

BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE,

KOLKATA

MEMORANDUM OF APPLICATION

[Under Section 18(1) read with Section 14 & 15 and under  
Section 18(2) of the National Green Tribunal Act, 2010]

ORIGINAL APPLICATION NO...../2024/EZ

Abhrajit Roy Chowdhury

..... Applicant

- Versus -

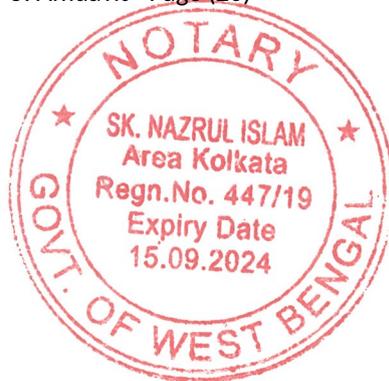
The State of West Bengal & Ors.

..... Respondents.

Compilation - I

Sl. No.	Particulars	Page No.
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4.	Verification	(19)

5. Affidavit - Page (20)



*Dibyayan Banerji*

Dibyayan Banerji  
Advocate

F/3787/3191/2021

Mobile No. 8420950517

Email : idibyayan@gmail.com

21 MAR 2024

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Compilation - II

SI	Particulars	Annexure
1.	Present images of the area	P1 (21-28)
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3.	Copy of the RTI application	P3 (30-32)
4.	Copy of the representation	P4 (33-45)
5.	Information Sheet on RAMSAR Wetland	P5 (46-54)

*Dibyayan Banerji*  
Dibyayan Banerji  
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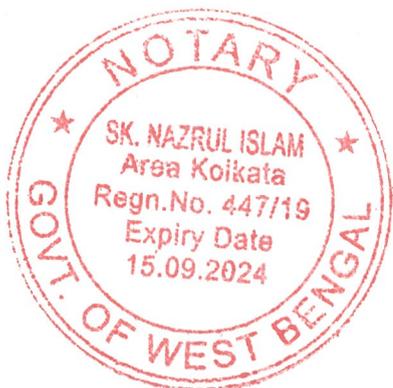
ORIGINAL APPLICATION NO...../2024/EZ

IN THE MATTER OF :

Abhrajit Roy Chowdhury, son of  
Late Kamal Roy Chowdhury,  
resident of East View Apartment,  
897, Pashupati Bhattacharya road,  
Kolkata – 700034.

-VERSUS-

1. The State of West Bengal, service  
through the Chief Secretary,  
Government of West Bengal having  
office at NABANNA (13<sup>th</sup> Floor), 325,  
Sarat Chatterjee Road, Shibpur  
Howrah – 711102. E – mail : cs-  
westbengal@nic.in.



2. Ministry of Environment Forest,  
Forest and Climate Change,

Government of India service through its Secretary having office at Paryabaran Bhawan, Jorbagh Road, New Delhi, PIN -110003.

E - mail : [secy-moef@nic.in](mailto:secy-moef@nic.in).

3. Department of Environment, Government through its Principal Secretary, having office at PRANISAMPAD Bhawan, Block (5<sup>th</sup>Floor), LB - II, Salt Lake, Sector - III, Bidhannagar, Kolkata - 700106. E - mail :

[psecy.env-wb@gov.in](mailto:psecy.env-wb@gov.in)

4. West Bengal Pollution Control Board through its Member Secretary having office at PARIBESH BHAVAN, 10A, Block - L.A., Sector - III, Salt Lake City, Kolkata - 700106. E - mail : [ms.wbpcb-wb@bangla.gov.in](mailto:ms.wbpcb-wb@bangla.gov.in).

5. The East Kolkata Wetlands Management Authority, service through its Chief Technical Officer, having office at PRANISAMPAD BHAVAN, 5<sup>th</sup> Floor, LB - 2, Sector -



III, Salt Lake, Kolkata – 700106. E -  
Mail : [ctoekwma@gmail.com](mailto:ctoekwma@gmail.com)

6.The District Magistrate, South 24 Parganas, having office at New Treasury Building, (8<sup>th</sup> and 9<sup>th</sup> Floor), Alipore, Kolkata – 700027. E – mail : [dm-ali@nic.in](mailto:dm-ali@nic.in).

7. West Bengal State Electricity Distribution Company Limited service through its Chairman&Managing Director having office at BIDYUT BHAVAN, Block – DJ, Sector – II, Bidhannagar, West Bengal – 700091.

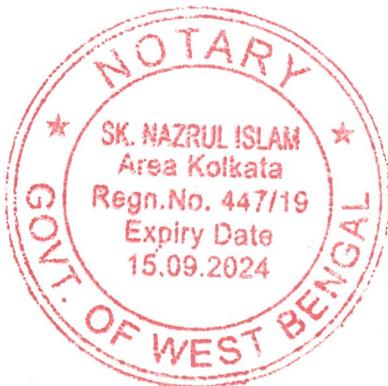
E – mail :  
[cmd@wbsedcl.in](mailto:cmd@wbsedcl.in) / [wbsedclhpc@gmail.com](mailto:wbsedclhpc@gmail.com)

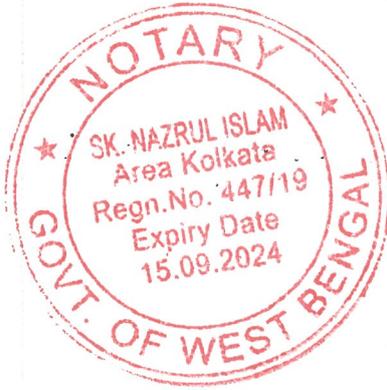
8. The Kolkata Municipal Corporation, service through the Municipal Commissioner, having office at 5, S.N. Banerjee Road, Kolkata – 700013.

E-mail-mc@kmcgov.in

9.The Commissioner of Police, Kolkata Police, 18, Lalbazaar Street, Kolkata – 700001.

E-mail-cp@kolkatapolice.gov.in





10. The Officer – in – Charge,  
Pragati Maidan, 100, JBS Haldane  
Avenue, Mirania Gardens 2, Dhapa,  
Kolkata – 700105.

E-mail-ps.pragatimdn@kolkatapolic.gov.in

TO

THE HON'BLE CHAIRMAN AND HIS COMPANION MEMBERS OF THE  
NATIONAL GREEN TRIBUNAL

SYNOPSIS

HUMBLE APPLICATION SUBMITTED BY THE APPLICANT ABOVE  
NAMED

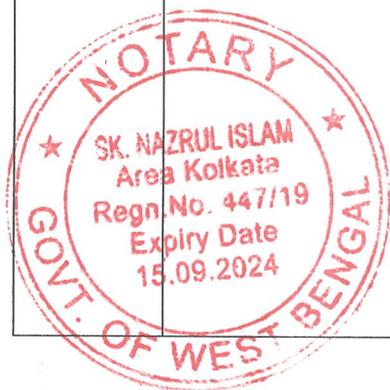
The Applicant is an Advocate by profession and has been working amongst others, for the protection of the environment and water bodies in the state of West Bengal.

This instant application has been filed by the Applicant against illegal filling of wetlands and installation of billboards, hoardings, flexes and advertisements upon the long stretch of land beside the Eastern Metropolitan Bypass including forming part of internationally recognized Ramsar site East Kolkata Wetlands in Dhapa Mouza, P.S. Pragati Maidan, comprised under J.L. No. 02, P.S. Pragati Maidan, South 24 Parganas, more particularly upon a substantial stretch of vacant land, which appears to be a lowland or a wetland upon bare perusal, opposite to the ITC Royale and "Bypass Dhaba", situated at 1A, Bongaon – Kulpi Road, Sec – B, Tangra, Kolkata, West Bengal –700105 (hereinafter referred and called as the 'said wetlands') by numerous individuals/entities in collusion with government officials. The said installation and putting up of hoardings have challenged the authority

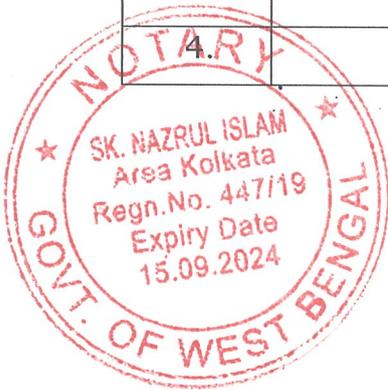
of the international convention and thus existence of East Kolkata Wetlands. Due to such rampant encroachment of the East Kolkata Wetlands, it is slipping into a state of 'extinction'. The role of local administration is also questionable since electric supply lines and electric poles are erected by West Bengal State Electricity Distribution Company Limited upon such wetlands. The local body also constructed/extended approach roads to such wetlands thus, enabling the individuals and/or entities to carry on with rampant installation of advertisements, iron and electric poles, generators and other machineries associated with the illegal installation of hoardings. It is submitted that the present Application has been made seeking appropriate directions upon the Respondents to stop the filling of the wetlands and installation of hoardings flexes and iron poles thereto, stop and demolition and removal of all electric supply poles and cables, demolition of all structures, approach roads, and direction for immediate restoration of the wetlands in their original size and character.

#### List of Dates

Sl No.	Date	Event
1.	19.01.2024	The Applicant filed an application under the Right to Information Act, 2005 seeking for information regarding the vacant areas and/or lowlands beside the Eastern Metropolitan Bypass and whether the said advertisements, hoardings, billboards, installation of metallic and iron poles and use of generators, motors, etc. and the measures, if any, taken by the Respondent No. 8



		regarding those illegal advertisements and activities pursuant thereto. No reply was received pertaining to the same.
2.	January 2024	The Applicant noticed that there are several hoardings, bill boards, flexes, advertisements, flexes, iron and electric poles, motors, generators etc. over a substantial stretch of land which is included in the said Wetlands.
3.	09.02.2024	The Applicant sent a representation to the concerned respondents requesting them to take action for conversion of the said wetlands into its original form by taking appropriate steps thereto.



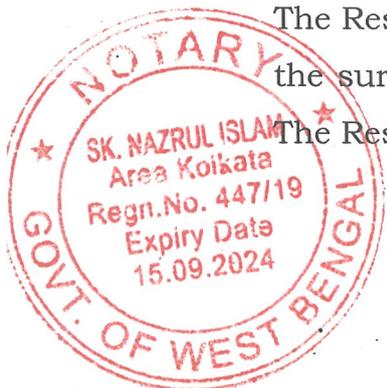
FACTS IN BRIEF

MOST RESPECTFULLY SHEWETH:

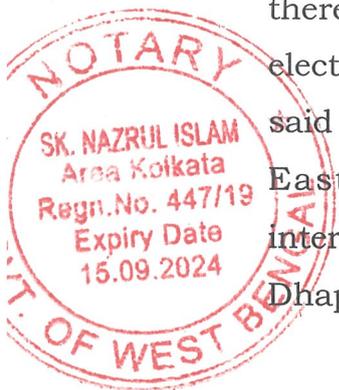
1. The Applicant is an Advocate by profession. The Applicant is working for the protection of the environment and water bodies and protection of the right to a clean environment for every citizen guaranteed under Article 21 of the Constitution of India, 1950,

and in discharge of his duty under Article 51A he raised his voice in past against many other illegalities throughout State of West Bengal, particularly against the conversion of the cities in to concrete jungles. The Applicant is filing the instant Application under Section 14 and 15 read with section 18 of the National Green Tribunal Act, 2010.

2. That Respondent No. 1 herein is the head of all other State Respondents. The Respondent no. 2 is the representative of the Government of India which is a party of the Ramsar Convention and has been impleaded by the Applicant for their intervention in the acts of devastation by the state authorities and for conducting impartial inspection. The Respondent no. 3 herein is responsible for preservation of environment and ecology in State. The Respondent no. 4 herein is the regulatory authority for implementation of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Rules under these Acts. The Respondent no. 5 herein is responsible for conservation and management of the East Kolkata Wetlands. The Respondent no. 6 is responsible for total administration of its District including revenue and other matters. The Respondent no. 7 is a public company engaged in distribution of electricity within its licensed area, including in the vicinity of East Kolkata Wetlands. The Respondent no. 8 is the Kolkata Municipal Corporation, a body formed under the Kolkata Municipal Corporation Act, 1980. The Respondent no. 9 is the head of the law enforcing authority of the surrounding area wherein the 20/132 wetlands are situated. The Respondent no. 10 is the local police station.

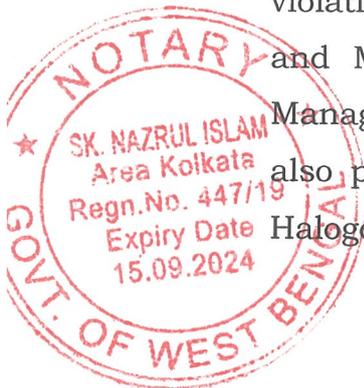


3. The Applicant states that the East Kolkata Wetlands is an internationally recognised RAMSAR site, which is protected by East Kolkata Wetlands (Conservation and Management) Act, 2006 as well as the Wetlands (Conservation and Management) Rules, 2017. East Kolkata Wetlands is the largest sewage fed aquaculture of the world which is getting devastated by land sharks of West Bengal by way of filling wetlands and making plots for raising multi-storied buildings not only in broad day light but also at the nose tip of various governmental authorities like the East Kolkata Wetlands Management Authority.
4. The Applicant has filed this instant application before this Hon'ble Tribunal seeking for an appropriate direction upon the respondent authorities to take appropriate steps and/or actions as per the law of the land regarding the illegal filling up of the said wetlands, installation of hoardings, bill boards, flexed, advertisements, electric and iron poles, generators and motors installed upon the said wetlands regarding the illegal activities committed by several individuals / entities in violation of the East Kolkata Wetlands Management (Conservation and Management) Act, 2006 and the East Kolkata Wetlands Management(Conservation and Management) Rules, 2017.
5. In or about January, 2024, the applicant while heading towards the "MAA Flyover" while returning from Rajarhat, noticed that there are several hoardings, bill boards, flexed, advertisements, electric and iron poles, generators and motors installed upon the said wetlands which falls upon the long stretch of land beside the Eastern Metropolitan Bypass including forming part of internationally recognized Ramsar site East Kolkata Wetlands in Dhapa Mouza, P.S. Pragati Maidan, comprised under J.L. No. 02,



P.S. Pragati Maidan, South 24 Parganas, more particularly upon a substantial stretch of vacant land, which appears to be a lowland or a wetland upon bare perusal, opposite to the ITC Royale and "Bypass Dhaba", situated at 1A, Bongaon - Kulpi Road, Sec - B, Tangra, Kolkata, West Bengal - 700105 (hereinafter referred and called as the 'said wetlands').

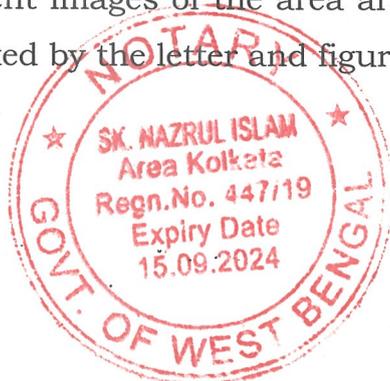
6. On 19<sup>th</sup> January, 2024, the applicant preferred an application under the Right to Information Act, 2005 seeking for information regarding the vacant areas and/or lowlands beside the Eastern Metropolitan Bypass and whether the said advertisements, hoardings, billboards, installation of metallic and iron poles and use of generators, motors, etc. and the measures, if any, taken by the Respondent No. 8 regarding those illegal advertisements and activities pursuant thereto. However, the Applicant has not received any reply pertaining to the same till date.
7. Thereafter, again in or about the first week of February, 2024, the applicant on his daily course of work had to visit the Learned Commercial Court at Rajarhat, North 24 Parganas and while he was returning to the Hon'ble High Court at Calcutta, the Applicant once again noticed that there are still illegal hoardings, bill boards, flexed, advertisements, electric and iron poles, generators and motors installed upon the said wetlands regarding the illegal activities committed by several individuals / entities in violation of the East Kolkata Wetlands Management(Conservation and Management) Act, 2006 and the East Kolkata Wetlands Management(Conservation and Management) Rules, 2017. It is also pertinent to mention herein that there are bulb, LED and Halogen lights installed which are lit during the night and the



said lights are run by generator and motor fuelled by diesel and petrol.

8. The Applicant states that the East Kolkata Wetlands has been designated as a RAMSAR site in the year 2002 and is a protected area. The East Kolkata Wetlands is probably the only wetland which is protected by both state enacted laws as well as Central enacted laws. It is recognized as wetland of international importance under Ramsar Convention on Wetlands. It is considered as the "SA Kidneys" of Kolkata city since it treats sewage generated in Kolkata city. The East Kolkata Wetlands (Conservation and Management) Act, 2006 restricts any person from filling up any part of wetland or making any sort of addition / alteration / construction upon any part of the comprised within the East Kolkata Wetlands. Mouza Dhapa is present in the Schedule I of the East Kolkata Wetlands (Conservation and Management) Act, 2006 the character of wetlands comprised in Dhapa Mouza are being changed rampantly though huge stretch of land comprised within several Dag Nos. are wetlands. Nature and character of the area has been changed completely and is unrecognisable now. The Applicant, on 09.02.2024 sent a representation to the concerned respondents requesting them to take action for conversion of the said wetlands into its original form, and by taking action against the rampant erection of billboards and hoardings for commercial advertisements and other appropriate steps thereto.

Present images of the area are attached herewith and collectively marked by the letter and figure 'P-1'.



Copy of the sitemap of the said RAMSAR Convention depicting the area covered under the East Kolkata Wetlands Management Act, 2006 is annexed herewith and marked with the letter "P – 2".

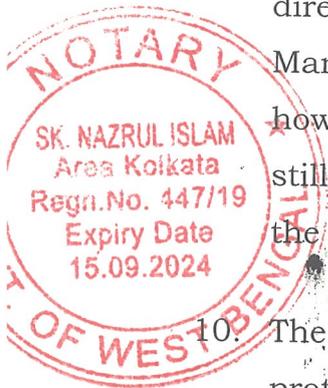
Copy of the RTI application preferred by the Applicant is annexed hereto and marked with the letter "P – 3".

Copy of the representation dated 9<sup>th</sup> February, 2024 is annexed herewith and marked with the letter "P – 4".

Copy of the Information sheet on Ramsar Wetland, as updated on 19<sup>th</sup> August 2002, is annexed hereto and marked with letter "P-5'

9. That the situation is so serious that the Ramsar members may remove the internationally prestigious Ramsar tag from East Kolkata Wetlands. The illegal individuals / entities with mala fide intention exploit the environment for their own benefit in collusion with government officials have challenged the authority of the convention and thus existence of East Kolkata Wetlands. Due to such rampant encroachment of the East Kolkata Wetlands it is slipping into a state of 'extinction'. It is noteworthy to mention herein that in an earlier matter being OA No. 32 of 2019, there were allegations regarding the filling up of wetlands in rampant and illegally exploitative manner and pursuant to the direction of this Hon'ble Tribunal, a meeting was held and a Management Plan was adopted by the respondent authorities, however, in spite of the said Management Plan, the Wetlands are still under the threat of extinction due to the illegal exploitation of the same.

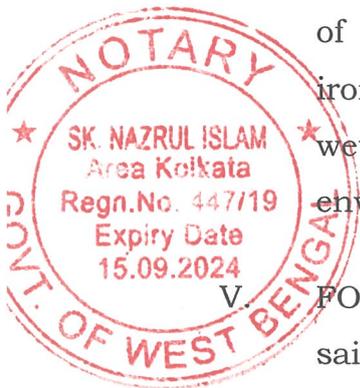
10. The Applicant states that the applicant having it felt necessary to protect the environment, ecology forming part of the wetlands, referred to as the "said wetlands" above, under the East Kolkata



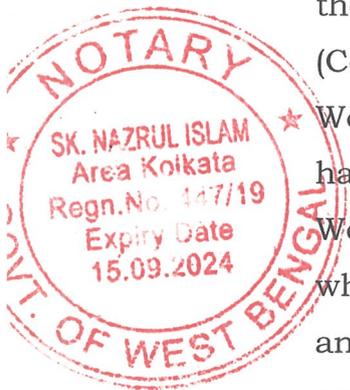
Wetlands above, the Applicant begs to move this Hon'ble Tribunal on the following grounds among others :

#### GROUNDS

- I. FOR THAT due to the act of some private individuals/entities, the ecosystem of the water bodies forming part of the said Wetlands is being seriously damages and the environment is being exploited and devastated by some unknown private individuals/entities on a regular and continuous basis;
- II. FOR THAT the said Wetlands fall under the Ramsar Convention and is a part of the East Kolkata Wetlands and thus any addition/ alteration/ construction of any structure, including a hoarding, is ultra vires and should be removed with immediate effect forthwith;
- III. FOR THAT Mouza – Dhapa comprises of several Dag Nos. and a huge stretch of land which comes under Schedule I of the East Kolkata Wetlands (Conservation and Management) Act, 2006 fall under the area of the Wetlands;
- IV. FOR THAT the respondent authorities ought to have taken appropriate steps and/or actions against the illegal installation of hoardings, bill boards, flexed, advertisements, electric and iron poles, generators and motors installed upon the said wetlands forthwith in immediate effect in order to save the environment from further damage;
- V. FOR THAT due to the operation of the lights installed with the said hoardings, the generators and motors being used, causes a huge damage to the environment and ecology of the Wetlands;



- VI. FOR THAT the respondent authorities never bothered to reply to the RTI application and the representation sent by the Applicant and for that, the identity of the perpetrators and wrongdoers are still under concealment and the said illegally installed hoardings are not being removed by the respondent authorities;
- VII. FOR THAT the respondent authorities in their high - handedness and in collusion with the perpetrators have deliberately ignores to take any cogent action(s) towards removal of the hoardings, bill boards, flexed, advertisements, electric and iron poles, generators and motors installed upon the said wetlands;
- VIII. FOR THAT as per the provisions of the East Kolkata Wetlands (Conservation and Management) Act, 2006 as well as the Wetlands (Conservation and Management) Rules, 2017, any kind of addition/alteration/construction upon the wetlands is ultra vires, contrary to law and the same must be removed with immediate effect in order to protect the ecology and environment of the said Wetlands;
- IX. FOR THAT the respondent authorities have failed to discharge their statutory duties in terms of the East Kolkata Wetlands (Conservation and Management) Act, 2006 as well as the Wetlands (Conservation and Management) Rules, 2017 and have grossly failed to be mindful that the East Kolkata Wetlands is the largest sewage fed aquaculture of the world which is getting devastated by several illegal miscreants and/or perpetrators of West Bengal by way of filling wetlands and installing hoardings, bill boards, advertisements etc. not



only in broad day light but also at the nose tip of various governmental authorities like the East Kolkata Wetlands Management Authority;

The Applicant crave leave of this Hon'ble Tribunal to add/ alter/ amend / substitute any of the grounds mentioned above at the time of hearing of this instant application, if necessary.

#### LIMITATION

The cause of action pertaining to this instant application is well within the limitation period according to the National Green Tribunal Act, 2010 since the cause of action first arose when the Applicant noticed the existence of the hoardings upon the said Wetlands.

#### JURISDICTION

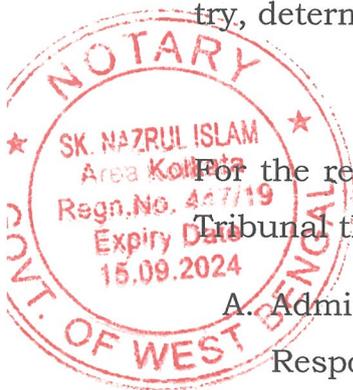
The cause of action having arisen within the territorial limits of this Hon'ble Tribunal. This Hon'ble Tribunal has adequate jurisdiction to try, determine and adjudicate this instant application.

#### PRAYER

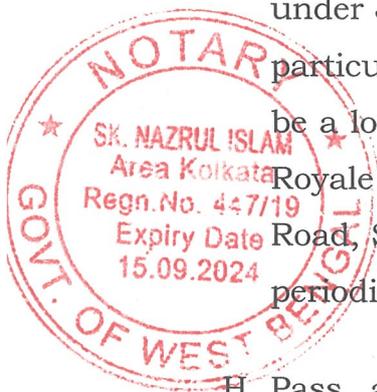
For the reasons stated above, it is humbly prayed before this Hon'ble Tribunal that this Hon'ble Tribunal may be pleased to :

A. Admit this instant Application and issue notice upon the Respondents;

B. Direct the Respondent Authorities to safeguard the said Wetlands from any kind of contamination or pollution;

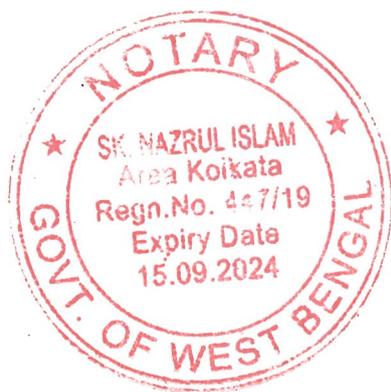


- C. Direct the Respondents to immediately stop all sorts of constructions and installations of any metal/iron poles or any other structure upon the said Wetlands under P.S. – Pragati Maidan. Mouza – Dhapa, J.L. no. 02 comprising of several Dag Nos.;
- D. Direct the Respondent Authorities to disclose the names and/or identities of the individuals/entities being the perpetrators behind the illegal installation and putting up of hoardings, bill boards, flexed, advertisements, electric and iron poles, generators and motors installed upon the said wetlands;
- E. Impose heavy penalty upon the perpetrators in view of the “polluters pay” principle;
- F. Direct the Respondent Authorities to take all necessary steps and actions to ensure that the ecology of the Wetlands are restored and healthy quality of water in water bodies and wetlands is maintained:
- G. Issue an order in the nature of Mandamus to constitute a high level committee to monitor the restoration of the wetlands comprised under Dhapa Mouza, P.S. Pragati Maidan, comprised under J.L. No. 02, P.S. Pragati Maidan, South 24 Parganas, more particularly upon a substantial stretch of land, which appears to be a lowland or a wetland upon bare perusal, opposite to the ITC Royale and “Bypass Dhaba”, situated at 1A, Bongaon – Kulpi Road, Sec – B, Tangra, Kolkata, West Bengal – 700105 and submit periodical reports before this Hon’ble Tribunal;
- H. Pass a direction upon the Respondent Authorities to take immediate measures to forthwith remove all the hoardings, bill boards, flexed, advertisements, electric and iron poles, generators



and motors installed upon the said wetlands and to file a report before this Hon'ble Tribunal pertaining to the same;

- I. Pass any other further order or orders, direction or directions as this Hon'ble Tribunal may deem fit and proper.



**VERIFICATION**

I, Abhrajit Roy Chowdhury, son of Late Kamal Roy Chowdhury, aged about 24 years, by faith Hindu, by occupation – Advocate, residing at East View Apartment, 897, Pashupati Bhattacharya Road, Kolkata – 700034, do hereby solemnly affirmed and say that the statements contained in paragraph 1 to 10 of the forgoing petition are true to my knowledge and those contained in Paragraphs No. 1 to 10 are my humble submissions before this Hon'ble Court thereof.

Verified on this 21st Day of March, 2024.

*Abhrajit Roy Chowdhury*

Date: 21.03.2024



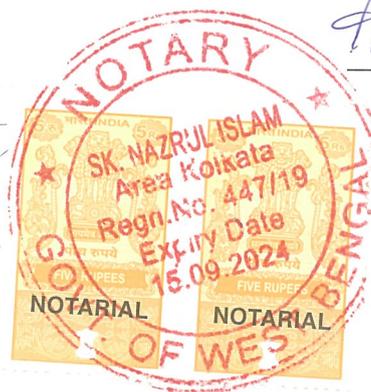
**AFFIDAVIT**

I, Abhrajit Roy Chowdhury, son of Late Kamal Roy Chowdhury, aged about 24 years, by faith Hindu, by occupation – Advocate, residing at East View Apartment, 897, Pashupati Bhattacharya Road, Kolkata – 700034, Post Office – Behala, Sub Post Office – Jaysree, PIN – 700034, do hereby say and solemnly affirm as follows:

1. That I am the applicant in the instant case and am well acquainted with the facts and circumstances relating thereto.
2. That the statements made in paragraph nos. 1 to 10 are true to my knowledge and those made in paragraph Nos 1 to 10 thereof are my humble and respectful submissions before this learned court.
3. That the statements contained in the foregoing paragraphs of the instant affidavit are true to my knowledge.

Prepared in my office

*Dibyayan Banerji*  
Advocate

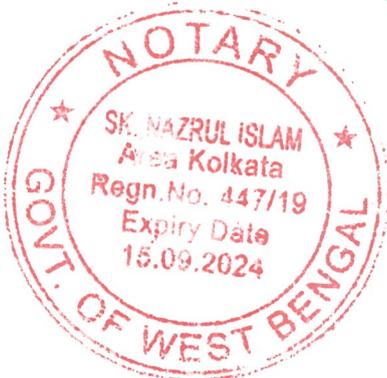


*Abhrajit Roy Chowdhury*

Deponent

Identified by me

*Dibyayan Banerji*  
Advocate



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

*[Signature]*  
Notary

*SK. Nazrul Islam*  
Notary, Govt. of W.B.  
Regn. No. 447/19  
City Civil Court, Calcutta

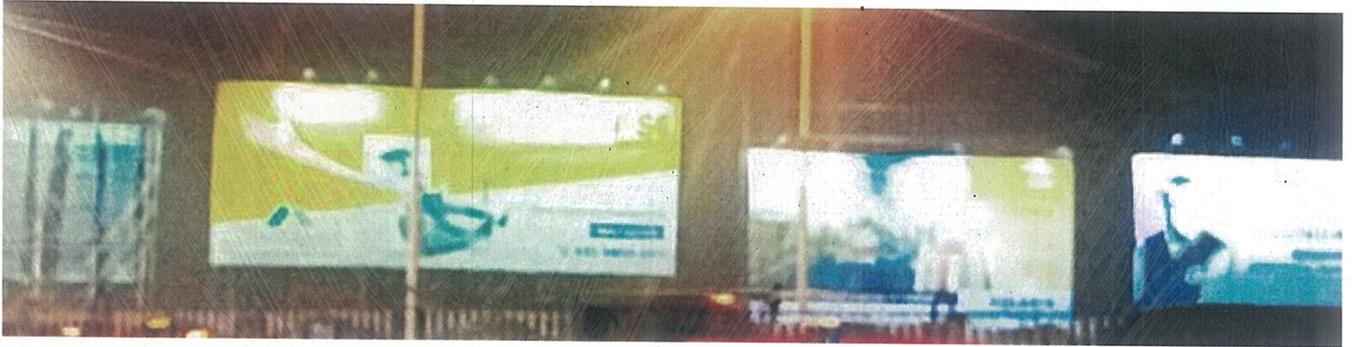
**21 MAR 2024**



NOTARY  
SK. NAZRUL ISLAM  
Area Kolkata  
Regn.No. 447/19  
Expiry Date  
15.09.2024  
GOVT. OF WEST BENGAL



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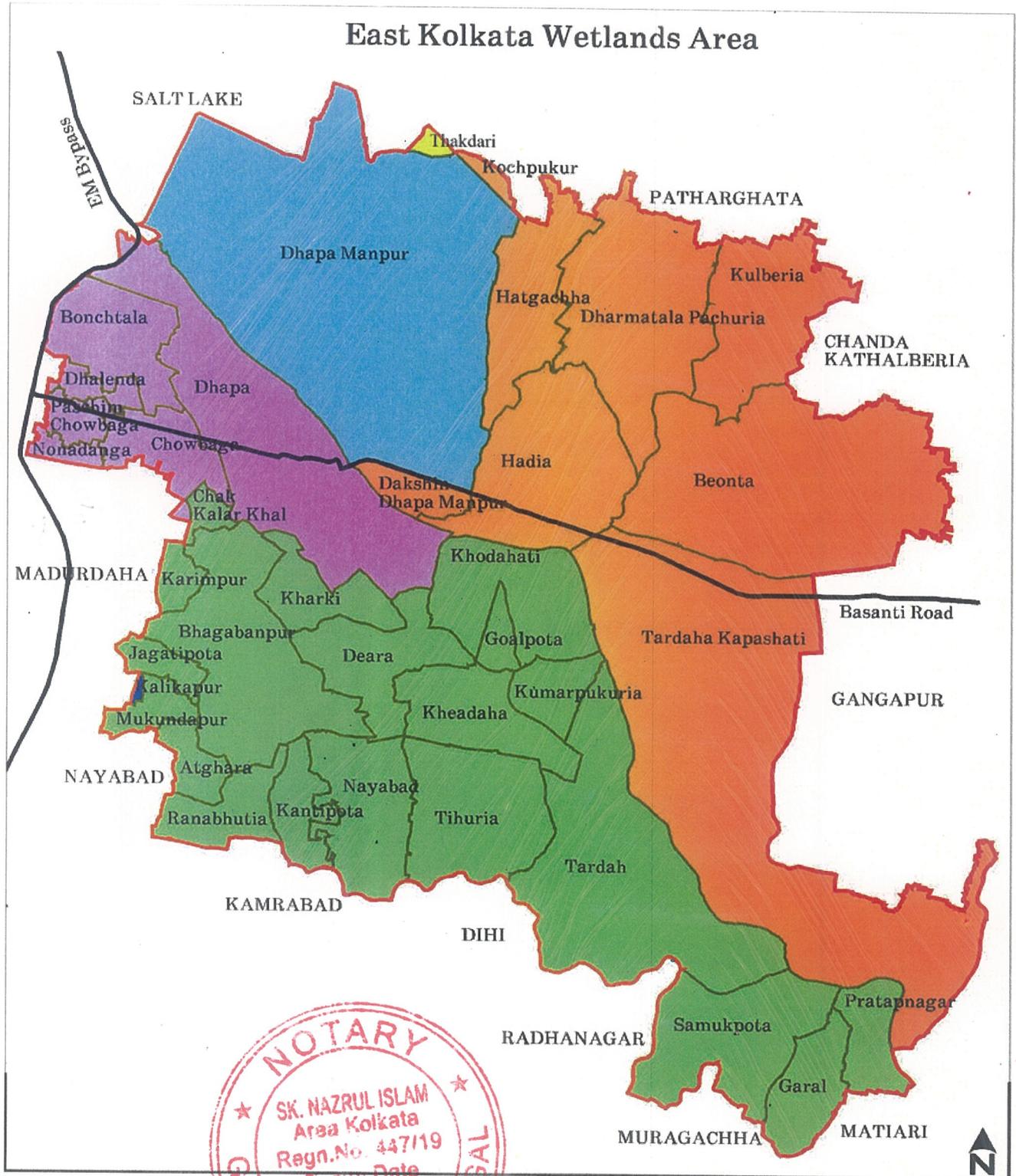


NOTARY  
★ SK. NAZRUL ISLAM ★  
Area Kolkata  
Regn.No. 447/19  
Expiry Date  
15.09.2024  
GOVT. OF WEST BENGAL

12/11/2024



Annexure "P2"



**NOTARY**  
★ SK. NAZRUL ISLAM ★  
Area Kolkata  
Regn.No. 447/19  
Expiry Date  
15.09.2024  
GOVT. OF WEST BENGAL

**MR. DIBYAYAN BANERJI,**Advocate  
HIGH COURT, CALCUTTA  
B.A. LLB, LLM (criminology)Chamber: 1/9 Ajaynagar, 'Jivan Tari'  
Santoshpur, E.M Bypass, Kol: 700075.Residence: C-3, Survey Park, Santoshpur, Kolkata: 700075.  
E. Mail: idibyayan@gmail.com

Annexure "P3"

DATE: 19.01.24

**APPLICATION UNDER RTI ACT 2005**

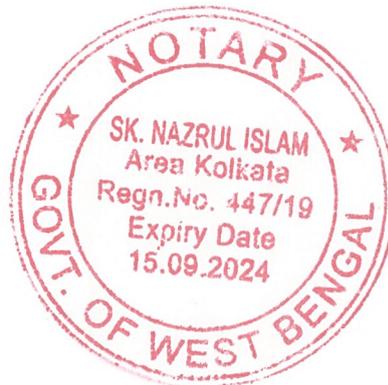
To  
The State Public Information Officer & Manager,  
Kolkata Municipal Corporation,  
5, S.N. Banerjee Street,  
Kolkata 700013.

**Sub :-** Prayer for giving information regarding the illegally installation and display of boardings, flexes, bill boards on the vacant land and/or area lying and situated opposite to ITC Royale Hotel, Eastern Metropolitan under Section 6 of R T I. Act 2005.

**My Client :-** Mr. Abhrajit Roy Chowdhury, S/O Late Kamal Roy Chowdhury, residing at East View Apartment, 897, Pashupati Bhattacharjee Road, Kolkata -700034 and also at 154/1/B, Pashupati Bhattacharjee Road, Kolkata - 700041. Phone No. +91 3017814874.

Sir,

11/1/24



**MR. DIBYAYAN BANERJI,**

Advocate  
 HIGH COURT, CALCUTTA  
 B.A. LLB, LLM (criminology)

**Chamber:** 1/9 Ajaynagar, 'Jivan Tari'  
 Santoshpur, E.M Bypass, Kol: 700075.  
**Residence:** C-3, Survey Park, Santoshpur, Kolkata: 700075.  
**E. Mail:** idibyayan@gmail.com

Under instruction from and on behalf of my above named client, I want to know about the following information:-

My client is a public – spirited individual involved in several activities involved with the welfare of the public at large

I, on behalf of my client request you to provide me a the following information and/or answers to my queries under Section 6 (1), (2) and (3) of the R.T.I. Act 2005. The records must contain the following details :-

1. Does the vacant area lying and situated opposite to Eastern Metropolitan bypass Dhaba on the Eastern Metropolitan Bypass fall under the RAMSAR Convention?
2. Admittedly, the said plot falls under the category of Wetlands. If that be so, with what permission are flexes, hoardings and bill boards lying upon the said land?
3. Did the concerned authority of the Kolkata Municipal Corporation take any steps to stop deliberate and continuous pollution of the said land due to continuous and regular use of generators and motors resulting into depletion of carbon monoxide and diesel, thereby degrading the quality of the soil?
4. Which are the advertising agencies that have installed hoardings upon the said land?



**MR. DIBYAYAN BANERJI,**

Advocate

HIGH COURT, CALCUTTA

B.A. LLB, LLM (criminology)

Chamber: 1/9 Ajaynagar, 'Jivan Tari'

Santoshpur, E.M Bypass, Kol: 700075.

Residence: C-3, Survey Park, Santoshpur, Kolkata: 700075.

E. Mail: idibyayan@gmail.com

5. Have those agencies obtained necessary permissions and/or licenses from the concerned authority? If yes, kindly provide me with one copy of each of those licenses and/or permits?

I am willing to pay all the costs involved with the copying of the documents.

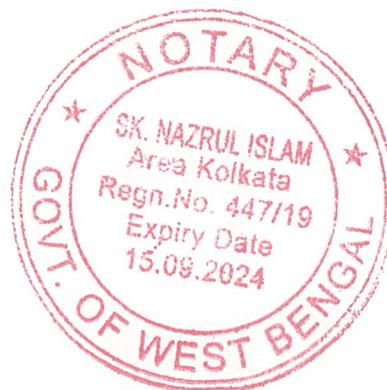
Therefore, I, on behalf of my client hereby request you to deal with this application of R.T.I. as expeditiously as possible, and in any case within 30 days of the receipt of this notice, according to Section 7 of the R.T.I Act 2005.

ANNEXURE : 1. Photocopy of Adhar card of Abhrajit Roy Chowdhury.

THANKING YOU.

Yours faithfully

*Dibyayan Banerji*  
ADVOCATE.



Annexure "P4"

Date : 09/02/2024

To,

1. The Chairman,  
West Bengal Pollution Control Board,  
Paribesh Bhavan, 10A, LA Block, Sector-III,  
Bidhan Nagar, Kolkata – 700106.
2. The Chief Technical Officer (Wetlands),  
East Kolkata Wetlands Management Authority,  
4th Floor, Pura Bhavan, 415A, FD Block, Sector 3,  
Bidhannagar, Kolkata – 700106.
3. The District Magistrate, South 24 Parganas,  
25, Belvedere Rd, Alipore Police Line,  
Alipore, Kolkata – 700027.
4. The Municipal Commissioner,  
Kolkata Municipal Corporation,  
5, S.N. Banerjee Road,  
Kolkata – 700013.
5. The Commissioner of Police,  
Kolkata Police,  
18, Lalbazaar Street,  
Kolkata – 700001.
6. The Officer – in – Charge,  
Pragati Maidan, 100,  
JBS Haldane Avenue,

*Abhismit Ray Chaudhry*

Mirania Gardens 2, Dhapa,  
Kolkata – 700105.

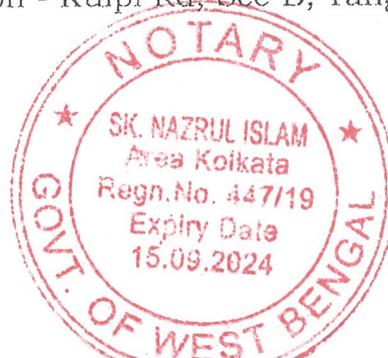
7. The Officer – in – Charge,  
15, Gobinda Khatick Rd,  
Seal Lane, Tangra, Kolkata,  
West Bengal – 700015.

Sub : Complaint against illegal display of hoardings and advertisements, installation of iron and metallic poles on the plot of land lying and situated opposite to the “Bypass Dhaba” Hotel and Restaurant and opposite to the Eastern Metropolitan Bypass, near Pragati Maidan.

Sir(s)/Ma'am(s),

I, Abhrajit Roy Chowdhury, son of Late Kamal Roy Chowdhury, residing at East View Apartment, 897, Pashupati Bhattacharya Road, Kolkata – 700034, would like to draw your kind attention to the following facts and circumstances:

I am a public – spirited individual and a practising Advocate. I am connected with several Non – Government Organizations working for public welfare and the welfare of the society at large. In course of my regular professional activities, I often take the route towards New Town via the Eastern Metropolitan Bypass. Recently, while I was passing through the Eastern Metropolitan Bypass, I had the occasion to stop in front of the “Bypass Dhaba”, which is a popular restaurant situated at 1A, Bangaon - Kulpi Rd, Sec-B, Tangra, Kolkata, West Bengal –



*Abhrajit Roy Chowdhury*

700105. While standing there, it came to my notice that there were several hoardings, flexes and advertisements as well as a few number of electric poles and iron poles installed on the vacant land situated opposite to the said "Bypass Dhaba" restaurant.

Upon doing some research and after making some enquiry from my end, I was surprised to find out that the said plot of land comes under Schedule I of the East Kolkata Wetlands (Conservation and Management) Act, 2006. Thereafter, I was shocked to find out that the said illegal hoardings and advertisements were installed displaying the names and brand advertisements of several brands, It is pertinent to mention herein that it is a settled position of law that any sorts of constructions, addition, alterations or installation in a wetland is not permissible in law. The said installation of the hoardings and advertisements even attract criminal charges under the East Kolkata Wetlands Management Act, 2006.

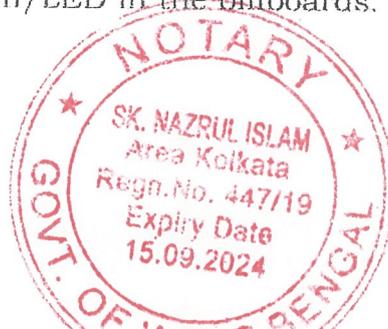
It is pertinent to mention herein that the said land being a wetland should be preserved at any cost and any sort of pollution, addition, alteration or construction without the knowledge and prior permission granted by the appropriate authority upon a wetland is illegal in nature. Some of the crucial problems faced in this region are;

Due to the iron structure of the billboards, birds cannot fly freely in the airspace. Many birds are dying every day by hitting the iron cages.

Due to the use of flex in the billboards, air movement is hindered. These act like walls and hinder birds from flying freely.

The intense neon lights installed in these billboards create strong obstacles in the habitat of the organisms residing in the waterlogged areas.

Birds, fish, and animals are experiencing disturbances at night due to the burning of metal/halogen/LED in the billboards.



*Abhrajit Roy Chowdhury*

Essentially, the lights on the billboards are powered by generators. As a result, throughout the evening and night, environmental integrity is being compromised due to noise pollution.

Continuous generator operation at night leads to rapid accumulation of carbon monoxide in the air.

Diesel, emitted from generators, mixes with water in the water bodies every day. Consequently, fish are dying, and agricultural lands are being damaged.

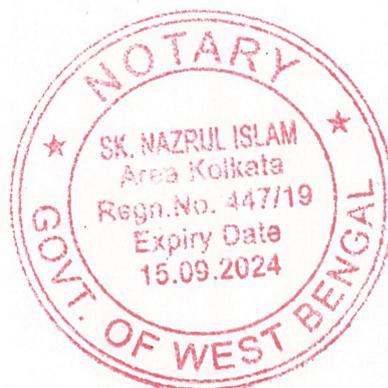
Under such circumstances, it is humbly prayed before your esteemed office(s) to kindly take immediate steps to remove the said illegally installed hoardings, flexes, poles, advertisements and take steps against the perpetrators within 15 (Fifteen) days as per accordance with law for the interest of the public and for the sake of the principles of justice.

Your faithfully,

*Abhrajit Roy Chowdhury*

Abhrajit Roy Chowdhury

Encl: Photographs.



*Abhrajit Roy Chowdhury*

<b>EMS SPEED POST</b>		SPEED POST Advance Customer SI Code-300049815 KOLKATA-01	<b>SPEED POST RECEIPT</b>	
EW	024257567		IN	TO Municipal Commissioner K.M.C. Kol-13
Date -	9.2.24			
Weight -	34			
Charge Rs. -	18			FROM Mr. A.R. Chowdhury (Adv) Kol-1
Signature -				
ADVANCE CUST. ID NO. 3000049815 (KOLKATA GPO. KOLKATA - 700 001)				

<b>EMS SPEED POST</b>		SPEED POST Advance Customer SI Code-300049815 KOLKATA-01	<b>SPEED POST RECEIPT</b>	
EW	024257933		IN	TO Commissioner of Police Kolkata Police 18 Dalbazar Street Kol-1
Date -	9.2.24			
Weight -	34			
Charge Rs. -	18			FROM A. R. Chowdhury (Adv) Kol-1
Signature -				
ADVANCE CUST. ID NO. 3000049815 (KOLKATA GPO. KOLKATA - 700 001)				

<b>EMS SPEED POST</b>		SPEED POST Advance Customer SI Code-300049815 KOLKATA-01	<b>SPEED POST RECEIPT</b>	
EW	024257947		IN	TO chairman W.B. Pollution Control Board, Bidhannagar Kol-106
Date -	9.2.24			
Weight -	34			
Charge Rs. -	18			FROM A. R. Chowdhury (Adv) Kol-1
Signature -				
ADVANCE CUST. ID NO. 3000049815 (KOLKATA GPO. KOLKATA - 700 001)				



<b>EMS SPEED POST</b>		SPEED POST Advance Customer SI Code-300049815 KOLKATA-01	<b>SPEED POST RECEIPT</b>	
EW	024257955		IN	TO officer in charge Paragati Maidan Kol-105
Date -	9.2.24			
Weight -	34			
Charge Rs. -	18			FROM A. R. Chowdhury (Adv) Kol-1
Signature -				
ADVANCE CUST. ID NO. 3000049815 (KOLKATA GPO. KOLKATA - 700 001)				

<b>EMS SPEED POST</b>		SPEED POST Advance Customer SI Code-300049815 KOLKATA-01	<b>SPEED POST RECEIPT</b>	
EW	024257964		IN	TO D.M. 324 P.G.S. 25 Belvedere Road Alipore Kol-27
Date -	9.2.24			
Weight -	34			
Charge Rs. -	18			FROM A. R. Chowdhury (Adv) Kol-1
Signature -				
ADVANCE CUST. ID NO. 3000049815 (KOLKATA GPO. KOLKATA - 700 001)				

<b>EMS SPEED POST</b>		SPEED POST Advance Customer SI Code: 3000049815 KOLKATA-01	<b>SPEED POST RECEIPT</b>	
EW	024257978		TO chief Technical officer Bidhannagar	
Date -	9.2.24		Kol-106	
Weight -	34		FROM A. R. Chowdhury (Adv)	
Charge Rs. -	18		Kol-1	
Signature -				
ADVANCE CUST. ID NO. 3000049815 (KOLKATA GPO. KOLKATA - 700 001)				

<b>EMS SPEED POST</b>		SPEED POST Advance Customer SI Code: 3000049815 KOLKATA-01	<b>SPEED POST RECEIPT</b>	
EW	024257981		TO officer in charge 15 Gobinda Khalok Rd. Kolkata - 700015	
Date -	9.2.24		FROM A. R. Chowdhury (Adv)	
Weight -	34		Kol-1	
Charge Rs. -	18			
Signature -				
ADVANCE CUST. ID NO. 3000049815 (KOLKATA GPO. KOLKATA - 700 001)				



Register with AIR

ग्राहक-स्वीकृति (सही) / धारित पत्र / ACKNOWLEDGMENT

एक रजिस्ट्री पत्र/पोस्ट कार्ड/पैकेट/पार्सल प्राप्त हुआ

Received a Registered Letter/Postcard/Packet/Parcel

ग्राहक का नाम / धारित पत्र / पोस्ट कार्ड / पैकेट / पार्सल प्राप्त हुआ

Addressed to (Name) Mr. Komal Roy Chowdhury

बिमा का मुद्दा (रुपया में) 897 Barwell Malachows Road

बिमा कृत अर्थों परित्याग 101 - 34

Insured for Rupees

विवरण का तारीख

बिलिंग तारीख

Date of delivery

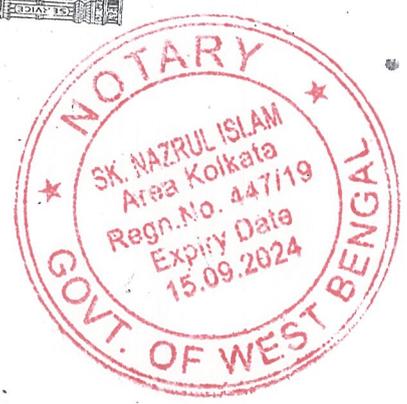
20..... ग्राहक के हस्ताक्षर / धारित पत्र / Signature of addressee

अनावश्यक को काट दिया जाये / अध्यायजनिय अर्थ क्रेडिट मिल / Score out the matter not required

केवल बीमा बन्धुओं के लिए / केवल बीमार क्षेत्र अध्यायजन / For Insured article only

Eastern Suburban Division, Kolkata

E.O.I.....DT.....



AMT:0.00WT:45gms  
Counter No:23/02/2024,14:38  
Post Fee:3.00 B5:45.00,REB-17.0

From: BEL:BHATA HD (700010)  
To: HD  
Del. No: KOL-19/700010





**Government of West Bengal**  
**Office of the Deputy Commissioner of Police**  
**Eastern Suburban Division**  
**105, Hem Chandra Naskar Road, Kolkata-700010**

Memo No EDI/ /24

Dated \_\_\_\_\_/24.

To : The Deputy Commissioner of Police,  
East Division, Kolkata.

Sub : Complaint of one Abhrajit Roy Chowdhury S/o. Late Kamal Roy Chowdhury of  
East View Apartment, 897, Pashupati Bhattacharya Road, Kol-34.

Ref : This office S.L. No. 524/ESD dt. 20.02.2024 & LP Q2-72/24.

1. Please refer to the above subject matter.
2. The content of the letter relates to Pragati Maidan PS which falls under your administrative control.
3. Hence, returning herewith the enquiry report submitted by an officer of Tangra PS duly forwarded by OC, Tangra PS and Assistant Commissioner of Police(III), ESD along with original complaint and enclosures received at this end for taking necessary action from your end in question of jurisdiction.

Encl : As stated.

*sdt*  
Deputy Commissioner of Police,  
Eastern Suburban Division, Kolkata.

Memo No EDI/ 680/1/24

Dated 23/02 /24.

Copy to : ✓ Abhrajit Roy Chowdhury S/o. Late Kamal Roy Chowdhury of  
East View Apartment, 897, Pashupati Bhattacharya Road, Kol-34.

For information. He is requested to make further correspondence in this regard with DC, East Division, Kolkata.

*21/2/24*  
Deputy Commissioner of Police,  
Eastern Suburban Division, Kolkata.



O.C Sec-Q2

Ref:-The attached LP-Q2 date. 13.02.24

Sir,

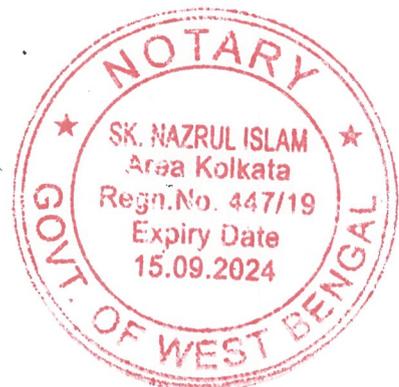
In reference to the above beg to submit that on the basis of Petition submitted through speed post by Abhrajit Roy Chowdhury S/o-Late Kamal Roy Chowdhury of East View Apartment, 897, Pashupati Bhattacharya Road, Kol-34 an enquiry has been made to ascertain the facts.

In course of enquiry contacted with the petitioner and the petitioner mentioned in his petition that the incident place was Eastern Metropolitan Bypass in front of the "Bypass Dhaba" situated at 1A, Bangaon-Kulpi Rd, Sec-B, Tangra, Kolkata-105 which falls under the jurisdiction of Pragati Maidan PS, therefore the course of action to the facts of petition is to be taken by Pragati Maidan PS on the point of jurisdiction.

Hence the attached petition may kindly be forwarded to **O/C Pragati Maidan PS** for necessary action.

Submitted,

*(Signature)*  
(KAMAL SOREN)  
SI/Sec-Q2



*(Signature)*  
OC-82  
15-02-2024  
Officer in Charge  
TANGRA P.S.  
Kolkata

DCESD

may kindly be forwarded  
to O/C Pragati Maidan  
PS through DCESD on  
the point of jurisdiction.

*(Signature)*  
A.C.(III)ESD  
16/2/24  
A.C. (III) E.S.D

D.C,ESD  
A.C.(III)ESD

Sir,

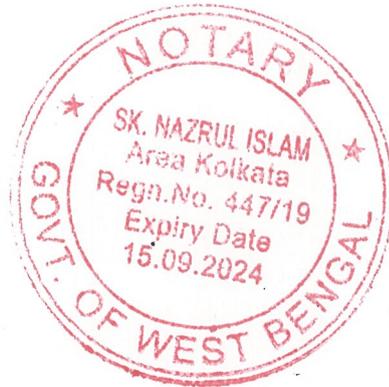
The detail report of SI-Kamal Soren may kindly be perused and may kindly be forwarded to O.C, Pragati Maidan PS. Through D.C, ED, on the point of jurisdiction.

S.I. NO - 524/ESD dt- 20/02/24.

Date : 09/02/2024

To,

1. The Chairman,  
West Bengal Pollution Control Board,  
Paribesh Bhavan, 10A, LA Block, Sector-III,  
Bidhan Nagar, Kolkata - 700106.
2. The Chief Technical Officer (Wetlands),  
East Kolkata Wetlands Management Authority,  
4th Floor, Paura Bhavan, 415A, FD Block, Sector 3,  
Bidhannagar, Kolkata - 700106.
3. The District Magistrate, South 24 Parganas,  
25, Belvedere Rd, Alipore Police Line,  
Alipore, Kolkata - 700027.
4. The Municipal Commissioner,  
Kolkata Municipal Corporation,  
5, S.N. Banerjee Road,  
Kolkata - 700013.
5. The Commissioner of Police,  
Kolkata Police,  
18, Lalbazaar Street,  
Kolkata - 700001.
6. The Officer - in - Charge,  
Pragati Maidan, 100,  
JBS Haldane Avenue,



SI - K. Soken

Pl. enquire &  
do the needful.

Abhrajit Roy Choudhury

Mirania Gardens 2, Dhapa,  
Kolkata - 700105.

7. The Officer - in - Charge,  
15, Gobinda Khatick Rd,  
Seal Lane, Tangra, Kolkata,  
West Bengal - 700015.

Sub : Complaint against illegal display of hoardings and advertisements, installation of iron and metallic poles on the plot of land lying and situated opposite to the "Bypass Dhaba" Hotel and Restaurant and opposite to the Eastern Metropolitan Bypass, near Pragati Maidan.

Sir(s)/Ma'am(s),

I, Abhrajit Roy Chowdhury, son of Late Kamal Roy Chowdhury, residing at East View Apartment, 897, Pashupati Bhattacharya Road, Kolkata - 700034, would like to draw your kind attention to the following facts and circumstances:

I am a public - spirited individual and a practising Advocate. I am connected with several Non - Government Organizations working for public welfare and the welfare of the society at large. In course of my regular professional activities, I often take the route towards New Town via the Eastern Metropolitan Bypass. Recently, while I was passing through the Eastern Metropolitan Bypass, I had the occasion to stop in front of the "Bypass Dhaba", which is a popular restaurant situated at 1A, Bangaon - Kulpi Rd, Sec-B, Tangra, Kolkata, West Bengal -



*Abhrajit Roy Chowdhury*

700105. While standing there, it came to my notice that there were several hoardings, flexes and advertisements as well as a few number of electric poles and iron poles installed on the vacant land situated opposite to the said "Bypass Dhaba" restaurant.

Upon doing some research and after making some enquiry from my end, I was surprised to find out that the said plot of land comes under Schedule I of the East Kolkata Wetlands (Conservation and Management) Act, 2006. Thereafter, I was shocked to find out that the said illegal hoardings and advertisements were installed displaying the names and brand advertisements of several brands, It is pertinent to mention herein that it is a settled position of law that any sorts of constructions, addition, alterations or installation in a wetland is not permissible in law. The said installation of the hoardings and advertisements even attract criminal charges under the East Kolkata Wetlands Management Act, 2006.

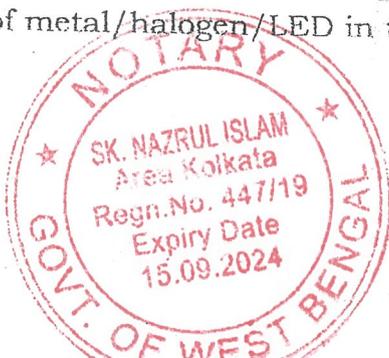
It is pertinent to mention herein that the said land being a wetland should be preserved at any cost and any sort of pollution, addition, alteration or construction without the knowledge and prior permission granted by the appropriate authority upon a wetland is illegal in nature. Some of the crucial problems faced in this region are;

Due to the iron structure of the billboards, birds cannot fly freely in the airspace. Many birds are dying every day by hitting the iron cages.

Due to the use of flex in the billboards, air movement is hindered. These act like walls and hinder birds from flying freely.

The intense neon lights installed in these billboards create strong obstacles in the habitat of the organisms residing in the waterlogged areas.

Birds, fish, and animals are experiencing disturbances at night due to the burning of metal/halogen/LED in the billboards.



*Abhrajit Roy Chowdhury*

Essentially, the lights on the billboards are powered by generators. As a result, throughout the evening and night, environmental integrity is being compromised due to noise pollution.

Continuous generator operation at night leads to rapid accumulation of carbon monoxide in the air.

Diesel, emitted from generators, mixes with water in the water bodies every day. Consequently, fish are dying, and agricultural lands are being damaged.

Under such circumstances, it is humbly prayed before your esteemed office(s) to kindly take immediate steps to remove the said illegally installed hoardings, flexes, poles, advertisements and take steps against the perpetrators within 15 (Fifteen) days as per accordance with law for the interest of the public and for the sake of the principles of justice.

Your faithfully,

*Abhrajit Roy Chowdhury*

Abhrajit Roy Chowdhury

Encl: Photographs.



*Abhrajit Roy Chowdhury*

46  
**Information Sheet on Ramsar Wetlands**  
**(RIS)**

Annexure "P5"

*Categories approved by Recommendation 4.7 of the Conference of the Contracting Parties*

**Note: It is important that you read the accompanying Explanatory Note and Guidelines document before completing this form.**

1. **Date this sheet was updated:** 19<sup>th</sup> August 2002.
2. **Country:** India
3. **Name of wetland:** THE EAST CALCUTTA WETLANDS
4. **Geographical coordinates:** Lies approximately within latitudes 22°25' to 22° 40' North and longitudes 88° 20' to 88° 35' East
5. **Elevation:** (average and/or maximum and minimum): 2 m (G.T.S.) Global Telecommunications System
6. **Area:** (in hectares): 12500 ha.

7. **Overview:** (general summary, in two or three sentences, of the wetland's principal characteristics)  
The wetlands to the east of Calcutta are well known over the world for their multiple uses. The resource recovery systems developed by the local people through ages using wastewater from the city is the largest in the world. In the process it treats the wastewater and has saved the city of Calcutta from constructing and maintaining a wastewater treatment plant. It also is the only metropolitan city in the world where the Government has introduced development controls to conserve the water-bodies. These wetlands, however, are under an intense encroachment stress of urban expansion. This task of conservation therefore needs further consolidation.

8. **Wetland Type:** (please circle the applicable codes for wetland types as listed in Annex I of the Explanatory Note and Guidelines document)

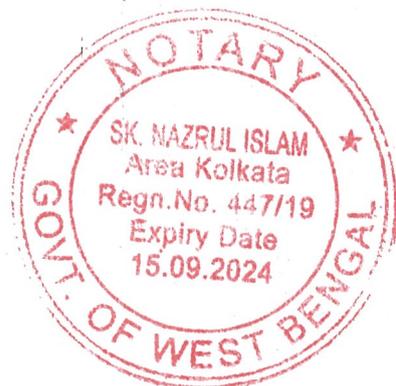
*marine-coastal:*            A B C D E F  G H I            J            K    Zk(a)  
**Inland:**                    L M N O P Q R Sp Ss            Tp            Ts  
                                  U Va Vt W Xf Xp Y Zg Zk(b)  
**Human-made:**             1 2 3 4 5 6 7  8 9            Zk(c)

**Please now rank these wetland types by listing them from the most to the least dominant:**  
G,1, 8

9. **Ramsar Criteria:** (please circle the applicable criteria; see point 12 below)  
 1            2            3            4            5            6            7            8

**Please specify the most significant criterion applicable to this site:**  
1

10. **Map of site included?** Please tick YES --or-- NO  
(Please refer to the *Explanatory Note and Guidelines* document for information regarding desirable map traits.)  
Yes



11. <sup>47</sup> Name and address of the compiler of this form:

World Wide Fund for Nature- India,  
Secretariat, 172-B, Lodi Estate  
New Delhi- 110 003  
Website: [www.wwfindia.org](http://www.wwfindia.org)  
Tel: 91(11)4616532, 4691760-62

With Inputs From:

Dr. Dhrubajyoti Ghosh, Department of Environment, Govt. of West Bengal, 4, Fairlie Place, Kolkata 700 001, India

E-mail: [ghosh.d@bigfoot.com](mailto:ghosh.d@bigfoot.com)

12. Justification of the Criteria

(i) Criterion 1:

The Ramsar Bureau selected 17 case study sites from all over the world to demonstrate and understand wetland wise use. In that list the East Calcutta wetlands is the only entry from India and also the only one that is by the side of a city and is largely acclaimed as an urban facility for using the city sewage in traditional practices of fisheries and agriculture. Appreciating this wetland function that core Calcutta has not been provided with any fund for constructing a sewage treatment plants.

The East Calcutta wetlands is an urban facility for treating the Calcutta city's waste water and for utilising the treated water for pisciculture and agriculture, through recovery of waste water nutrients in an efficient manner. In the wetland to the east of Calcutta, wastewater is used in fisheries and agriculture covering an area of about 12,500 hectares which has been designated as conservation area by an order of the Calcutta High Court.

In the fish ponds covering about 4000 hectares, city's wastewater is made to flow through. The wastewater ponds act basically as solar reactors and complete most of their bio-chemical reactions with the help of solar energy. The wetland ecosystem of the east Calcutta is thus one of the rare examples of environmental protection and development management where a complex ecological process has been adopted by the local farmers by mastering the resource recovery activities.

13. General Location

5km from Eastern edge of Calcutta, India

14. Physical Features

Geologically the area forms the southern part of the Indo-Gangetic Basin and lies to the South of the Garo-Rajmahal line which forms a hinge. Basement sediments go down to depths of 5666m to 6666m depth while the depth of alluvium is about 816 m. This thickness of the sediment implies sedimentation along with subsidence. The alluvium is made up of several cycles of sand, silt and clay in varying proportioning. At the surface a lateral facies variation from the in-channel through bar levee to the interdistributory marsh find sand and silt occur in the upper part of the bars, sandy silt and clay occur in the levee top while silty clay and clay occurs in the interdistributory marsh.

Geomorphologically the east Calcutta wetlands (a part of what was previously known as a Salt Lake) form an interdistributory marsh of the Hoogly – Bidyadhari system. This depression covers an area of about 76.0 sq.km. Early records show that even in the middle of the 18<sup>th</sup> century the western margin of the Salt Lake was within 3 km from the river Hooghly. The general slope of this marshy tract is towards south-east. The aquifer in the area is found at 30 m to 90 m depth yielding fresh water. In the same area, aquifer at 125 m to 250 m depth yield slightly brackish water.



The climate of the East Calcutta Wetlands broadly resembles that of Calcutta which being located almost within a degree of the tropic of Cancer with some variation the temperature remains high throughout the year. Three major seasons identified are: (a) cold season, which sets in from the middle of November and lasts till the end of February. The mean temperature in December and January are 20.6 degree centigrade and 20.2 degree centigrade respectively with mean monthly minimum 14.2 degree centigrade and 13.6 degree centigrade respectively. Total rainfall in four months hovers around 76 mm indicating relative humidity around 67 percent. Average wind speed during this season remains at about 2.9 kmph. (b) Hot season starts from March and lasts till mid June with mean monthly temperatures at 30.65 degree centigrade, 31.15 degree centigrade and 30.4 degree centigrade respectively in the months of April, May and June. The temperature however touches as high as 38 degree centigrade to 40.2 degree centigrade during these months on someday. The lowest temperature of the season does not fall below 16.4 degree centigrade (March). Rain occurs more frequently in summer end associated with thunderstorm and nor'westers, with relative humidity varying between 64 percent in March and 79 percent in June. Average wind speed rises to about 7 kmph. (c) Rainy season starts from mid-June and lasts till mid-September, stretching sometimes to October. Average temperature remains quite high in this season. Average rainy days per month are about 16 days. The number however, decreases to 8 days in October. Rainfall in this season hailing from the southwest monsoon is also associated with cyclonic disturbances from the Bay of Bengal. Total rainfall during the monsoon months varies between 1200 mm and 1300 mm. Relative humidity varies between 80 percent and 85 percent, while average wind speed remains at 5 kmph. On the whole, the East Calcutta wetlands have features of a tropical region with ample sunshine and vast water regime.

### 15. Hydrological Values

Depth of water in the water bodies (268 in number) is rarely more than one metre and they will normally have water throughout the year except when these are drained out for the drying of the bed which takes about 3 to 4 weeks time before water is again introduced. The depth of water increases by about 10 to 15 cm during monsoon and the area is now uneffected by the tidal variation. Downstream area is mostly paddy growing with occasional patches of settlements. At present a tannery complex is coming up beyond the eastern boundary of the designated conservation area.

The East Calcutta Wetland area is not efficient in recharging groundwater. This is because of the copious content of organic matters the bottom of the waterbodies are sealed by such fine particles. However the region allows to accumulate flood water which is essentially its own runoff.

This wetland area is particularly efficient in sediment trapping and more importantly trapping of nutrients through an aquatic food chain. In fact it exemplifies shortest route to transport the nutrients which are richly available in wastewater to edible protein in the form of fish.

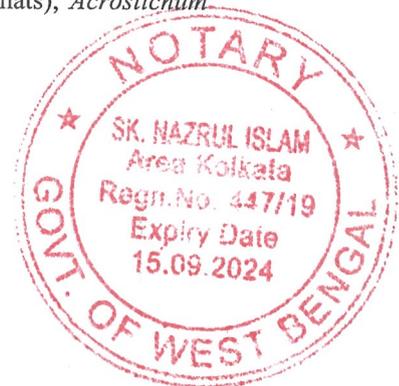
### 16. Ecological features

The East Calcutta Wetlands basically consists of three components, viz.

- i) The core area which includes the fish pond systems, where waste water treatment (domestic sewage of the city) and fishing activities take place.
- ii) The garbage farming land where different types of seasonal vegetables are cultivated during wastewater irrigation from intermittent ponds where wastewater is settled for purification.
- iii) Paddy cultivation area where paddy cultivation is practiced in regular course.

In the wetlands i.e., the core fishing areas usually the fishermen do not accept any plant other than *Eichhornia crassipes* and naturally developed plankton like algae around (20 species).

There are about 34 families, 68 genera and 104 species in and around east calcutta wetland. These include *Sagittaria montividensis* (colonised in these area but rare elsewhere in the state), *Cryptocoryne ciliata* (a remnants of earlier Salt Lake), *Cyperus spp.* (used by the rural people for making mats), *Acrostichum*



aur<sup>49</sup> (remnants of mangrove habitat), *Ipomoea aquatica* (people cultivate as supplementary vegetables) etc. Biswas (1927) identified three zones of vegetation in the salt lake region. Among these vegetation of embankments and bunds were mostly dominated by *Fimbristylis ferruginea*, *Suaeda maritima*, *Acanthus ilicifolius*, *Excoecaria agallocha*, *Avicennia officinalis*, etc. While salt lake proper was dominated by numerous algal flora, bushes of *Phragmites karka*, *Aegiceras magus*, *Typha elephantina* etc.

### 17. Noteworthy Flora

Floristic diversity of the wetland is mediocre particularly in the core area while the diversity of plants is rather high in the surrounding mesotrophic wetlands. Vegetation cover of the wetland areas is significantly low. *Eichhornia crassipes* and rarely *Alternanthera philoxeroides* are the only acceptable flora of these wetlands in addition to significantly rich population of planktonic algae. *Sagittaria sagittifolia*, *Rumex dentatus*, *Panicum spp*, *Brachiaria mutica* and *Colocasia esculenta* are the dominant flora of the waste water canals. *Cryptocoryne ciliata* and several species of sedges are predominant in waste water canals receiving tidal flush. *Eichhornia crassipes* and *S. sagittifolia* may be considered as the indicator species of these wetlands.

In the core area where netting is done regularly, *Eichhornia crassipes*, *Sagittaria sagittifolia*, *Monochoria hastata*, *Alternanthera philoxeroides*, *Polygonum barbatum*, *Lemna aequinoctialis*, *Spirodela polyrhiza* are among the dominating flora of the core area in hydrophase, while *Alternanthera paranichoides*, *Marsilea minuta* are common in limosal ecophase.

### 18. Noteworthy fauna

Amongst the rare mammals Marsh mongoose (*Herpestes palustris*), small Indian mongoose (*Herpestes auropunctatus*), Palm civet (*Paradocurus hermaphroditus*) and Small Indian civet (*Viverricula indica*) are significant in and around East Calcutta Wetland area. About 20 mammals are reported from this region.

Threatened reptiles like, Indian mud turtle *Lissemys punctata* (locally threatened) is also reported occasionally from the adjacent locality. Among the reptiles significant species are *Xenochorphis* sp., *Enhydrus enhydrus*, *Varamus salvator* and *Cerberus rhynchops* are significant. Among the amphibians *Rana hexadactyla*, *Rana cyanophlyctis*, *Rana tigenna* and *Rana limnocharis* are significant.

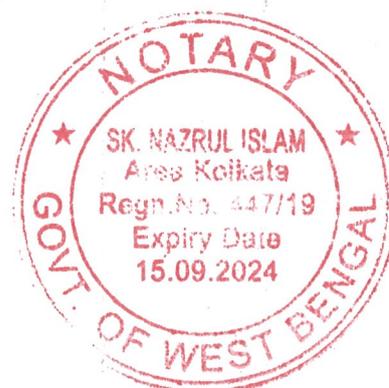
Presently more than 40 bird species comprising of both local and migratory types are reported to visit these clusture of wetlands. Among these grebe, coot, darter, shag, cormorant, teals, egrets, jacanas, snipes tern, eagle, sand piper, gulls, rails kingfishers etc. are significant.

### 19. Social and cultural values

The east Calcutta wetlands, in its fish ponds, paddy fields and garbage farms provide three basic securities, which are critical for human living in the third world countries. These are food, sanitation and livelihood.

The following are the highlights of the kind of benefits the city of Calcutta and the city fringe have been drawing:

- The wetland ecosystem provides about 150 tonnes of fresh vegetable everyday reaching the city market with minimum cost of transport (lowering the cost of vegetables as a result).
- It provides about 10,500 tonnes of table fish per year reaching the fish stalls straight from the auction market. In most cases they are picked up by the vendors themselves who sell them at a relatively cheaper price (there is no expense on cold storage or fish feed).
- It can, without requiring any external institutional support in the form of fund/skill, treat 1000 million liters of city sewage by allowing at least 30 days detention time. This can therefore meet strictest standards of fecal coliform removal. Cost of setting up a conventional serwage treatment will require Rs. 400 crores and will further require about Rs. 100 crores in yearly maintenanc.
- The fisheries provide livelihood for about 50,000 persons directly and nearly the same number indirectly. This is comparable to, if not better than, any agricultural field with canal irrigation in the context of providing livelihood to the weaker section of the community.



- About 83 per cent of the farmers and workers in the east Calcutta wetlands belong to the schedule cast and schedule tribe population.
- The east Calcutta wetlands provide a stable urban fringe because of their unique nature of providing symbiotic support to the city life and the fringe area villages.

In addition to the three basic securities which are key to better environment for the poorer parts of the world, the east Calcutta wetlands is the vital component of the friendly water regime that provides ecological security to the Calcutta mega city.

If we add all these together, it is difficult to find another wetland system that has as many benefit streams flowing to the society as this, and as many environmental subsidies for sustaining a 10 million and odd city. Rarely is found such an ecosystem allowing a farmer-centered approach ensuring safe disposal of wastewater, free of cost. This is a wetland that creates about 1,00,000 job opportunities, and regularly provides fish protein and fresh vegetables (300 gm of vegetable and 60 gm fish per day for 5,00,000 people daily, this is more than the total population of Bhopal/Kanpur). Where can we find a better example of wetland wise use that satisfies all the major features and functions underlined in Agenda-21 leading to sustainable living? Where else can we see such a surfeit of positive externalities?

## 20. Land tenure / ownership of site and surrounding area:

- Site- Wetland- State Government of West Bengal, India
- Surrounding area- Private ownership.

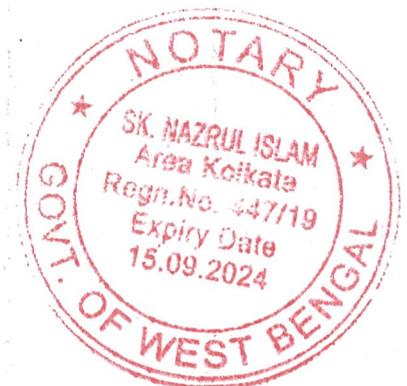
The general ownership pattern in East Calcutta wetlands consists of private holdings. For the fish pond area it is mostly in the form of proprietorship, partnerships and co-operatives. There are only two government controlled fish farms namely the Nalban and the Goltala bheris run by the State Fisheries Department Corporation (SFDC) which are located within the Bidhannagar (South) Police Station. The fish farms run under the co-operative system can be broadly classified into two groups as "formal" and "informal" co-operatives. The formal co-operatives are those units, which are legally constituted associations and are registered with the Government Authorities. The informal cooperatives on the other hand are those bheris, which are run by informal associations of workers under the cooperative mode. For most of the cases these bheris are in fact the 'ceiling surplus' agricultural holdings (fish farms) of different entrepreneurs, subsequently vested by the State Government and presently being run and managed by the workers themselves after the same have been distributed to them by the local Panchayat authorities. Though the 'de-facto' control now lies with these workers' cooperatives, their tenurial rights does not have legal sanction as all such take-over by the Government have been disrupted by the original owners in the court of law which are now pending decision.

## 21. Current land use

- Site. Waste water fisheries.
- Surrounding area- Vegetable farming on garbage substrate & effluent irrigated paddy cultivation.

Also included is the land where most of the farmers and workers live. The present land use pattern is shown in the map. The most important and massive land use change was caused by urbanisation initiated by the government of West Bengal since 1956. The former Calcutta Metropolitan Planning Organisation (CMPO) plan converted the north-western part of the wetlands adjacent to the city into what is now known as Salt Lake City or Bidhannagar. Thus out of 20,000 acres of wetlands recorded in 1945 we now have less than 10,000 acres left as wastewater fish ponds.

Formal urbanisation of wetlands is on hold for quite sometime. Interestingly real estate activity got a boost after the completion of Eastern Metropolitan Bypass, which was formulated within the Basic Development Plan for the Calcutta Metropolitan District in 1966. Remaining changes in land use have essentially resulted from a conflict situation arising out of the land reforms agenda of the State.



## 22. Factors which are adversely affecting the site's ecological character

Three basic factors affecting the ecological characters are as follows:

### a) Site

**Industrial effluent:** A significant change has taken place in the wastewater quality flowing out from the city. This has been on account of a large number of industries making unauthorised connection of their waste water effluent without treatment to the recently laid storm sewers emptying into the city outfall channels flowing eastwards. This has caused substantial amount of metal deposition in the canal sludge and rendered the waste water incapable of ensuring the edible quality of the fish and vegetables grown in East Calcutta Wetlands. Available results from the ongoing studies indicate that the situation which is definitely worrisome, is still manageable and other than Pb remaining depositions can still be reduced and restrained well below permissible limits.

### b) Surrounding area

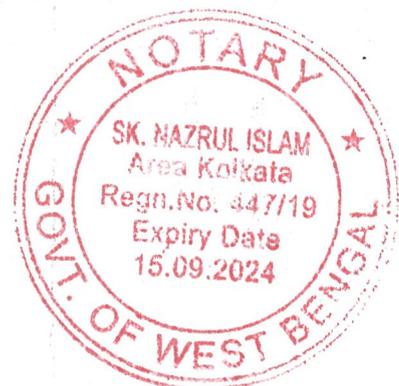
**Encroachment:** The Department of Environment, Government of West Bengal constituted a high power committee to submit a report on Calcuttas' Canals and Wetlands under the Chairmanship of Mr. C.D. Seshashri, Retired Engineer in Chief as ex-officio Secretary to the Government. It has marked the year 1956 as the beginning to losing stability in these vast wetlands. There had been instances of forcible attempts to take over the right of land by small farmers. Such actions were long overdue. For more than fifty years owners of small parcels of land were systematically and heinously forced to give up their property rights in favour of a few large landowners who clubbed and converted the land into large fisheries. The unfortunate fall-out of that was that after some years when conditions favoured the landless farmers, they retaliated. Fisheries were drained and cultivation of paddy was attempted. Fishery is the most efficient ecosystem for the local farmers who are natural growers of fish rather than paddy, apart from the multiplied benefit that the fishery provided. At present this realization is a growing trend amongst the village people and forcible takeover has been largely on the wane.

However and much more aggressively, the wetlands are under intense stress of urban expansion. There is an active 'promoter-real-estate-developer' lobby waiting to grab this vital open space.

**Disappearing heritage:** The compiler of this form has been visiting the East Calcutta Wetlands since 1980 without any break. Even during the earliest years of going there and although the institutional indifference had already been pronounced by that time, the entire area provided a rich mix of brilliant interventions and wonders of ecological wisdom. A closer look would have always brought out a remarkable assortment of recycling practices and fascinating use of local appurtenances. Today, after decades of sustained apathy for such basic matters like providing wastewater to the fish ponds or allowing hopes of real estate conversion to thrive, it seems that the aggregate effect of this uncertainty has flattened all the diverse crease of creativity and innovation in the East Calcutta Wetlands. The heritage, which we have failed to recognise, is now dying. The situation indeed is in need of a truly enabling governance. A governance that will bring back the confidence of the local people on their own wisdom and cultural practices that they have inherited from their forefathers, who were by all means the world's foremost connoisseurs of wastewater wise use and conservation.

## 23. Conservation measures taken

- The conservation area boundary for the east Calcutta wetlands and waste-recycling region was mapped in 1985 by the State Planning Board, Government of West Bengal.
- This wetland area is protected by order of the Calcutta High Court in 1992, which prohibits change in land use. High Court directed the State government to take recourse to statutory cover, if required, to prevent any private alienation of land. Recently the Director of land and Land Records, Govt. of West Bengal has issued a fresh order informing the prohibition of any conversion of land use within the conservation area boundary and all such conversions, if any such has taken place since 1992, as void.



- 54 Alling up of water bodies in this area is not permissible under West Bengal Town and Country (Planning and Development) Act, 1979 as well as under the West Bengal Inland Fisheries Act, 1984 (with amendment in 1993).

#### 24. Conservation measures suggested but not implemented

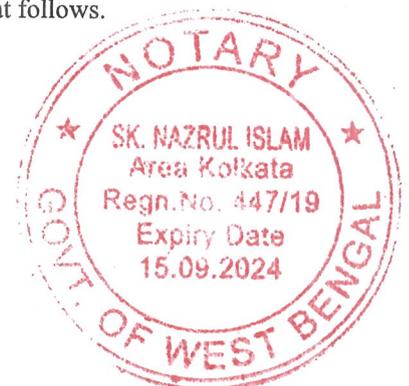
The development of environment of the government of West Bengal is well versed with the problems and potential of the east Calcutta wetlands. According to the understanding of this department these wetlands should be 'basically conserved as an urban facility and demonstrated a rare example of using wetland functions subsidizing the life of one of the biggest cities in the world'. No other wetlands, the department has observed further 'has any record of such organised practice of successively using the waste water from one land use to the other spread over 12500 hectares, comprising vegetable farms (150 tonnes per day), fish ponds (11,000 tonnes per year) and paddy fields (15,000 tonnes of additional paddy per year)".

- The most significant function performed by this wetland area, according to this department, 'is its capability to treat the entire city sewage of about 800 million liters per day'.
- While suggesting conservation measures for the east Calcutta wetlands, the department observed that: 'From the standpoint of ecosystem stability as well as of social and economic significance the central water area of about 4000 hectares covering the fishponds deserves a priority attention. For the purpose of conservation, therefore, out of this total patch of land the area of about 4000 hectares comprising most of the bheris or water areas need most vigorous land use protection and is described as the Core Area (Zone A). No other economic activities can be introduced to disturb the core area. The area may however allow scientific study and work plans to reduce the risk or enhance the economic viability of the existing practices.'
- 'Accordingly the remainder of about 8000 hectares can be designated as Buffer Area for the interest of conservation and rational accommodation of marginal changes in the existing land use. This buffer Area can be further sub-divided into Inner Buffer Area (Zone-B) and Outer Buffer Area (Zone-C) depending upon the extent of waterbodies such designated area include. Permissible changes in land use will depend upon the category of Buffer Area within which a proposed activity is intended.'

#### 25. Current scientific research and facilities

Significant amount of research and investigations has been carried out on the east Calcutta wetlands area. 1980 which marks the beginning of such initiatives triggered by a study conducted by the State Planning Board to search for the feasibility of using the wastewater of Calcutta. This study led to the identification of the world's largest wetland area using wastewater to grow fish, vegetables and paddy in successive resource recovery practices developed by the wisdom of local people. Initial task of research was to decipher the oral tradition and understand the local practice. This was difficult because it needed the researcher to gain the faith and confidence of the advanced and knowledgeable farmers who are most reluctant to pass on their know-how to anyone. This was followed by sufficient amount of studies in water quality and bacterial contamination in fishes. In both these set of studies nothing was found to be of any cause of concern. However, since the beginning of 90's the water quality started deteriorating because of unauthorized introduction of untreated effluent from a number of small-scale industries. Extent and cause of damage has been fairly studied since last few years and it should be possible to take remedial action.

Lately extensive study was carried out to understand the existing management system strictly using the Ramsar guidelines and a reliable primary data on this system is now available. Subsequently a detailed study instituted by the Department of Environment, of the hydraulic regime covering about 60 km of drainage network (most of which is constructed by the local people and is not in the record of the State Irrigation Department) has also been completed. Most of these studies have been taken up by the Institute of wetland management and ecological design, various departments of Calcutta University and the Creative Research Group engaged by the department of Environment of the Government of West Bengal. A list of major studies carried out so far is included in the Bibliographical reference that follows.



## 26. Current conservation education

A significant number of students from various parts of the world visit this place. Local school children are also visiting this place in the recent times. However, lot more needs to be done to attract educational trips to this unique ecosystem.

## 27. Current recreation and tourism

Large number of bird watchers visit the place especially during the winter. Important aquatic sports and recreational centers have recently come up along the edge of the city.

## 28. Jurisdiction

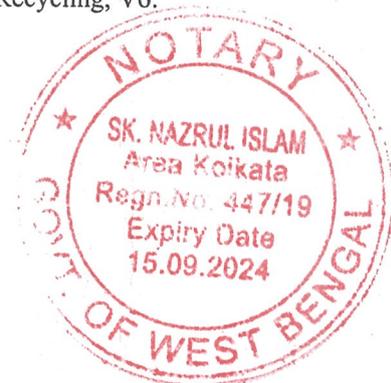
The East Calcutta Wetlands is covered by four police stations (Salt Lake, Tiljala, Sonarpur, Bhangar). Calcutta Metropolitan Development Authority is responsible for land use and development control over the entire area.

## 29. Management authority

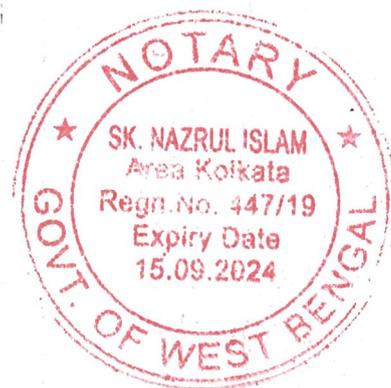
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Abhrajit Ray Chowdhury

## "VAKALATNAMA"

In the

Before Ld National Green Tribunal

at Eastern Zone.

Suit/Case No.

Judge

at 2012

Signature

Abhrajit Ray Chowdhury

Plaintiff  
Applicant  
Appellant

-VS-

State of M.B. & others.

Defendant  
Opp. Party  
Respondent

KNOW ALL MEN by these

that I/We do hereby in my / our name and my / (our behalf constitute and appoint Sri true and lawful Pleader / Advocate & Attorneys to appear and act for me / us in the matter noted above to the 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 disposing 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 title fresh suit, sending properties released from attachment filing execution or Miscellaneous cases and other petitions, bidding at execution sale, obtaining payment from us our Court. Withdrawing custody and other fees and doing on my / our behalf such other acts in the above matters 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 it done by me / us to all intents and purposes.

Date 21/03/2021

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