



# Government of West Bengal

Department of Environment  
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No. EN/ 2158 /(S)

Date : 20<sup>th</sup> September , 2012

## ORDER

**WHEREAS** the Government of West Bengal has enacted a specific Act for conservation and management of East Kolkata Wetlands area on 31-03-2006 under the name and style 'East Kolkata Wetlands (Conservation and Management) Act, 2006 (hereinafter will be referred to as the 'said Act, 2006');

**AND WHEREAS** the main intention of the said Act, 2006 is to save the East Kolkata Wetlands area from increasing pressure for human settlement, leading to filling up of the wetlands as the East Kolkata Wetlands area are ecologically very sensitive and it has already been declared as RAMSARSITE from International level;

**AND WHEREAS** it is observed that a large number of unauthorized construction and unwanted commercial activities have been developed or is going to be developed, violating the environmental norms, which creates a serious ecological imbalance in East Kolkata Wetlands area and such activities are also frustrating the very purpose of the said Act, 2006 and also the norms declared by RAMSAR CONVENTION;

**AND WHEREAS** Section 4(k) of the said Act, 2006 has already entrusted the East Kolkata Wetlands Management Authority (hereinafter will be referred to as the 'EKWMA') to enforce land use control in the substantially water body oriented areas and other lands in the East Kolkata Wetlands area;

**AND WHEREAS** Section 4(r) of the said Act, 2006 has also given necessary statutory powers to the EKWMA for imposing absolute or reasonable restriction for use of the lands of East Kolkata Wetlands area for the purpose of maintaining the wholesomeness of the ecologically sensitive sites of East Kolkata Wetlands;

**AND WHEREAS** for the clarity on ownership it has been decided that for registration and mutation of land in the East Kolkata Wetlands area the permission of EKWMA shall not be required;

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**HENCE** in cancellation of the Order No. S/EN/487/177/08 dated 03/03/2008 and in the exercise of the powers conferred under Section 4(k) & (r) of the said Act and taking into consideration of the 'precautionary principles' as laid down by the Hon'ble Supreme Court for preservation and protection of environment, it has been decided that reasonable restrictions need to be imposed regarding use of land by different occupiers of East Kolkata Wetlands area in the following manner:-

- a) That the local authority should not issue any licence or building plan for any residential, commercial, or industrial activities without considering the clearance from the EKWMA;
- b) That the Land and Land Reforms Department of the concerned area is also directed not to issue any certificate for change of the character of land under Section 4(c) of the West Bengal Land and Land Reforms, Act 1955, without considering the clearance from the EKWMA;
- c) That the occupiers of the East Kolkata Wetlands area can transfer land to any person or persons in any manner through registered Deed or through providing lease or tenancy right, and such owner may mutate such transferred land in their name. But any construction activities in the said area shall be subject to written permission / prior clearance of the EKWMA.

Provided further that the change of character or mode of use of land by any purchaser shall be subject to and in conformation with the provisions of the said Act, 2006;

- d) Any owner / occupier of land in the EKW area, with prior permission of the EKWMA shall have the right of vegetative fencing their demarcated area utilizing sal, eucalyptus, bamboo made pole and barbed wire, but shall not be permitted to make any permanent construction for fencing their boundary;

Provided that on receipt of any information of violation, EKWMA may take such action as it is necessary for conservation and management of the EKW area in accordance with provisions of the East Kolkata Wetlands (Conservation and Management) Act, 2006.

This order will take immediate effect.

By order,

Sd/-

(RPS Kahlon)

Principal Secretary to the Government of West Bengal  
Environment Department  
&

Member Secretary

East Kolkata Wetlands Management Authority