

**Minutes of the Thirty-first Meeting of High Power Committee held on 24<sup>th</sup> January, 2014 at 3.00 p.m. in the Conference Room of WBPCB**

The Thirty-first meeting of the High Power Committee was held on 24<sup>th</sup> January, 2014 at 3.00 p.m. in the Conference Room of West Bengal Pollution Control Board (WBPCB). The meeting was chaired by Mr Prasanto Kumar Sarkar, Member Secretary, WBPCB.

The meeting was also attended by the following members:-

1. Dr Dhrubajyoti Ghosh, Member
2. Shri Chandan Chayan Guha, Joint Secretary, Home Department, Govt. of West Bengal
3. Sri H. Singha Roy, Member
4. Srimati Snigdha Hazra, Law officer, Fisheries Department, Govt. of West Bengal
5. Dr. Rajarshi Chakraborty, Environment Officer, Environment Department, Govt. of West Bengal and Member Convenor.

The following persons were present for the petitioners i.e. PUBLIC –

- i) Srimati Banani Kakkar, Member of PUBLIC.
- ii) Srimati Meghna Banerjee, Member of PUBLIC.

The following persons were present as special invitees-

- i) Srimati Ayesha Rani, ADM & DLLRO, Hooghly
- ii) Sri Debashis Sarkar, Sr. Environmental Engineer, WBPCB.

The Chairman welcomed all and initiated the discussion.

**1. Discussion on the land details of Dankuni lowlands in pursuance of the order of Hon'ble High Court, Kolkata on 29.11.2013 with respect to WP 461/2013, GA 2566/2013, GA 2690/2013, CC 70/2013, GA 2045/2013 in People United for Better Living Versus Union of India.**

Chairman requested land details from ADM, LR Hooghly. ADM, LR Hooghly informed the committee members that most of the lands are recorded as 'Sali' while some are recorded as 'Karkhana' and some are recorded as 'Doba'. Mrs. Banani Kakkar said that they have serious objection to the recorded character of land in that area. Dr. Dhrubajyoti Ghosh suggested that the committee might at first hear what is recorded and then after appraising all the documents and facts would give its recommendations. ADM, LR assured the members that within one week copies of all the porchas will be delivered to the office of the HPC. Dr. Dhrubajyoti Ghosh as well as the Chairman, HPC enquired



whether maps will be available for the area under consideration. ADM, LR replied that the mouza maps will also be provided along with copies of porcha.

ADM, LR pointed out to the members that much of the water logging takes place due to non-functional nature of the Dankuni canal and proposed to initiate a project to make the Dankuni canal functional. Chairman, High Power committee, Mr. H. Singha Roy and Mrs Banani Kakkar supported the proposal. ADM, LR also informed that she had been trying to clear the Dankuni canal by way of encouraging the use of the deposits by brick fields after removal of the superficial deposit of cow-dung. She also told that the Irrigation Department is not taking up the project perhaps because of high cost involved.

Dr Chakraborty requested the petitioners to submit to the committee the reports and opinion of experts on areas such as that of birds, vegetation etc in support of their claim that the area is actually a ecologically-vibrant wetland. The petitioners agreed to submit them. Dr Ghosh also added that the parameter of occupation of local population would have to be looked into for determining the nature of the area. ADM, LR added a note of caution that since almost all the lands are in private possession, conversion of the character of the land by the government may face opposition and difficulty. Dr Ghosh told in that case, government may seek the option of acquiring land.

ADM, LR suggested that some space for factories is also needed in the area for the purpose of employment generation and because the area is vast i.e. about 500 acres. Chairman, HPC insisted on harmonious existence of wetland preservation and industries with controlled pollution.

Dr. Ghosh told that in the next meeting he would try to mark out in the mouza maps the space for wetland as well as that for other activities. Mrs. Kakkar also said that she too have some plan which she would like to share in the next meeting.

It was decided that in the next meeting all concerned would meet and chalk out the possible alignment of sector for different activities in the maps. Thereafter, a field visit is to be conducted to give a final shape to the proposed map.

## **2. Letter from M/s Ultratech Cement with the request to grant them permission to initiate contruction.**

Dr. R. Chakraborty, placed before the committee the submission of M/s Ultratech Cement Ltd. addressed to the Chairman, HPC whereby they have stated that they had taken all requisite permissions and clearances including Environment Clearance (EC) from State Level Environment Assessment Authority (SEIAA) and consent to establish from WBPCB. Mr. Debashis Sarkar informed the members that the project got E.C. after due appraisal by SEAC & SEIAA and conditions were given such that pollution becomes minimum. He also mentioned that the clearance was given following recorded land



details and the project proponent has to preserve the recorded water bodies. Smt. Meghna Banerjee of PUBLIC told that the project proponent will only be preserving the recorded water bodies and some other land within the project site may be considered as wetland too. Dr Chakraborty pointed out that apart from conserving water-bodies the project proponent will have to maintain at least 33% of the total project area under tree-cover. Members were of the opinion that since EC had already been given by none other than SEIAA, they might be allowed to carry on with the project subject to strict adherence of the conditions given in the EC and submission of an undertaking for preservation of waterbody within project site. Srimati Kakkar also raised doubts about the way the waterbodies may be preserved by the project proponent citing cases where waterbodies has been most unscientifically maintained. She further feared whether the waterbodies will be at all preserved or not. The members noted her concerns and decided that decided that adequate measures will be incorporated while giving clearance to the project so that waterbodies are maintained in a eco-friendly way.

After through discussion the Committee decided to give clearance to the project subject to the following conditions:-

1. An undertaking is to be given to the High Power Committee for preservation of the water bodies within the premises of the factory stating the total area, dag nos. of such water bodies.
2. At least one third of the total project area should be maintained under tree cover.
3. All the conditions given in the environment clearance vide memo no. EN/2404/T-II-1/032/2011 dated 29/09/2011 should be strictly followed so that pollution is minimum and the project stays environment-friendly.

### **3. Letter from M/s Unnayan Developers Pvt. Ltd.**

The members decided to invite them for hearing in the next meeting. Any further action on the matter is to be decided only after the hearing.

### **4. Letter from Chief Technical Officer vide memo no. CTO-EN-363-340-13, dated 24.12.2013.**

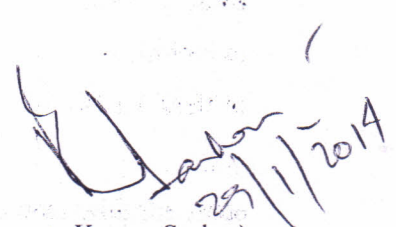
After studying the letter along with the attachments the members observed that in the letter it has been mentioned that EKWMA has received a letter from D.M., North 24Pgs. in connection with the conversion of plots falling within Ghola Police Station which is outside EKW area. The members also found that previously meeting took place between the Director, IESWM, DM North 24 Parganas., ADMLR North 24 Parganas and CTO, EKWMA. Thereafter CTO, EKWMA prepared a detailed report to designate a wetland there. Since perhaps no action was taken thereafter DM has asked CTO, EKWMA about what to do with conversion proposals.

The members discussed that the High Power Committee was formed following the order of the Hon'ble High Court to formulate a policy for wetland preservation. Thereafter, a number of cases have been referred to it by the Hon'ble High Court. Hence the mandate of the committee is limited to these High Court referred cases and the members decided that the committee should restrict itself to these cases only.

Therefore the committee decided to return the case expressing its inability to deal with the issue for reasons as stated above.

It was decided that the next meeting will take place on 21<sup>st</sup> February, 2014.

The meeting then ended with thanks to everyone.



(Prasanta Kumar Sarkar)  
Chairman, High Power Committee &  
Member Secretary, West Bengal Pollution control Board