapratim Ghosh <parthapratimghosh1964@gmail.com>

CREATION OF SCHEME HIERARCHY & MAPPING OF COMPONENTS IN RESPECT OF CONSERVATION OF AQUATIC ECOSYSTEM [WB145].

ANUKUL SARKAR <asarkar.dsenv@gmail.com>
To: parthapratimghosh1964@gmail.com

Thu, Jan 6, 2022 at 4:56 PM

----- Forwarded message -----

From: SPMU PFMSWB <spmupfmswb@gmail.com>
Date: Thu, Jan 6, 2022 at 12:30 PM
Subject: Re: CREATION OF SCHEME HIERARCHY & MAPPING OF COMPONENTS IN RESPECT OF CONSERVATION OF AQUATIC ECOSYSTEM [WB145].
To: ANUKUL SARKAR <asarkar.dsenv@gmail.com>

SNA Marking for 'WB145' has been done.

Regards,
Team PFMS State Directorate, WB

On Tue, Dec 28, 2021 at 4:31 PM ANUKUL SARKAR <asarkar.dsenv@gmail.com> wrote:
Thank you.

On Tue, Dec 28, 2021 at 4:11 PM SPMU PFMSWB <spmupfmswb@gmail.com> wrote:
Madam/Sir

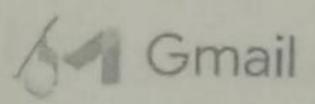
The Scheme 'WB145' has been sent to Headquarters' end for SNA Marking & will inform when it is done.

Regards,
Team PFMS State Directorate, WB

On Mon, Dec 27, 2021 at 2:36 PM ANUKUL SARKAR <asarkar.dsenv@gmail.com> wrote:
(Quoted text hidden)

- 9 -

Annexure R/A (25)



East Kolkata Wetlands Management Authority EKWMA <ctoekwma@gmail.com>

IMP of East Kolkata Wetlands_reg

East Kolkata Wetlands Management Authority EKWMA <ctoekwma@gmail.com>
To: Rajasekhar Ratti <rs.ratti@gov.in>

7 January 2022 at 16:50

Sir,
With reference to your email mentioned above, the undersigned is sending necessary UNDERTAKING
for your kind perusal.
[Quoted text hidden]

Undertaking.pdf
479K

Vivek Kumar, IAS
Additional Chief Secretary

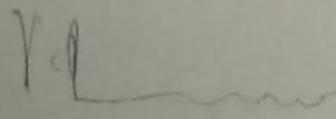


Environment Department
Government of West Bengal
PRANI Sampad Bhavan, 5th Floor
LB-2, Sector III, Salt Lake, Kolkata - 700 106
Ph. (033) 2335 2742, Fax (033) 2335 0271
E-mail: acsenwb@gmail.com

Government of West Bengal
Department of Environment

UNDERTAKING

The Department of Environment, Government of West Bengal is making sincere efforts to implement the new procedure for release of funds under the Centrally Sponsored Schemes (CSS) and monitoring utilization of funds released notified by the Department of Expenditure, Ministry of Finance vide OM No. 1(13)/PFMS/FCD/2020 dated 23rd March, 2021. The Single Nodal Agency (SNA) of Conservation of Aquatic Ecosystems scheme has been notified by the State Government and is mapped in the scheme hierarchy at State level in PFMS, Single Nodal Account of SNA has been opened in HDFC Bank, Salt Lake Sector III Branch and has been mapped against the scheme in PFMS. All other bank accounts of SNA at the State level for this scheme have been closed. The State will implement all provisions contained in the letter of the Department of Expenditure, Government of India dated 23rd March, 2021.

Signature : 

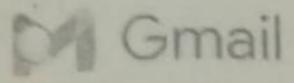
Name : Vivek Kumar

Designation : Additional Chief Secretary,
Environment Department,
Government of West Bengal

- 11 -

1/27/22, 2:04 PM

Gmail - IMP of East Kolkata Wetlands_reg *Annexure R/1 (copy)*



East Kolkata Wetlands Management Authority EKWMA <ctoekwma@gmail.com>

IMP of East Kolkata Wetlands_reg

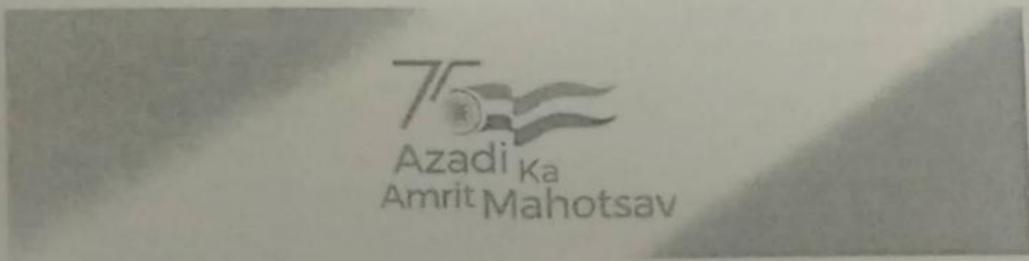
Rajasekhar Ratti <rs.ratti@gov.in> 11 January 2022 at 11:16
To: ctoekwma@gmail.com
Cc: MANJU PANDEY <manju.pandey@nic.in>, RAGHU KUMAR KODALI <kodali.rk@gov.in>

Sir,

The undertaking was required for exemption of formation of SNA, and Child SNA (implementing agency) mapping in the PFMS followed by separate bank account of implementing agency for limit period of time upto 31st December 2021. Now, formation of SNA and mapping in PFMS is mandatory. Kindly complete the procedure and forward the details.

regards

From: ctoekwma@gmail.com
To: "Rajasekhar Ratti" <rs.ratti@gov.in>
Sent: Friday, January 7, 2022 4:50:13 PM
Subject: Re: IMP of East Kolkata Wetlands_reg
[Quoted text hidden]



Signature R/S (copy)

Public Financial Management System-PFMS
(formerly CPSSS)
 Controller General of Accounts, Ministry of Finance

Welcome: WBFOREST
 User Type: AGENCYADM
 Agency: WEST BENGAL FOREST DEVELOPMENT CORPORATION LIMITED
 Agency Unique Code: WBKO0003798
 Financial Year: 2021-2022

Logout
 Change Password
 Login History
 English

- AdhocReports
- BharatKosh Reports
- Home
- User Manuals
- Masters
- E-Payment
- Health Module
- Agency
- Reports
- My Details
- Masters
- My Schemes
- Agencies
- EAT MIS Process
- My Funds
- Transfers
- Advances
- Scheme Allocation
- Expenditures
- Bank
- Register/ Track Issue
- Misc. Deduction Filing
- Utilisation Certificate
- Accounting System Integration
- Bank Printing Templates

Agency Details

Agency Name: WEST BENGAL FOREST DEVELOPMENT CORPORATION LIMITED
 Agency Type: State Government Institutions
 Act/Registration No.:
 Date of Registration: 1/21/2022 12:00:00 AM
 Registering Authority: 0
 State of Registration: WEST BENGAL
 TIN No:
 TAN No:
 Block No/Building/Village/Name Of Premises: ARANYA DIKASH KB 19 SALT LAKE SECTOR 3
 Road/Street/Post Office:
 Area/Locality:
 City: KOLKATA
 State: WEST BENGAL
 District: KOLKATA
 Pin Code: 700106
 Contact Person: SURANJAN DAWN
 Phone: 40010636
 Alternate Phone/Mobile No.:
 Email: cao@wbfdlc.com
 Unique Agency Code: WBKO0003798
 Current Status: Approved
 Agency CreatedBy: WBPNO0009184
 Created UserType: AGENCYADM

Agency Scheme Location Details

Scheme: WB145-WB Conservation of Aquatic Ecosystems
 AgencyLocation: DISTRICT LEVEL AGENCY (District)
 State: WEST BENGAL
 District: KOLKATA
 Block: N/A
 Panchayat: N/A
 Village: N/A

Parent Agency	Scheme Hierarchy Level	State
EAST KOLKATA WETLANDS MANAGEMENT AUTHORITY	District	WEST BENGAL

[Edit Agency](#)

1/24/22, 11:28 AM

IMG-20220124-WA0001.jpg

Annexure R/5

Environment Department
The Kolkata Municipal Corporation
25 Market Street, Kolkata - 700 087

Ref: E.H. 199/2021-22

Dated: 22.01.2022

Additional commissioner of Police
Kolkata Police
18 Lalbazar Street
Kolkata-700001

Re: Restoration of East Kolkata wetlands under KMC jurisdiction at R.S Dag nos 305, 306 and 307 of Mouza: Dhalenda JI no 08 in ward no 58 under Borough VII in compliance to the order of NGT

Sir,

This is to inform that a restoration of water body at above mention places will start on 24.01.2022 from 11 AM in compliance to the direction of Green Bench. It will take 10 days to complete the work.

Hence, we would like to request your good office to kindly provide adequate police protection for execution of work.

With Regards

Sanaa
Dy.C.E (C)/E&H
Environment & Heritage

Copy to:

1. C.O.T, EKWMA - for favour of information
2. DG (E&H) -for favour of information.
3. O.C.-Pragati Maidan Police Station-with a request to provide Police protection
4. Sri Tarak Das, Technical Assistant, EKWMA - with a request to present at site.
5. E.E./E&H

Sd/-

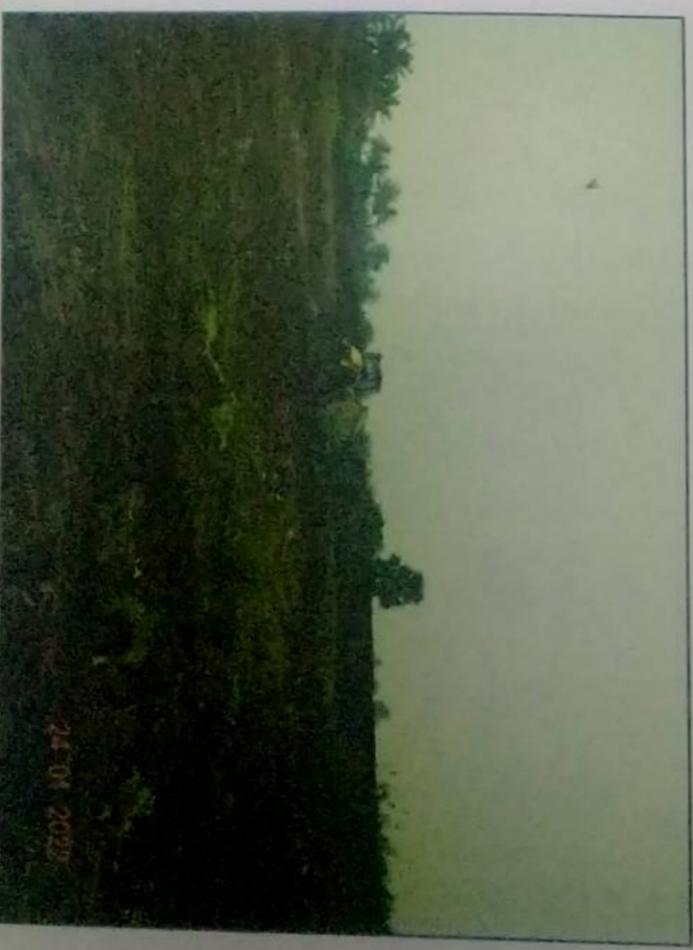
Dy.C.E (C)/E&H

Dy. C. E(C)
Environment & Heritage
K.M.C

© F11 © পুণে
01/24 11:23

Photographs of the Restoration Work on East Kolkata Wetlands Area under Kolkata Municipal Corporation jurisdiction at part of RS Dag Nos. 305, 306 and 307 Mouza- Dhalenda, JL No. 08, in KMC word no 58, under Borough VII, PS – Pragati Maidan in compliance of order of NGT (OA 32/2019/EZ) on dated. 24-01-2022

— 4 —



Photographs of the Restoration Work on East Kolkata Wetlands Area under Kolkata Municipal Corporation jurisdiction at part of RS Day Nos. 305, 306 and 307 Mouza- Dhalenda, JL No. 08, in KMC word no 58, under Borough VII, PS - Pragati Maidan in compliance of order of NGT (OA 32/2019/EZ) on dated. 24-01-2022

