

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 143/2024/EZ

In The Matter of:

Ranjana Datta

... Applicant

Versus

State of West Bengal & Ors.

... Respondents



REJOINDER BY THE APPLICANT TO THE AFFIDAVIT FILED BY THE
WEST BENGAL POLLUTION CONTROL BAORD.

INDEX

SL No.	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		1-5

Submitted by

Indradeep Ghosh

Indradeep Ghosh,

Advocate,

High Court, Calcutta,

8, K.P.C. Street, Kolkata- 700003.

ghoshindradeep506@gmail.com

M- 7003321437.



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 143/2024/EZ

In The Matter of:

Ranjana Datta

... Applicant



Versus

State of West Bengal & Ors.

... Respondents

REJOINDER BY THE APPLICANT TO THE AFFIDAVIT FILED BY THE
WEST BENGAL POLLUTION CONTROL BOARD.

I, Ranjana Dutta, W/o Late Dilip Kumar Dutta, aged about 63 years, by faith-Hindu, by occupation- housewife and residing at 22/1E, Monohor Pukur Road, P.S- Rabindra Sarobar, Kolkata-700029, do hereby solemnly affirm and state as follows :-

1. That I am the applicant in the Original Application and well conversant with the fact and circumstances of the case and I am competent to sign and swear this affidavit.
2. That in pursuance to the direction and Order dated 24.07.2024 the Hon'ble Tribunal had constituted a Committee to make an inspection and inspect the site in question and the West Bengal Pollution Control Board was appointed as the nodal body for filing the affidavit of the Committee.

3

3. That accordingly the West Bengal Pollution Control Board had filed an Affidavit dated 05.09.2024 before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.
4. That in the said Affidavit the Committee constituted had submitted the findings.
5. That in the affidavit of the West Bengal Pollution Control Board the Committee had admitted that there are 13 (Thirteen) number of Air Conditioning Machines out of which 12 are 1.5 Ton and 1 is of 2 ton which have been installed by the bank which is also visible in the photographs annexed with the report.
6. That it has been further admitted that there is an Air Purified Machine consisting of 3 (three) sections on the western outside wall of the bank.
7. That the temperature were not at all set at 24°C and the same is denied and disputed by the applicant and the same was not done in front of the applicant.
8. That total 04 (four) machines were in operation but surprisingly the report of the West Bengal Pollution Control Board states that only 02 (two) machines were in operation.
9. That the buildings mentioned in the report have individual boundary walls each having thickness of 5 (Five) inches and not 10 (Ten) inches as stated.
10. That with regard to the aspect of heat generation from all the AC Machines were not felt as stated in the report since only 02 (two) AC machines were operating at the time of inspection and the same is absolutely denied and disputed.



4

11. That in the report it has been stated that the sound level as measured inside the applicant's house was 48.17 dB(A) which is absolutely incorrect and denied by the applicant.
12. That it is apparent that the AC Machines are facing towards the bed room and dining cum drawing room of the applicant and the AC Machines have been installed at the intersection of the first and ground floor of the building where the bank is situated.
13. That the bank has installed the AC Machines on the western side of the building which is a narrow lane and facing towards the bed room and dining cum drawing room of the applicant and hence there is issue of noise and heat generation.
14. That the report has suggested installing a barrier in front of the outdoor units of the AC Machines within its premises but has not specified the type of barrier which may be given so as to reduce any kind of noise and heat generation.
15. That as stated in the report that total 13 (Thirteen) AC Machines were there but 2 (two) AC Machines were operating the applicant does not understand the reason for installing 13 (Thirteen) AC Machines where 2 (two) AC Machines were operating.
16. That the bank may be directed to shift the AC Machines in different locations preferably on the southern side of the building which is having connectivity of the main road which is 60 feet wide.
17. That with respect to the other AC Machines the bank may be directed to install proper barrier which may minimize the noise and heat generation issues.



5

18. That it is humbly prayed that the Hon'ble Tribunal may kindly be pleased to pass necessary Order/Orders as is deemed fit for the ends of justice.

Identified by me
Indradeep Ghosh.
Advocate

A/1731/2017
24.09.2024

Ranjana Datta
Deponent



VERIFICATION:

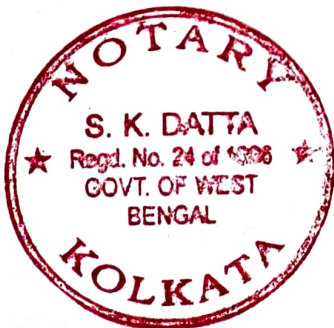
I, the deponent within named, do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

Verified at Kolkata on the ^{24th} 24th Day of September, 2024.

Identified by me
Indradeep Ghosh.
Advocate

Ranjana Datta
Deponent

NO. *2/24/19/20* ²⁴ *24.09.2024*



RANTOSH KUMAR DATTA
NOTARY
20/1A, Hari Ghosh Street
Kolkata-700006
Regn. No.- 24 of 1998

Solemnly Affirmed
&
Declared before me
on Identification of Advocate

S. K. Datta
S. K. DATTA
NOTARY
24.9.2024

24 SEP 2024

BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH,
KOLKATA

ORIGINAL APPLICATION NO.
143/2024/EZ



In The Matter of:
Ranjana Datta

... Applicant

Versus
State of West Bengal & Ors.

... Respondents

REJOINER BY THE APPLICANT
TO THE AFFIDAVIT FILED BY
THE WEST BENGAL POLLUTION
CONTROL BOARD.

Submitted by

Indradeep Ghosh,
Advocate,
High Court, Calcutta,
8, K.P.C. Street, Kolkata-
700003.

Email:

ghoshindradeep506@gmail.com

M- 7003321437.