

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 32/2022/EZ



DAKHINGANGA MATSYAJIBI FORUM

-Versus-

STATE OF WEST BENGAL & ORS.

AFFIDAVIT OF THE RESPONDENT NO 4, MEMBER SECRETARY, WEST BENGAL COASTAL ZONE MANAGEMENT AUTHORITY IN PURSUANT TO THE ORDER OF HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN BENCH DATED 22.03.2022

INDEX

Sl No	Document	Annexure	Page
1.	Affidavit		76-80
2.	Copy of the said letter dated 15.09.2021	R/1	81-82
3.	Copy of the minutes of the meeting dated 01.12.2021	R/2	83-86
4.	Copy of the letter dated 06.12.2021	R/3	87

Filed by

*Sibojyoti Chakraborti*

Sibojyoti Chakraborti

Advocate

*For The State of West Bengal*

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 32/2022/EZ

DAKHINGANGA MATSYAJIBI FORUM

BEFORE THE NOTARY PUBLIC  
AT BIDHAN NAGAR  
DIST.-NORTH 24 PARGANAS

-Versus-

STATE OF WEST BENGAL & ORS.



AFFIDAVIT OF RESPONDENT NO 4, MEMBER SECRETARY, WEST BENGAL STATE COASTAL ZONE MANAGEMENT AUTHORITY, IN PURSUANT TO THE ORDER OF THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN BENCH DATED 22.03.2022

I, Neelam Meena, D/O. Late Shri B.R.Meena, aged 51 years, by faith -Hindu, by occupation Government service, working as the Director, Institute of Environmental Studies and Wetland Management, having office at DD-24, Sector-I, Bidhan Nagar, Kolkata -700064, do hereby solemnly affirm and submit as follows :-

1. That I am also holding the post of the Member Secretary, West Bengal Coastal Zone Management Authority. I have made myself acquainted with the facts and circumstances of the instant Original Application and have gone through the documents pertaining to the subject matter of the instant application. Hence, I am competent to file the instant Affidavit before this Hon'ble Tribunal.

8 5 APR 2022

2. That this Affidavit is being solemnly affirmed and filed in compliance of the solemn Order passed by this Hon'ble Tribunal on 22.03.2022, wherein this Hon'ble Tribunal was pleased to direct all the State Respondents to file their counter affidavits.



3. It is humbly submitted before this Hon'ble Tribunal that M/s Sonar Bangla, Sundarban (hereinafter referred to as the 'said project') submitted an application before the Chairman, West Bengal Coastal Zone Management Authority on 14.07.2021 for CRZ clearance of the said project.

4. On scrutinizing the CRZ map and documents submitted by the project proponent to the West Bengal Coastal Zone Management Authority (hereinafter referred to as the 'WBSCZMA'), it was observed that the area of interest falls within the following CRZ categories:

Description	Approx.Area(Sqm)	Approx.Area
Total Area of Interest(AOI)	33623.2725	100%
Mangrove Buffer(CRZ-IA)	3979.3611	11.84%
No Development Zone(NDZ)	22054.4673	65.59%
Outside CRZ	7589.4442	22.57%

The CRZ Report submitted by the project proponent mentioned that the hotel was partially commissioned.

25 APR 2022

5. On the basis of the above-mentioned report, a letter was issued by the Member Secretary, WBCZMA to the project proponent *vide* Memo No. 1608/EN/T-II-4/13/2021 dated 15.09.2021 stating that about 77.43% of the Project Area lies mainly within CRZ IA (11.84%) and No Development Zone (65.59%). As per the CRZ Notification, 2011, establishment of hotels is not a permissible activity in these CRZ categories. Hence, the setting up a hotel in the said CRZ Zone cannot be allowed, and has to be closed.

Copy of the said letter dated 15.09.2021 is annexed herewith and marked as **Annexure R/1**.



6. Thereafter, the said project was placed in the 15<sup>th</sup> meeting of WBSCZMA held on 01.12.2021 in the Department of Environment, Government of West Bengal. The WBSCZMA noted that some structures were already constructed by the project proponent without any approval/consent from WBSCZMA and observed "*that nearly 77% of the area falls in the Mangrove Buffer (CRZ 1A) and No Development Zone (NDZ), there is no question of granting approval to this project in its current form. Since, the CRZ report prepared by IESWM has brought out the fact that some structures such as few cottages, swimming pool etc. have already been constructed without obtaining due clearance from the competent authority and in complete violation of CRZ Notification, 2011, this Committee not only rejects the current proposal but also decides to apprise the District Magistrate, South 24 Parganas who is also the Chairman of the District Level Committee(DLC) as well as the West Bengal Pollution*

25 APR 2022

District Level Committee(DLC) as well as the West Bengal Pollution Control Board(WBPCB) for taking immediate necessary action in the matter as per the provision of the CRZ Notification, 2011 ”.

Copy of the minutes of the meeting dated 01.12.2021 is annexed herewith and marked as **Annexure R/2**.



Accordingly, vide Memo No.2141/EN/T-II-4/13/2021 dated 06.12.2021 Member Secretary, West Bengal Pollution Control Board and District Magistrate, South 24 Parganas were requested to take necessary action in the matter.

Copy of the letter dated 06.12.2021 is annexed herewith as **Annexure R/3**.

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

*Identified by me  
Sibojyoti Chakrabarti  
Advocate  
for the State of WB  
25/04/2022*

*[Signature]*  
**S. CHAUDHURI**  
★ NOTARY ★  
GOVT. OF INDIA  
Regd. No.-6584/08  
Bidhannagar Court  
Dist.-North 24 Pgs.

*[Signature]*  
**DEPONENT**

**25 APR 2022**






### VERIFICATION

I, Neelam Meena, Member Secretary, West Bengal Coastal Zone Management Authority, do hereby verify that the contents of the report in the form of affidavit are true to the best of my knowledge and belief. No part of the Report is false and nothing has been concealed.

Verified at Kolkata this 25<sup>th</sup> day of April, 2022.

Neelam Meena  
DEPONENT

Identified by me  
Srijayoti Chakrabarti  
Advocate  
for the State of WB  
25/04/2022

  
S. CHAUDHURI  
★ NOTARY ★  
GOVT. OF INDIA  
Regd. No.-6584/03  
Bidhannagar Court  
Dist.-North 24 Pgs.

25 APR 2022

Annexure R/1

**WEST BENGAL STATE COASTAL ZONE MANAGEMENT AUTHORITY**Pranisampad Bhawan, 5<sup>th</sup> Floor, Block-LB-2, Sector-III, Kolkata-700106

Tel:033-2335-5246

FAX:-033-2335-0271

E mail – [environmentwb@gmail.com](mailto:environmentwb@gmail.com)Website : [www.environmentwb.gov.in](http://www.environmentwb.gov.in)No. 1608 FN/T-II-4/13/2021Date : 15 /9/2021

From: Chief Environment Officer,  
Department of Environment,  
Govt. of West Bengal.

To: Hotel Sonar Bangla Sundarban  
Mouza-Dulki  
P.O. & P.S. – Gosaba  
Dist. – North 24 Pgs. (South)  
PIN - 743370

**Sub.: Reg. CRZ clearance of Hotel Sonar Bangla Sundarban**

Sir,

In reference to the above mentioned subject and documents submitted thereof, it has been observed that about 78% of the project area lies in CRZ IA and No Development Zone (NDZ) viz. 3979.3611 Sqm. (11.84%) in Mangrove Buffer (CRZ IA) and 22054.4673 Sqm. (65.59%) in No Development Zone (NDZ), as per the CRZ Notification, 2011.

As per the CRZ Notification, 2011 establishment of hotels is not a permissible activity in these CRZ categories. Hence, setting up a hotel in the said CRZ zone cannot be allowed and has to be closed.

For the remaining area i.e. 7589.442 sqm. (22.57%) falling outside CRZ the matter regarding CRZ clearance would be taken up by WBSCZMA in its meeting.

This is for your kind information.

Yours faithfully,

Chief Environment Officer,  
Department of Environment  
and Member Secretary,  
WBSCZMA

No. 1608/1(1) EN/T-II-4/13/2021

Date : 15/9/2021

Copy forwarded for information to:

1. Member Secretary, West Bengal Pollution Control Board, Paribesh Bhavan, 10A, Block  
L.A. Sector, III, Bidhannagar, Kolkata- 700106

*dry*  
Chief Environment Officer,  
Department of Environment,  
and Member Secretary,  
WBSCZMA





Minutes of the 15<sup>th</sup> meeting of West Bengal State Coastal Zone Management Authority (WBCZMA) held on 1<sup>st</sup> December, 2021 in the Department of Environment, Govt. of W.B.

The following WBCZMA members attended the meeting:

1. Sri K. Balamurugan, Chief Environment Officer & Member Secretary, WBCZMA
2. Sri. Piyar Chand, Additional Principal Chief Conservator of Forests & Director, Sundarban Biosphere Reserve, Directorate of Forests
3. Shri Sandip Chatterjee, Ex-Engineer-in-Chief, Deptt. of Public Health Engineering
4. Dr. Parthasarathi Chakrabarti, Former Chief Scientist, Geoinformatics & RS Cell, Deptt. of Science & Technology
5. Representative, Deptt. of Sundarban Affairs



The following officials attended the meeting as special invitees:

1. Smt. Tripti Sah, Senior Environment Officer, Environment Department
2. Sri. Subrata Ghosh, Chief Engineer, West Bengal Pollution Control Board
3. Sri. Samir Biswas, Joint Director (Surveys), Land & Land Reforms and Refugee Relief and Rehabilitation Department.
4. Prof. Sugata Hazra, Deptt. of Oceanography, Jadavpur University
5. Dr. B. C. Barman, Dy. Director, River Research Institute, Irrigation & Waterways Deptt.
6. Sri. Debojyoti Bhaumik, Institute of Environmental Studies and Wetland Management

Following representatives were present virtually on behalf of Sundarban Sonar Bangla:

1. Sri. Avisheak Paul Chowdhury, Partner, Hotel Sonar Bangla Sundarban
2. Sri. Saugata Sarkar, Consultant, Cognizance Research India Pvt. Ltd

#### Agenda:

The agenda of the meeting was CRZ clearance for establishment of proposed "Hotel Sonar Bangla Sundarban" at Mouza – Dulki, P.O & P.S – Gosaba, District – South 24 Parganas, West Bengal.

#### Proceedings:

The Chief Environment Officer & Member Secretary, WBCZMA chaired the meeting. He welcomed all and initiated the discussion.



### **Project Brief:**

Hotel Sonar Bangla Sundarban is located in Mouza - Dulki (JL No.90) under Gosaba block of South 24 Parganas District, West Bengal. The total project area is 33623.27 sq. m. The project site is located by the bank of Gomdi Khal near its confluence with Satjali Khal near Pakhiralay. The project area is accessible from Kolkata by Kolkata- Basanti highway (SH-3) and is connected with sub divisional head quarter Canning, by Baruipur- Canning - Basanti road as well as by waterways through Matla river, Karatal gang and Bidya river.

As per the CRZ Report prepared by IESWM, based on MOEF & CC approved CZMP, 2011, the Area of Interest (AOI) of the project falls under the following CRZ categories:

Description	Approx. Area (sqm)	Approx. Area
Total Area of Interest (AOI)	33623.2725	~ 100 %
Mangrove Buffer (CRZ-IA)	3979.3611	~ 11.84 %
No Development Zone (NDZ)	22054.4673	~ 65.59 %
Outside CRZ	7589.4442	~ 22.57 %

Project Proponent (PP) made a presentation and informed the house that the project Sonar Bangla Sundarban is an eco-friendly resort to promote rural tourism.

After the presentation, the following issues were raised:

As per the CRZ report prepared by IESWM and submitted by the Project Proponent to WBSCZMA, it was found that more than 75% of the project area lies in the Coastal Regulation Zone (CRZ); with 11.84% of the area falling in CRZ-IA and 65.59% is falling within No Development Zone (NDZ) of CRZ-III. As per CRZ Notification, 2011, hotel construction is not a permissible activity in these zones.

It was also clear that some structures such as Reception Lobby, Swimming Pool, and few Cottages have already been constructed. WBSCZMA members expressed their dissatisfaction at the fact that the project was started without any approval/consent of WBSCZMA, in complete violation of the CRZ Notification. The CRZ report prepared by IESWM also mentions that the hotel and resort facility is partially commissioned.

In view of the fact that nearly 77% of the Area of Interest falls in the Mangrove Buffer (CRZ IA) and the No Development Zone (NDZ), there is no question of granting approval to this project, in its current form. Since the CRZ Report prepared by IESWM has brought out the fact that some structures such as few cottages, swimming pool etc have already been

constructed without obtaining due clearance from the Competent Authority and in complete violation of CRZ Notification, 2011, this Committee not only rejects the current proposal but also decides to apprise the District Magistrate, South 24 Parganas who is also the Chairman of the District Level Committee (DLC) as well as the West Bengal Pollution Control Board (WBPCB) for immediate necessary action in the matter as per the provisions of the CRZ Notification, 2011.

The meeting ended with a vote of thanks to and from the chair.



Member Secretary,  
West Bengal State Coastal Zone Management Authority &  
Chief Environment Officer,  
Department of Environment

Date: 6/12/2021

No. 2142 EN/T-II-4/13/2021

Copy forwarded for information to:

1. The Addl. Chief Secretary, Department of Urban Development & Municipal Affairs, Govt. of W.B.
2. The Addl. Chief Secretary, Department of Fisheries, Govt. of W.B.
3. The Principal Secretary, Department of Sundarban Affairs, Govt. of W.B.
4. The Addl. Principal Chief Conservator of Forests & Director, Sundarban Biosphere Reserve, Directorate of Forests, Govt. of W.B.
5. Sri Sandip Chatterjee, Ex-Engineer-in-Chief, Dept. of Public Health Engineering, Govt. of W.B.
6. Dr Parthasarathi Chakrabarti, Former Chief Scientist, Geo-informatics and RS Cell, Dept. of Science & Technology, Govt. of W.B.
7. Director, School of Oceanographic Studies, Jadavpur University, Kol-32.

Member Secretary,  
West Bengal State Coastal Zone Management Authority &  
Chief Environment Officer,  
Department of Environment



No. : 2142 EN/T-II-4/13/2021

Date : 6/12/2021

Copy forwarded to:

1. Additional Chief Secretary, Department of Science and Technology & Biotechnology, Bikas Bhavan, 4<sup>th</sup> Floor, Kolkata - 700 091-
2. Member Secretary, West Bengal Pollution Control Board
3. Director, Institute of Environmental Studies and Wetland Management
4. District Magistrate, South 24Pgs.
5. Sr. P.S. to Addl. Chief Secretary, Department of Environment, Govt. of WB & Chairman, WBSZMA.
6. Sri Samir Biswas, Joint Director (Surveys), Land & Land Reforms and Refugee Relief and Rehabilitation Department.
7. Prof. Sugata Hazra, Deptt. of Oceanography, Jadavpur University
8. Dr. B. C. Barman, Dy. Director, River Research Institute, Irrigation & Waterways Deptt.

Member Secretary,  
West Bengal State Coastal Zone Management Authority &  
Chief Environment Officer,  
Department of Environment

No. : 2142 EN/T-II-4/13/2021

Date : 6/12/2021

Copy forwarded to:

1. Sri. Mr. Avisheak Paul Chowdhury, Partner, Hotel Sonar Bangla Sundarban, Mouza- Dulki, P.O. & P.S.- Gosaba, Dist.- 24 Parganas (South), Pin -743370.

Member Secretary,  
West Bengal State Coastal Zone Management Authority &  
Chief Environment Officer,  
Department of Environment

0/e

Government of West Bengal  
West Bengal State Coastal Zone Management Authority  
DD-24, Sector-I, Salt Lake, Kolkata-700 064  
Ph : (033) 2334-0531/0239, (033) 2337-9240  
E mail – [wbsczma@gmail.com](mailto:wbsczma@gmail.com) Website : [www.environmentwb.gov.in](http://www.environmentwb.gov.in)

Memo No. 2141/EN/T-II-4/13/2021

Date: 06/12/2021

From : Chief Environment Officer,  
Department of Environment,  
Govt. of West Bengal

To: 1) Member Secretary, WBPCB  
Paribesh Bhawan,  
10A, Block-LA, Sector-III  
Salt Lake, Kolkata-106

2) The District Magistrate  
South 24 Parganas  
25 Belvedere Rd,  
Alipore Police Line  
Alipore, Kolkata-27




Sir/Madam,

Please find attached herewith the Minutes of West Bengal State Coastal Zone Management Authority meeting on CRZ clearance for establishment of proposed “Hotel Sanar Bangla. Sundarban” at Mouza-Dulki, P.O. & P.S.-Gosaba, District-South 24 Pgs. You are requested to take necessary action in the matter.

This is as per the decision taken by the Coastal Zone Management Authority.

Yours faithfully,

  
Chief Environment Officer,  
Department of Environment  
& Member Secretary, WBSCZMA