

Government of West Bengal
Public Works Department
Establishment Branch
Writers' Buildings, Kolkata-700001

No.- 91(30)-E/PW/O/E-IV/2R-1/2017

Date: 06.01.2017


From: The Assistant Secretary & S.P.I.O. to the Government of West Bengal,
Public Works Department.

- To: 1) A.C.E., Planning & S.P.I.O., P.W.Dte.
2) A.C.E. & S.P.I.O., Social Sector, P.W.Dte.
3) A.C.E.(Electrical) & S.P.I.O., P.W.Dte.
4) A.C.E.(Planning) & S.P.I.O., South Zone, P.W.Dte.
5) A.C.E.(Monitoring) & S.P.I.O., West Zone, P.W.Dte.
6) A.C.E.(Planning) & S.P.I.O., North Zone, P.W.Dte.
7) A.C.E.(Planning) & S.P.I.O., P.W.(Roads)Dte.
8) Suptd. Architect -I & S.P.I.O., P.W.Dte.
9) T.A. to S.E. & S.P.I.O. _____ Circle, P.W.Dte.
10) T.A. to S.E. & S.P.I.O. _____ Circle, Social Sector,
P.W.Dte.
11) Superintendent, Governor Estate & S.P.I.O., P.W.Dte.

Sub: Information sought for under RTI Act, 2005 by Sunil Gopalrao Mendhekar.

With reference to the subject captioned above, the undersigned is directed to transfer herewith the copies an RTI application dated 14.12.2016, received from Sri Sunil Gopalrao Mendhekar with the request to furnish suitable reply to the queries as it seems to relate to the functioning of your office or subordinate offices, to the applicant directly as per provision of the RTI Act 2005, under intimation to this department.

Encl. With: As Stated.



Assistant Secretary & S.P.I.O. to the
Government of West Bengal

No. 91(30)/1(2)-E

Date: 06.01.2017

Copy forwarded for necessary information to:

- 1) The Secretary , West Bengal Information Commission, 11A, Mirza Ghalib Street , Khadya Bhavan, Kolkata-700087.
- 2) Sri Sunil Gopalrao Mendhekar, Flat-1, Nadchaya Housing Society, Vidya Nagar, Bytco Factory Road, Nashik Road, Nashik (Maharashtra)-422101.


Assistant Secretary & S.P.I.O. to the
Government of West Bengal

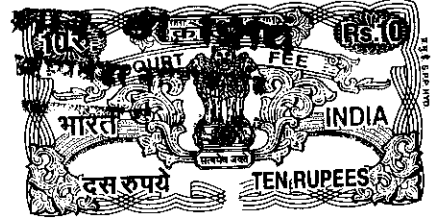


A 5-0-111 (E)

APPLICATION FOR INFORMATION UNDER RTI ACT 2005

To
The State/Assistant State Public Information Officer,
The Principal Secretary,
Public Works Department, West Bengal
"Nabanna"
325, Sarat Chatterjee Road, Shibpur,
Howrah 711102 (W.B.)

1. Full Name of the Applicant : Sunil Gopalrao Mendhekar
2. Father's Name: Gopalrao Mudgalrao Mendhekar
3. Complete address : Flat No. 1, Nadchaya Housing Society, Vidya Nagar, Bytco Factory Road, Nashik Road, Nashik (Maharashtra) 422101
4. E mail address: sunilashking@gmail.com
5. Telephone No. Mobile 9373906867
6. Citizenship : Indian
7. Proof of citizenship: Self attested copy of Aadhar Card Enclosed
8. Details of Application fees: ~~Postal Order no.~~ *Court fee*
9. Particulars of information required:



a. Subject Matter of Information:

1. Notification No. S. O. 763(E) dt. 14.9.1999
2. Notification No. S. O. No. 979 (E):-dt. 27.8.2003
3. Notification No. S.O. No. 2804(E)dt. 3.11.2009
4. Notification no. S. O. No. 254 (E) dt. 25.1.2016

All notifications in sl. No1 to 4 above have been issued by Ministry of Environment & Forests, Government of India under Environment Protection Act, 1986. (Hereinafter called as notifications)

5. Hon'ble National Green Tribunal, Principal Bench Order dt. 24.9.2014 in O.A. No. 102/2014. (Hereinafter called as NGT)
6. Environment Protection Act, 1986

b. Specific details of information required:

1. Are you aware of the fact that Ministry of Environment, Forests & Climate Change, Government of India have issued the notifications No. S.O. 763(E) dt. 14.9.1999, Notification No. S. O. No. 979 (E):-dt. 27.8.2003, Notification No. S.O. No. 2804(E)dt. 3.11.2009 and Notification no. S. O. No. 254 (E) dt. 25.1.2016 under Environment Protection Act, 1986.

1.290/876
26/12

JP

OSF(V)
Agst J S.O. 763
28/12/16

Sumit babu
ST
27/12/16

2. Are you aware of the fact that the aboverferred notifications were issued by MOEFCC (previously MOEF) under directions dt. 25.8.1999 from Hon'ble Delhi High Court in CWP no. 2145/1999 for Environment preservation, Soil Conservation and productive utilization of Fly Ash.
3. Are you aware of the fact that the notifications make it compulsory to utilize only fly ash based products (including fly ash bricks) within 300 km. radius of every Thermal Power Plant.
4. Are you aware of the fact that Hon'ble National Green Tribunal, Principal bench, New Delhi, vide order dt. 24.9.2014 in O.A.No. 102 of 2014, has "*directed all the State Government / Public Authorities and Corporations to ensure that the afore-noticed two Notifications should be adhered to strictly and every tender for construction works issued by any of the State Government / Public Authorities shall contain stipulation and specifications as contemplated under these two Notifications.*"
Hon'ble NGT here refers to two notifications issued in 1999 & 2003, which were subsequently amended in 2009 & 2016.
5. Are you aware of the fact that whole of West Bengal comes within 300 km. radius of one or the other Thermal Power Plant (except few remote areas), where the provisions of the notifications and order of Hon'ble NGT are to be strictly implemented.
6. If answer to Sl. No. 5 is yes, then please confirm that all estimates for construction activities within specified 300 km. radius is prepared keeping in view utilization of fly ash bricks and other fly ash based products, as stipulated in the above notifications.
7. Please specify the steps taken by you to ensure the implementation of the stipulations contemplated in the above 4 notifications and order dt. 24.9.2014 of Hon'ble National Green Tribunal. Please send certified true copies of the steps taken in this regard.
8. Do you receive implementation report (of stipulations in Government notifications and Hon'ble National Green Tribunal's order) from Ground level Officers, implementing and executing the Construction activity, either directly or through any other designated Officer. If yes, please send certified true copies of the same.
9. Whether all your Sub-ordinate Officers (including Ground level Officers), executing and implementing construction works/activities, have been made aware of the fact that non-implementation of the provisions of the notifications and order of Hon'ble NGT tantamount to illegal activity under Environment Protection Act, 1986. If yes, please send certified true copies of the same.
10. Whether all your Sub-ordinate Officers (including Ground level Officers),, executing and implementing construction works/activities, have been made aware of the fact that non-implementation of the provisions of the notifications and order of Hon'ble NGT attracts

penal provisions under Environment Protection Act, 1986 and National Green Tribunal Act, 2010. If yes, please send certified true copies of the same.

11. Do you know that non-implementation of the provisions of the notifications and order of Hon'ble NGT seriously damages environment, degrades top soil and hampers productive utilization of environment hazardous fly ash generated at Thermal Power Plants.

10. The required information may please be sent by Registered/ Speed Post/EMAIL.

DECLARATION:

I state that the information sought does not fall within the restriction contained in Section 8 & 9 of the RTI Act and to the best of my knowledge it pertains to your office.

Place and Date:

Nobuk -
dt - 14/12/2016

Signature of Applicant



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D:
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A: