BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

MISCELLANEOUS APPLICATION NO. 11/2026/EZ

IN

ORIGINAL APPLICATION NO. 38/2024/EZ

Rajit Kumar Saput

Versus

The State of West Bengal &Ors.

ADDITIONAL COMPLIANCE REPORT FILED BY THE CHIEF TECHNICAL OFFICER, EAST KOLKATA WETLANDS MANAGEMENT AUTHORITY, ENVIRONMENT DEPARTMENT, GOVERNMENT OF WEST BENGAL BEING RESPONDENT NO. 3IN COMPLIANCE WITH ORDER DATED 09.09.2026 PASSED BY THE HONBLE NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH, KOLKATA.

INDEX

Sl No	Document	Annexure	Page
1.	Compliance Report		1 – 5
2.	EKWMA letter dt. 04.08.2026	Annexure R/1	7 – 8
3.	Notification dt. 18.08.2017	Annexure R/2	9
4.	Notification dt. 20.07.2017	Annexure R/3	10
5.	EKWMA letter dt. 06.11.2026	Annexure R/4	11

Submitted

Sibojyoti Chakraborti

Advocate

20 NOV 2026

ON TS

SL. NO. 422 /20 26

NOTARY S. Chaudhuri Bidhannagar Court Kolkata Regd. No. 6584 Exp. Dt.-21-08-2028 GOVT. OF INDIA

BEFORE THE NATIONAL GREEN TRIBUNAL,

EASTERN ZONE BENCH, KOLKATA

MISCELLANEOUS APPLICATION NO. 11/2026/EZ

IN

ORIGINAL APPLICATION NO. 38/2024/EZ

Rajit Kumar Sapui

Versus

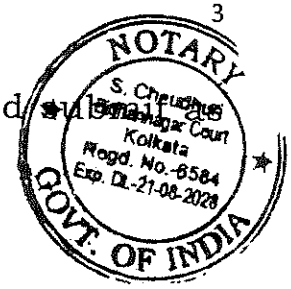
The State of West Bengal & Ors.

BEFORE THE NOTARY PUBLIC AT BIDHANAGAR DIST- NORTH 24 PARGANAS

ADDITIONAL COMPLIANCE REPORT FILED BY THE CHIEF TECHNICAL OFFICER, EAST KOLKATA WETLANDS MANAGEMENT AUTHORITY, ENVIRONMENT DEPARTMENT, GOVERNMENT OF WEST BENGAL BEING RESPONDENT NO. 3 IN COMPLIANCE WITH ORDER DATED 09.09.2026 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH, KOLKATA.

I, Mrs. Sumana Bhattacharyya, IFS, wife of Shri Sanjib Kumar Kundu, aged about 58 years, by faith Hindu, by occupation Government Service, working as Chief Environment Officer, Department of Environment, Government of West Bengal, having office at Pranisampad Bhawan, 5th Floor, LB-2, Sector-III, Salt

20 NOV 2026



Lake, Kolkata-700106, do hereby solemnly affirm and submit as follows:-

1. That I am also holding the post of Chief Technical Officer, East Kolkata Wetlands Management Authority (hereinafter referred to as "EKWMA"), Department of Environment, Government of West Bengal having office at New Administrative Building, IB-180, Sector-III, Salt Lake, Kolkata-700 106. I have made myself acquainted with the facts and circumstance of the instant Original Application and the Order dt 09.09.2026 of the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata. Therefore, I am competent to file the Compliance Report before this Hon'ble Tribunal.
2. That this Additional Compliance Report is being filed in compliance with the solemn Order dated 09.09.2026 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.
3. It is humbly submitted that in compliance with the direction of the Hon'ble Tribunal, the EKWMA further directed the violator Motilal Mondal to remove the *hogla bon*and to submit

20 NOV 2026

NOTARY S. Chaudhuri Bichanagar Court Kolkata Regd. No. 0584 Regd. Upto 21-08-2026 GOVT OF INDIA

an action taken report (ATR) through a further direction vide no. 429-CTO/EN/390(Link-3)/2023-24 dt 04.08.2026. A copy of the said direction is annexed herewith and marked as Annexure **R/1**.

4. It is humbly submitted before the Hon'ble Tribunal that the Commissioner of Kolkata Municipal Corporation (KMC), District Magistrate of South 24 Parganas and District Magistrate of North 24 Parganas are the permanent members of East Kolkata Wetlands Management Authority (EKWMA) by virtue of Notification vide no. 355/EN/T-II-2/008/2005 dt 18.08.2017. A copy of the said Notification dt 18.08.2017 is annexed herewith and marked as Annexure **R/2**.

5. It is to be noted that as per Notification no. 1748-Fish/C-I/ 9R-03/2017 dt 20.07.2017 the Municipal Commissioner and the District Magistrate are the "competent authorities" to take action against any illegal filling of water bodyand unauthorized construction thereupon within their respective jurisdictions. A copy of the said Notification dt 20.07.2017 is annexed herewith and marked as Annexure **R/3**.

6. It is to be noted that a part of RS Dag no. 375 of Mouza Kalikapur, JL no. 20 which is within the subject water body

20 NOV 2026

namely 'Heder Bheri' is under the jurisdiction of the KMC Ward no. 109, while the rest part of the said water body is under the jurisdiction of the district administration of South 24 Parganas.

7. In light of the above, upon receiving no action take report from Motilal Mondal, the EKWMA has requested the Commissioner of Kolkata Municipal Corporation (KMC) and the District Magistrate of South 24 Parganas through communication vide no. 635-CTO/EN/390(Link-3)/2023-24 dt 06.11.2026 to remove the *hogla* bonin their respective jurisdictions and to submit action taken report to the EKWMA. A copy of the said request dt 06.11.2026 is annexed herewith and marked as Annexure **R/4**.

8. The Affidavit is true to my knowledge and belief, which I derive from the office records.

I dentified by me.
Sibajyoti Chakrabarti
Advocate
State of West Bengal

DEPONENT

S. CHAUDHURI
• NOTARY •
GOVT OF INDIA
Regd. No.-6554/8
Bathanneger Court
Dist - North 24 Pgs.

20 NOV 2026

VERIFICATION

I, Mrs. Sumana Bhattacharya, Chief Technical Officer, East Kolkata Wetlands Management Authority, Department of Environment, Government of West Bengal do hereby verify that the statements made in paragraph no. 1 of this affidavit are true to the best of my knowledge and belief and the statements in paragraph nos. 2 to10of this affidavit are the information derived from the records of the office of East Kolkata Wetlands Management Authority, which I believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.

Verified at Kolkata this 20th day of November, 2026.

Identified by me
Abhijyoti Chakraborti
Advocate
State of West Bengal

Sumana Bhattacharya
DEPONENT

CHAKRABORTI
NOTARY
GOVT OF INDIA
Regd No 6684/8
Barrackpore Court
Dist - North 24 Pgs

20 NOV 2026

Annexure R/1 7

Government of West Bengal
Department of Environment
East Kolkata Wetlands Management Authority
New Administrative Building, IB-180, Sector- III, Salt Lake, Kolkata- 700 106
Ph: 91-33-2335 3003, 91-33-2335 6403, Email: ctoekwma@gmail.com

NOTARY S. Chaudhuri Bidhannagar Court Kolkata Regd. No.-6564 Exp. Dt.-21-08-2028 GOVT. OF INDIA

No. 429 -CTO/EN/390(Link-3)2023-24 Date 04.08.2026

From: The Chief Technical Officer,
East Kolkata Wetlands Management Authority (EKWMA)

To: Shri Motilal Mondal
7/1, Netaji Nagar
Green Park
Kolkata-700099

Ref: 1. MA 11/2026/EZ in OA 38/2024/EZ
2. Your email dt 08.10.2025
3. This office letter no. 583-CTO/EN/390(Link-3)/2023-24 dt 18.12.2025

Sub: Direction to submit an ATR of removal of *hogla* bush on the land in question

Sir,

Sequel to the above, this is to remind you that through the email dt 08.10.2025 your Advocate Shri Indradip Das sought more time to clear the *hogla* bush from the subject water body namely Heder Bheri. Through this office letter vide no. 583-CTO/EN/390(Link-3)/2023-24 dt 18.12.2025 you were directed to clear the said *hogla* bush and furnish an action taken report (ATR) to this office. But, that ATR is awaited.

In light of the above, you are hereby further directed to clear the *hogla* bush from the said water body and submit an action taken report to this office within one month.

It is to be noted that a part of RS Dag no. 375 of Mouza Kalikapur, JL no. 20 is under KMC Ward no. 109, while the rest part of Heder Bheri is under the jurisdiction of the district administration of South 24 Parganas. Accordingly, if Motilal Mondal further fails to comply with this direction, the DM of South 24 Parganas and the KMC are requested to clear the *hogla* bush from the said water body and recover the cost from Shri Motilal Mondal, and also to submit an ATR to this office so that the same can be submitted before the Hon'ble National Green Tribunal in the above referred matter.

Yours faithfully,

04.08.26
Chief Technical Officer, EKWMA

20 NOV 2026

8

NOTARY S. Chaudhuri Bidhannagar Court Kolkata Regd. No. 4584 Exp. Dt. 21.08.2026 GOVT. OF INDIA

No. 429(2)-CTO/EN/390(Link-3)2023-24 Date 04.08.2026

Copy forwarded for kind information and necessary action as stated *supra*:

1. The Commissioner, Kolkata Municipal Corporation
2. The DM, South 24 Parganas

04.08.26

Chief Technical Officer, EKWMA

Enclo: This office letter no. 583-CTO/EN/390(Link-3)/2023-24 dt 18.12.2025

20 NOV 2026

Annexure R/7

NOTARY S. Chaudhuri Bidhannagar Court Kolkata Regd. No. 6584 Exp. 01-04-2026 GOVT. OF INDIA

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

No: 355 /EN/T-II-2/008/2005 Date: 18/08/2017

Notification

As per the decision of the 1st meeting of reconstituted East Kolkata Wetlands Management Authority (EKWMA) held on 14th July, 2017,

1. Commissioner, Kolkata Municipal Corporation,
2. District Magistrate, South 24 Parganas
3. District Magistrate, North 24 Parganas

are inducted to the East Kolkata Wetlands Management Authority as permanent Invitee Members.

By Order of the Governor

Principal Secretary, Environment Department
& Member Secretary, EKWMA

No: 355(3) /EN/T-II-2/008/2005 Date: 18 /08/2017

Copy forwarded for information and taking necessary action to:
1. Commissioner, Kolkata Municipal Corporation,
2. District Magistrate, South 24 Parganas
3. District Magistrate, North 24 Parganas

Principal Secretary, Environment Department
& Member Secretary, EKWMA

20 NOV 2026

Annexure R/3

10

Registered No. WB/SC-247

No. WB(Part-I)/2017/SAR-823

The Kolkata Gazette

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Extraordinary
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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Department of Fisheries, Aquaculture, Aquatic Resources & Fishing Harbours,
I.T. Building (7th & 8th Floor)
31, G.N. Block, Sector-V, Salt Lake City, Kolkata - 700 091

No. 1748-Fish/C-I/9R-03/2017

Dated, Kolkata, the 20th July, 2017.

NOTIFICATION

In exercise of the power conferred by clause (ii) of section 2 of the West Bengal Inland Fisheries Act, 1984 (West Bengal Act XXV of 1984) as subsequently amended (hereinafter referred to as the said Act), and in supersession of all previous notifications in this regard, the Governor is hereby pleased to authorise the following authorities to be the competent authority under the said Act:

(i) Municipal Commissioner / Commissioner / Executive Officer of Municipal Corporation / Municipalities / Notified area authority within their respective jurisdiction.

(ii) District Magistrate within their respective revenue districts except the municipal areas mentioned above.

By order of the Governor,

20 NOV 2026

SUNIL KR. GUPTA
Principal Secretary to the Govt. of West Bengal.

Published by the Department of Fisheries, Aquaculture, Aquatic Resources & Fishing Harbours, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Kolkata 700 056.

Annexure R/4 11

Government of West Bengal
Department of Environment
East Kolkata Wetlands Management Authority

New Administrative Building, IB-180, Sector- III, Salt Lake, Kolkata- 700 106
Ph: 91-33-2335 3003, 91-33-2335 6403, Email: ctoekwma@gmail.com

No: 635 -CTO/EN/390(Link-3)/2023-24 Date: 06.11.2026

From: The Chief Technical Officer
East Kolkata Wetlands Management Authority

To: 1. The Commissioner
Kolkata Municipal Corporation

2. The District Magistrate
Dist South 24 Parganas

NOTARY S. Chaudhuri Alipore Court Kolkata Regd. No. 6582 Exp. 02-11-2026 GOVT. OF INDIA

Ref: 1. MA 11/2026/EZ in OA 38/2024/EZ
2. This office letter no. 429-CTO/EN/309(Link-3)/2023-24 dt 04.08.2026

Sub: Request to remove *hogla* bush from Heder Bheri which is partly under the jurisdiction of the KMC and partly under the jurisdiction of the district administration of Dist South 24 Parganas

Sir / Madam,
In compliance with the direction of the Hon'ble National Green Tribunal, Eastern Zone Bench in MA 11/2026/EZ arising out of OA 38/2024/EZ Shri Motilal Mondal was granted time to remove *hogla* bush from the subject water body namely Heder Bheri which is partly within Ward No. 109 of Kolkata Municipal Corporation and partly under the jurisdiction of the district administration of South 24 Parganas.

Since, he has not yet complied with the direction to remove the said *hogla* bush from the water body, you being the competent authorities as per 1748-Fish/C-I/9R-03/2017 dt 20.07.2017 under the West Bengal Inland Fisheries Act 1984 are hereby requested to remove the *hogla* bush from your respective part of the subject water body and recover the cost thereof from Shri Motilal Mondal, followed by submitting a report thereon to the office of the undersigned so that the same can be filed before the Hon'ble NGT.

Yours sincerely,

06.11.26
CTO, EKWMA

20 NOV 2026