



**Government of West Bengal
Department of Environment**

East Kolkata Wetlands Management Authority

Pranisampad Bhaban, 5th Floor, LB - 2, Sector - III, Salt Lake, Kolkata – 700106

Ph.: 91-33-2335 3003, Fax: 91-33-2335 6403

No: 299 -CTO/EN/200(4)/2022-23

Date: 16.08.2023

From: Kaliyamurthi Balamurugan, IFS
Chief Technical Officer

To: The District Magistrate
South 24 Parganas

Sub: Demolition of illegal construction going on in Khori Ghosher Bheri situated at R.S.Dag no. 2153, Mouza-Dakshin Dhapa Manpur, J.L.No. 1, P.S. Kolkata Leather Complex and R.S.Dag No. 1677, Mouza- Dhapa , J.L.No. 2, P.S. Anandapur, Dist.- South 24 Parganas

Sir,

It has come to notice of this office that some illegal construction is going on in Khori Ghoser Bheri situated at R.S. Dag no. 2153, Mouza-Dakshin Dhapa Manpur, J.L.No. 1, P.S. Kolkata Leather Complex and R.S. Dag No. 1677, Mouza- Dhapa , J.L.No. 2, P.S. Anandapur, Dist.- South 24 Parganas falling within the East Kolkata Wetlands area (Photographs attached).

At the time of Field Inspection conducted by the staffs of EKWMA along with SI of P.S. KLC and his team it has been noted that the R.S. Dag No. 1677, Mouza- Dhapa, J.L. No. 2, P.S. Anandapur, Dist. South 24 Parganas is Government land where the said illegal construction is going on.

Any change of character or mode of use of land within the East Kolkata Wetlands is not permitted as per Section 9 of the EKW (C&M) Act, 2006. As per Rule 4 of the Wetlands (Conservation and Management) Rules, 2017 notified by the Ministry of Environment, Forest and Climate Change, Government of India any construction of a permanent nature within East Kolkata Wetlands (being a Ramsar Site) is prohibited. Hence this above-mentioned construction work is noted to have been done illegally by violating the provision(s) of the above said laws.

One notice was pasted by the staffs of EKWMA vide no. 165/CTO/EN/200(4)/2022-23 dated 31.05.2023 upon the said structure with a direction to the violator/owner/developer of the construction to stop the illegal work of construction immediately and show cause on why legal action should not be initiated.

Further, the copy of the notice was also forwarded to the Inspector-in-Charge, Anandapur Police Station, and Deputy Commissioner, East Division, Kolkata Police with a request to identify the violator and serve the notice as per section 20 of the EKW(C&M) Act, 2006.


Another copy of the notice was forwarded to the Block Development Officer, Bhangor-2 Block, Pradhan, Bamanghata Gram Panchayet to take actions to stop illegal work immediately and preserve the character of wetlands as per section 20 of the EKW(C&M) Act, 2006.

Adhering to the provision of Section 11 of the East Kolkata Wetlands (Conservation & Management) Act, 2006, the Chief Technical Officer, (EKWMA) directed the Occupiers / Violators / Promoter / Developer / Owner / / Investors who have constructed the structure to appear for hearing on 14.06.2023 and also to show cause why legal action should not be initiated against them for violating the provision(s) of the said laws.

No one was present at the time of hearing. The Hon'ble Calcutta High Court vide Order dt. 25.07.2023 in WPA (P) 358 of 2023 (Priyanjana Majumder & Anr. -Vs- The State of W.B. & Ors.) in para 8 of the order directed that, "*the illegal construction should be directed to be removed by the persons, who have put up the same within a time frame. Upon his/their failure to do so, the construction shall be removed by the department themselves and the cost be recovered from the persons, who have put up such illegal construction. That apart, criminal cases shall also be registered against such of those persons, who have illegally put up construction in such wetlands as well as blocking the water channels.*"

In view of the above, you are requested to undertake the demolition of the said illegal construction within 30 days from the date of receiving this letter. The cost incurred for demolition shall be borne by this office. You are requested to send the detail break-up of the estimated cost to this office.

Yours faithfully



(Kaliyamurthi Balamurugan)

Enclo: As stated above.

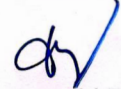
No: 299(5)-CTO/EN/200(4)/2022-2023

Date: 16.03.2023

Copy forwarded for your information and necessary action :

1. Deputy Commissioner, East Division, Kolkata Police
2. The Officer-in-Charge, P.S. Anandapur, Kolkata Police
3. Block Development Officer, Bhangor-2 Block,
4. Pradhan, Bamanghata Gram Panchayat
5. P.S. to Principal Secretary, Environment Department, Government of West Bengal.

Yours faithfully



(Kaliyamurthi Balamurugan)



Government of West Bengal
Department of Environment
East Kolkata Wetlands Management Authority
Pranisampad Bhaban, 5th Floor, LB-2, Sector- III, Salt Lake, Kolkata- 700 106
Ph: 91-33-2335 3003, Fax: 91-33-2335 6403, Email: ctoekwma@gmail.com

No: **165** -CTO/EN/200(4)/2022-2023

Date: **31** .05.2023

From: K. Balamurugan, IFS
Chief Technical Officer
East Kolkata Wetlands Management Authority

To: The Occupiers / The Violators/ Promoter/ Developer/ Owner/ Investor of this structure, upon which this notice is pasted/ served to/site worker or neighbour with a request to hand over to the violator/ owner/ developer of the construction.

Ref: 1. Order of the Hon'ble High Court, Calcutta dated 04/03/2022, in the matter of W.P.O541/2017
2. Order of the Hon'ble National Green Tribunal dated 10/02/2020 & 28/04/2022, in the matter of O.A 78/2016/EZ

TO WHOM IT MAY CONCERN

With reference the above Orders, this is to inform you that this illegal construction work in Kori Ghosher Bheri (Khol) at RS Dag no. 2153, Mouza- Dakshin Dhapa Manpur, JL no.-1, PS- Kolkata Leather Complex (KLC) and RS Dag No. 1677, Mouza- Dhapa, JL no.-2, PS- Anandapur, Dist.- South 24 Parganas is within the East Kolkata Wetlands area and is governed by the East Kolkata Wetlands (Conservation and Management) Act, 2006 [EKW(C&M) Act, 2006] and the Wetlands (Conservation and Management) Rules, 2017.

Any change of character or mode of use of land within the East Kolkata Wetlands is not permitted as per Section 9 of the EKW(C&M) Act, 2006 and it is a cognizable and non-bailable offence. Further as per Section 4 of the Wetlands (Conservation and Management) Rules, 2017 notified by the Ministry of Environment, Forest and Climate Change, Government of India any construction of a permanent nature within East Kolkata Wetlands (being a Ramsar Site) are prohibited. This construction work is noted to have been done illegally by violating provision(s) of the above said laws.

In this regard, you are directed to **stop the illegal work of construction immediately** and you are hereby Show Caused on why legal action should not be initiated against you for violating the provision(s) of the said laws. Further, as per Section 11 of the EKW(C&M) Act, 2006, you are given an opportunity of hearing which is scheduled on **14 / 06 /2023** at **12.00 am** / pm at the Conference Hall of Environment Department, Government of West Bengal, 5th floor, Pranisampad Bhavan, LB-2, Sector-III, Salt Lake, Kolkata-700106.

You are requested to attend the hearing along with relevant document(s) if any to justify your action as per law mentioned above, failing which, this office will be forced to presume that you have committed the offence and action will be taken in accordance with the law.

It is noted that you or your authorised representative along with the proof of identify may only take part in hearing.

Yours faithfully,

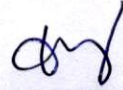

Chief Technical Officer, EKWMA

No: 165/1(2) -CTO/EN/200(4)/2022-2023

Date: 31.05.2023

Copy forwarded with a request for identifying the violator and serving this notice as per section 20 of the EKW (C&M) Act, 2006. Accordingly a geo tagged photo mentioning the location is attached herewith :

1. Inspector-in-charge, Anandapur Police Station
2. Deputy Commissioner, East Division, Kolkata Police.



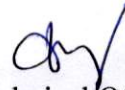
Chief Technical Officer, EKWMA

No: 165/2(2) -CTO/EN/200(4)/2022-2023

Date: 31.05.2023

Forwarded for necessary action to stop the illegal work immediately and preserve the character of wetlands as per section 20 of the EKW (C&M) Act, 2006. Accordingly a geo tagged photo mentioning the location is attached herewith :

1. Block Development Officer, Bhangor -2 Block.
2. Pradhan, Bamanghata Gram Panchayet



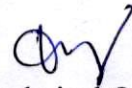
Chief Technical Officer, EKWMA

No: 165/3(2) -CTO/EN/200(4)/2022-2023

Date: 31.05.2023

Copy forwarded for your kind information :

1. OSD to Minister-in-Charge, Environment Department, Govt. of West Bengal
2. PS to Principal Secretary, Environment Department, Govt. of West Bengal



Chief Technical Officer, EKWMA

Photographs of Kori Ghosher Bheri (Khol) which is situated at part of RS Dag No.2153, Mouza-Dakshin Dhapa Manpur, JL No.1 under P.S. KLC and at part of RS Dag No. 1677, Mouza-Dhapa, JL No. 2 under P.S. Anandapur (erstwhile under P.S. Tiljola), Dist. 24-Parganas (South).
(Reference coordinate of the site: 22°31'21.0" N, 88°26'43.8" E)

