

Minutes of the Thirty-third Meeting of High Power Committee held on 23rd April, 2014 at 3.00 p.m. in the Conference Room of WBPCB

The Thirty-third meeting of the High Power Committee was held on 23rd April, 2014 at 3.00 p.m. in the Meeting Room of West Bengal Pollution Control Board (WBPCB). The meeting was chaired by Mr Prasanta Kumar Sarkar, Member Secretary, WBPCB.

The meeting was also attended by the following members:-

1. Dr Dhrubajyoti Ghosh, Member
2. Dr Kalyan Rudra, Member
3. Shri N S Trivedi, Joint Secretary, Land & Land Reforms Department, Govt. of West Bengal
4. Shri Chandan Chayan Guha, Joint Secretary, Home Department, Govt. of West Bengal
5. Srimati Mira Ray, Joint Secretary, Urban Development Department, Govt. of West Bengal
6. Shri R Foning Lepcha, Additional Director of Fisheries, Fisheries Department, Govt. of West Bengal
7. Shrimati Susmita Sen, Member
8. Shri H. Singha Roy, Member
9. Dr. Rajarshi Chakraborty, Environment Officer, Environment Department, Govt. of West Bengal and Member Convenor.

The Chairman welcomed all and initiated the discussion.

1. Discussion on Dankuni lowlands in pursuance of the order of The Hon'ble High Court at Kolkata dated 29.11.2013 in the case of PUBLIC & another Vs. Union of India & Ors. (WP 461 of 2013)

The following were placed before the members for their study-

- i) The land details and mouza maps provided by ADM & DLLRO, Hooghly.
- ii) Waterbody map (satellite imaged based) of the area prepared by the Fisheries Department.
- iii) The report on geo-hydrological condition of the concerned area along with a comment on its recharge potential by the Director, State Water Investigation Directorate (SWID).
- iv) Letter from the West Bengal Biodiversity Board vide memo no. 267/1L/Bio-2/2014, dated 17.04.2014, that no Biodiversity Management Committee has been formed at Chanditala II block and Srirampur Uttarpara block of Hooghly District.
- v) A copy of the final project report on "Study on Environmental damages of Dankuni canal" was sent to the committee by Shri Tapan Saha, Senior Scientist, Institute of Environmental

Studies & Wetland Management vide memo No. 022-IESWM/4E-116/2014-15(426), dated 16.04.2014.

Dr Dhrubajyoti Ghosh and Dr Kalyan Rudra expressed their views elaborately about the area of concern. After detailed discussion a draft note was prepared which stated the following- "The area in consideration in spite of being recorded as agricultural land appeared in parts as wetland for containing water for more than six months. On a wider context the area in question is a part of inter distributory swamp in between Hooghly in the east and Saraswati in the West. The area is hydro-gemorphologically and ecologically important as retention basin and serves as a saucer for the entire lower Damodar basin which is historically flood prone. It appears to be rich in biodiversity as and supports livelihood for a large wetland community. The area is perennially suffering from drainage congestion. Situation was further aggravated by the construction of highways and railways crisscrossing the entire area. There is a clay layer of about forty metre depth and the area is not a recharge zone for the ground water. The committee recognizes the importance of industrialization and proposes a set of conditions for maintaining the ecological balance of the area. If any industry proposes to raise the existing level of land by dumping carried earth then it has to create equal volume of water retention area within its project area. Creation of the storage area must precede the raising of the side and it must be connected with nearest drainage line. Dankuni canal will have to be completely and entirely resuscitated along with outfall arrangement with the Hooghly river. Irrigation and water ways directorate may be directed to prepare a holistic drainage plan for Dankuni wetland area."

Shri N S Trivedi told that the waterbody map of the fisheries department has some areas marked as waterbodies but dag numbers of such areas are essential for their preservation. Shri R Foning Lepcha told that the fisheries department has the dag no of plots corresponding the areas which are marked as waterbodies in the waterbody map. The members decided that the plots marked as waterbodies in land records and those in waterbody map of the fisheries department could be preserved as per West Bengal Land Reforms Act, 1955 and West Bengal Inland Fisheries Act, 1984.

The members requested the member convenor to prepare a draft order based on the discussion in the meeting (along with those in previous meetings) and suggested that the draft be circulated among the members via email.

2. Letter from M/s Bengal Anmol South City Infrastructure Ltd., dated 12.03.2014

In the letter it has been stated that the project situated within Howrah District and is no way related to the land then the subject matter of WP. NO. 461 of 2013. They are requested the committee to impress upon ADM & LRO, Howrah clarifying that the project does not fall within the area being the subject matter of WP 461 of 2013.

It was decided to write the following to the sender-

The High Power Committee was formed following the order of the Hon'ble High Court dated 03.02.2012 in W.P. No. 606 of 2011 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.

The Hon'ble High Court at Kolkata in its order dated 29.11.2013 relating to lowlands in Dankuni in the case of PUBLIC & another Vs. Union of India & Ors. (WP 461 of 2013) has directed the High Power Committee to revisit all the projects and guide them so that the ecological balance is not disturbed and preserved to the extent possible.

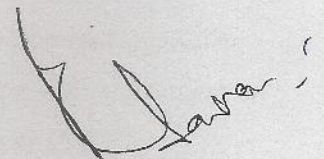
The WP 461 of 2013 mentioned thus- "The instant petition is being moved for issuance of appropriate and immediate judicial-orders and/or directions from this Hon'ble Court for the protection and conservation of a vast area of wetland situated adjacent to the NH2 near the Coca Cola Factory (Locally known as Mullarbaer), at Janai in Mouza Panchghara, District Hooghly spanning an area of more than 500 hectares (hereinafter referred to as the "said wetlands"), since the same are in acute peril and are being illegally filled up by certain parties for commercial purposes.". The committee also heard the petitioners and the Additional District Magistrate and District Land & Land Reform Officer, Hooghly in this regard. From the submissions made before us, we are given to understand that the WP 461 of 2013 is restricted to Panchghara mouza and Mallerbaer mouza of the district of Hooghly.

3. Letter from M/s West Bengal Hosiery Park Infrastructure Ltd., dated 01.04.2014.

The letter has expressed grievances regarding conversion of land at Mouza Jagadishpur, Lilua, Howrah. They have also mentioned that the project is not a part of any case filed by PUBLIC.

It was decided to write to the sender the same thing as in item no. 2.

The meeting then ended with thanks to everyone.



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