

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 143/2024/EZ

RANJANA DUTTA

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

..... RESPONDENT(S)

AFFIDAVIT FILED BY THE WEST BENGAL
POLLUTION CONTROL BOARD.

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Filed by

Sibojyoti Chakrabarti

SIBOJYOTI CHAKRABORTI
ADVOCATE
HIGH COURT AT CALCUTTA

SL. NO. 32 Dt. 04 MAR 2025

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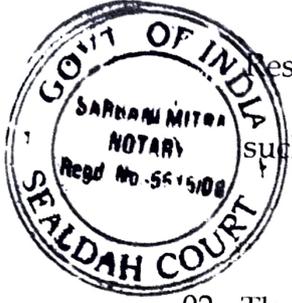
AFFIDAVIT FILED BY THE WEST BENGAL
POLLUTION CONTROL BOARD.

Most Respectfully Sheweth

I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 60 years, by. faith-Hindu, Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District - Hooghly, do hereby solemnly declare and say as follows:-

04 MAR 2025

01. That, I am the Officer on Special Duty (OSD), West Bengal Pollution Control Board (hereinafter will be referred to as the 'State Board') and I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 03; to affirm this Affidavit on its behalf and as such, I am competent to do so.



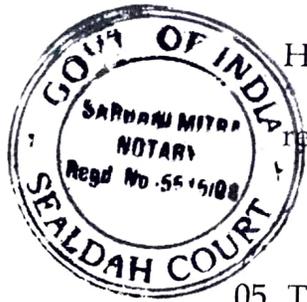
02. That, this affidavit is being affirmed in pursuant to the order passed by this Hon'ble Tribunal dated 14.02.2025.

03. That, the Hon'ble National Green Tribunal vide order dated 14.02.2025, directed the State Board to file a fresh affidavit with reference to the previous recommendations made by the Committee.

04. That, in connection with the Order of Hon'ble NGT dated 24.07.2024, HDFC bank located at 22/23B, Monoharpuku Road, P.O. Sarat Bose Road, P.S. Rabindra Sarabar, Kolkata-700029 was inspected by the members of the Committee on 12.08.2024.

04 MAR 2025

After conducting the inspection, the Committee members were in opinion that the bank should install a barrier in front of the outdoor units of the AC machines within its premises with proper structural stability to ensure that under no circumstances any sound or heat generated from the said AC machines may reach Complainant's residence. However, Hon'ble Tribunal directed to provide scientific recommendations with regard to the barrier to be installed.



05. That, in view of the above, the Committee recommends that suitable acoustic enclosure/barrier to be constructed with materials like loaded vinyl/sound proof drywall/plasterboard/low cost black wool surge/acoustic hanger mounts designed by expert structural engineers in this field.

However, during detailed technical discussion, it was noted that, all the above-mentioned materials of construction are susceptible to weathering in due course of time if not maintained properly and regular recurring maintenance is to be ensured.

04 MAR 2025

Therefore, a suitable alternative may be to relocate the outdoor units of the AC machines to the roof top of the building or to relocate them towards the frontal roadside of the building.

Copy of the modified recommendations of the Committee is annexed herewith and marked with letter "R".

06. It is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.



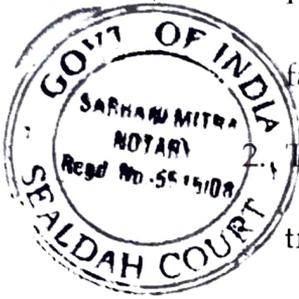
Sarbanu Mitra
DEPONENT

04 MAR 2025

VERIFICATION

I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 60 years, by Religion - Hindu, by Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District-Hooghly, do hereby solemnly declare and say as follows:-

1. That, I am the Officer on Special Duty (OSD), West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.
2. That, the statements made in paragraph 1 of this affidavit is true to my knowledge and belief.
3. That, the statements made in paragraphs 2 to 5 of this affidavit are my information derived from the records available in the office of the State Board which I verily believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.



Sri Subrata Ghosh
DEPONENT

Sibojyoti Chakrabarti
Identified and corrected by me
Advocate
WBPCB

solemnly Affirmed &
Declared Before Me
On Identification By

Sarhani Mitra
SARHANI MITRA
NOTARY
Regd No. 5515108

04 MAR 2025

Modified recommendation of The Committee in Compliance with the Order of Hon'ble NGT dated 14.02.2025 in the matter of OA No. 143/2024/EZ

Background : In connection with the Order of Hon'ble NGT dated 24/07/2024 in the matter of OA No. 143/2024/EZ. HDFC bank located at 22/23B Monoharpukur Road, P.O.: Sarat Bose Road, P.S.: Rabindra Sarabar, Kolkata 700029, was inspected by the members of the Committee on 12/08/2024. After conducting the inspection, the Committee members were in opinion that the bank should install a barrier in front of the outdoor units of the AC machines within its premises with proper structural stability to ensure that under no circumstances any sound or heat generated from the said AC machines may reach Complainant's residence. However, Hon'ble NGT directed to provide scientific recommendations with regard to the barrier to be installed.

Modified recommendation of The Committee : In view of the above, the Committee recommends that suitable acoustic enclosure/barrier to be constructed with materials like loaded vinyl/ sound proof drywall/ plasterboard/ low cost black wool surge/ acoustic hanger mounts designed by expert structural engineers in this field.

However, during detailed technical discussion, it was noted that, all the above mentioned materials of construction are susceptible to weathering in due course of time if not maintained properly and regular recurring maintenance is to be ensured.

Therefore, a suitable alternative may be to relocate the outdoor units of the AC machines to the roof top of the building or to relocate them towards the frontal roadside of the building.

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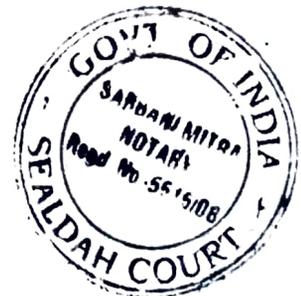
Sri J N Jena
EE, Lighting, KMC

P Ghosh

Sri P Ghosh
EE, Building, KMC

P Maitra

P Maitra
AEE, Kolkata RO, WBPCB



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