

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 101/2025/EZ

ANKUR SHARMA

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

..... RESPONDENT(S)

AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.
06, i.e. THE WEST BENGAL POLLUTION CONTROL
BOARD.

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Filed by

SIBOJYOTI CHAKRABORTI
ADVOCATE
HIGH COURT AT CALCUTTA

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BOARD.**

Most Respectfully Sheweth

I, Sri Debashis Sarkar, son of Late Pabitra Kumar Sarkar, aged about 56 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

31 JUL 2025

01. That, I am the Chief Engineer, 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. 6 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 30.06.2025.

03. That, in compliance to the order of the Hon'ble Tribunal dated 30.06.2025, the State Board caused an inspection of the alleged M/s. Shrachhi Keventer Abasan Pvt. Ltd., located at Jl No.-8, Mouza-Chanda Kathalberia, P.O.-Kulberia, P.S.-Kolkata Leather Complex, Dist-24-Prgs (South), Pin-743502, on 22.07.2025 between 15.00 hrs. to 16.00 hrs.

04. That, the following observations were made by the Inspecting Official of the State Board:

(a) The plot/premises concerned is visited by the undersigned in presence of the representative of the Project Proponent. The plot



31 JUL 2025

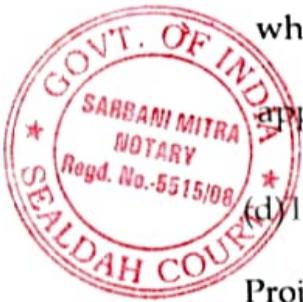
indicated by the representative of the Project Proponent comprises 35779.00 sqm (approx.) of land with partially erected boundary wall and remaining wired fencing.

(b) The plot is situated under the jurisdiction of Bhangar-II Block (Chanda Kathalberia Gram Panchayet) and Kolkata Leather Complex P.S.

(c) There is vacant/ agricultural land towards northern and eastern side of proposed site and same vacant/agricultural land towards southern side. There is a canal on the western side of the plot which has to be crossed to enter the project premises from the approach village road.

(d) There is a village within 300m and a school about 250m of the Project site.

(e) During inspection it was found that construction work for 67 nos. Bungalow was either under progress or on the verge of completion and internal civil work was under progress. Foundation of another two nos. bungalows are completed and construction of two more bungalows has not yet started.



31 JUL 2025

- (f) Construction work for G+2 storied club was under progress.
- (g) Construction of underground storage tank and road was under progress.
- (h) Source of water for construction phase is ground water from one no. bore well (permission obtained from State Water Investigation Directorate (SWID)).
- (i) The unit has installed one no 62.5KVA 'Green' D.G. set for construction phase.
- (j) The unit representative informed during inspection that they will install 100KLD STP for and also rain water harvesting facility with recharging pit. However, construction of STP and rain water harvesting system has not yet started.

05. That, the following remarks were made by the Inspecting Official of the State Board from the said inspection:

- (i) The project representative informed that they have already applied for Environmental Clearance for entire project i.e.



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Plotted Development Project comprising of Bunglow G+1 storied- 134nos. (3BHK-48Nos. & 4BHK-86Nos.), Club G+2 storied (01 No.) having Total Built Up Area of 26070.24 sqm (Land Area -35799.00sqm.).

- (ii) It may be mentioned that they have recently applied for Consent to Establish (NOC) from the State Board through online portal (Appl. No.-7147108). for only part of the project i.e. Plotted Development Project comprising Bunglow G+1 storied- 71nos. (3BHK-14Nos. & 4BHK-57Nos.), Club G+2 storied (01No.) having Total Built Up Area 14821.78 sqm (Land Area of the applied project - 18701.73sqm.).



Copy of the Inspection Report of State Board is annexed herewith and marked with letter "R1".

06. That, feedback was given to the Project Proponent with respect to the Consent to Establish (NOC) application as mentioned above to provide relevant documents and classifications.

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07. That, the Project Proponent has applied for Environmental Clearance (EC) through PARIVESH portal on 02.07.2025 for plotted development comprising of Bungalows (G+1) and Club (G+2) storied. Total land area for which EC application submitted is 35,799 Sq. metres and overall built area will be 26070.24 Sq. metres with Row Houses/ Bungalows 134 numbers.

08. That, State Level Expert Appraisal Committee (SEAC) in its 77th Meeting dated 09.07.2025 appraised the proposal for Environmental Clearance (EC) for the project and raised few queries for submission with respect to their EC application and uploaded in PARIVESH portal for compliance by the Project Proponent.

Copy of the Minutes of SEAC Meeting dated 09.07.2025 is annexed herewith and marked with letter "R2".

09. 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.

Identified by me
Sibojyoti Chakrabarti
Advocate
for WBPCB

Debashis Sarker
DEPONENT

31 JUL 2025

VERIFICATION

I, Sri Debashis Sarkar, son of Late Pabitra Kumar Sarkar, aged about 56 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

1. That, I am the Chief Engineer, West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.

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 8 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.

R N A G

Identified and corrected by me
Advocate
WBPCB

Subjoyoti Chakrabarti
Advocate
WBPCB

Debashis Sarkar
DEPONENT

Solemnly Affirmed &
Declared Before Me
On Identification by.....

[Signature]
SARBANI MITRA
NOTARY
Regd. No. - 5515/08

13 1 JUL 2025

Inspection Report

Name & Address of the Unit : **M/s. Shrachi Keventer Abasan Pvt. Ltd.**
JI No.-8, Mouza-Chanda Kathalberia,
P.O.-Kulberia, P.S.-Kolkata Leather Complex, ,
Dist-24-Prgs(South), Pin-743502.

Date & time of Inspection : 22.07.2025 (15.00 hrs. – 16.00 hrs.)

Inspecting Officer(s) : Sri N. Das, AEE, Salt Lake R.O.

Person(s) met during Inspection : Mr. Rabin Pushilal, *Project Manager*

Reference of Inspection : NGT Case O.A. No.101/2025/EZ before The Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

Observation:

- The plot/premises concerned is visited by the undersigned in presence of the representative of the Project Proponent. The plot indicated by the representative of the Project Proponent comprises 35779.00 sqm (approx.) of land with partially erected boundary wall and remaining wired fencing.
- The plot is situated under the jurisdiction of Bhangar-II Block (Chanda Kathalberia Gram Panchayet) and Kolkata Leather Complex P.S.
- There is vacant/ agricultural land towards northern and eastern side of proposed site and same vacant/agricultural land towards southern side. There is a canal on the western side of the plot which has to be crossed to enter the project premises from the approach village road.
- There is a village within 300m and a school about 250m of the Project site.
- During inspection it was found that construction work for 67 nos. Bungalow was either under progress or on the verge of completion and internal civil work was under progress. Foundation of another two nos. bungalows are completed and construction of two more bungalows has not yet started (photographs attached).
- Construction work for G+2 storied club was under progress.
- Construction of under ground storage tank and road was under progress.
- Source of water for construction phase is ground water from one no. bore well (permission obtained from SWID).
- The unit has installed one no 62.5KVA 'Green' D.G. set for construction phase.
- The unit representative informed during inspection that they will install 100KLD STP for and also rain water harvesting facility with recharging pit. However, construction of STP and rain water harvesting system has not yet started.



Contd. To Page- (2)....

(2)

● Remarks:

- The project representative informed that they have already applied for Environmental Clearance for entire project i.e. *Plotted Development Project comprising of Bunglow G+1 storied- 134nos. (3BHK-48Nos. & 4BHK-86Nos.), Club G+2 storied (01No.) having Total Built Up Area of 26070.24 sqm (Land Area -35799.00sqm.)*.
- It may be mentioned that they have recently applied for Consent to Establish (NOC) to W.B.P.C.B. through online portal (Appl. No.-7147108). for only part of the project i.e. *Plotted Development Project comprising Bunglow G+1 storied- 71nos. (3BHK-14Nos. & 4BHK-57Nos.), Club G+2 storied (01No.) having Total Built Up Area 14821.78 sqm (Land Area of the applied project -18701.73sqm.)*.
- Necessary action may be taken as deemed fit and proper.

Photographs of the proposed site taken during inspection on 22.07.2025

N. Das
23/07/2025

(N. Das)

Assistant Environmental Engineer
Salt lake Regional Office



1.2.2) Construction Sector :

- I. Proposed Plotted Development comprising of Bungalows & Club at L.R. Dag nos.404(P), 488(P), 489, 490, 491, 493, 494, 495, 496(P), 497 & 498(P), J.L. No.-08, P.S-KLC, P.O-Kulberia, Mouza- Chanda kanthalberia, Block - Bhangar II, Kolkata 743502, Dist – 24 Parganas (South), West Bengal.

Proposal No.: SIA/WB/INFRA2/535611/2025
Project Proponent: M/s. Shrachi Keventer Abasan Private Limited.
Environmental Consultant: M/s. ULTRA-TECH.

Activities:

- This is a proposal for plotted development comprising of Bungalows (G+1) & Club (G+2) storied. Total land area of the project is 35799.00 sqm. and total built up area is 26070.24 sqm. Total no. of Row Houses/Bungalows 134 (3 BHK – 48, 4 BHK – 86) nos.

Salient Features of the project:

- Salient features of the proposed project as uploaded by the PP in the PARIVESH portal is as below–

Land Area	35799.00 sqm (Phase 1-6794.82 sqm, Phase 2-9015.52 sqm, Phase 3- 2891.39sqm, Phase 4- 7857.13 sqm, Phase 5- 9240.14 sqm)
Ground Coverage Area	12089.54sqm (33.77%)
Swimming Pool Area	126.45 sqm (0.35%)
Service Area	1020.76 sqm (2.85%)
Paved Area	10395.21 sqm (29.04%)
Exclusive Tree Plantation Area	7713.23 sqm (21.55%)
Other Green Area	4405.79sqm (12.31%)
Open Parking Area	48.02 sqm (0.13%)
Block Details	Bungalows: G+1 Club: G+2 storied
No. of row houses/bungalows	134 (3 BHK – 48, 4 BHK – 86) nos.
Total Built-up area	26070.24 sqm (Phase 1-5492.32 sqm, Phase 2- 7747.1 sqm, Phase 3- 1582.36 sqm, Phase 4- 4809.48 sqm, Phase 5- 6438.98sqm)
Total Population During Operation	1020 (Fixed – 892, Floating – 119, Service – 9) persons
Total Population During Construction	215 persons
Source of Water	Ground Water
Quantum of Water required	Non-monsoon season: 176 KLD Monsoon season: 142 KLD
Quantity of Wastewater Generation	111 KLD



Treated Wastewater Recycled	Non-Monsoon: 80 KLD (Landscaping – 21 KLD, Car washing – 4 KLD, Flushing – 42 KLD, Yard washing – 13 KLD) Monsoon : 46 KLD (Landscaping – 0 KLD, Car washing– 4 KLD, Flushing – 42 KLD, Yard washing – 0 KLD)
Quantity of Wastewater Discharge	Non-monsoon season: 31 KLD Monsoon season: 65 KLD
Quantum of Fresh Water required	96 KLD
Quantity of Solid Waste Generation	440 kg/day(operational phase) 43 kg/day (construction phase)
Constructional phase Water Demand	18KLD (15 KLD for workers and 3 KLD for construction work)
Electrical Load	1442 KVA (1153.6 KW)
Electricity Supplied By	WBSEDCL
Solar Energy	At least more than 1% of total power requirement shall be met from solar power
D.G. Sets	3 nos. 320 KVA
Parking Required	140 nos.
Parking Provided	140 nos.
Proposed no. of Trees	630 nos.
Latitude & Longitude of site	22°32'0.16"N, 88°30'39.71"E
Project cost (Rs.)	Rs. 14681 Lakhs

Chronology of the Events:

- The PP has applied in prescribed format for the proposed project for Environmental Clearance and uploaded their proposal in the PARIVESH portal on 02.07.2025.
- The PP has submitted the EC processing fees as required under Notification No 924/T-II-1/021/2022 dated 23.05.2022 issued by Department of Environment, Government of West Bengal.
- The PP was called for the EC presentation in the 77th meeting of the SEAC, WB (2023-2026) held on 09.07.2025 and the PP presented their proposal in this meeting.

SEAC Observations and Recommendations:

- According to the DSS of the PARIVESH portal, although the project area does not touch any CRZ, ESZ, RFA & PA WII, it is adjacent to the boundary of the East Kolkata Wetlands (EKW) - a declared Ramsar Site.
- SEAC observed that there is a court case pending before the Hon'ble NGT in O.A. No. 101/2025/EZ filed by Mr. Ankur Sharma alleging that a massive housing complex is being constructed without obtaining prior EC from SEIAA, WB in closed proximity of East Kolkata Wetlands. A hearing was conducted by the Hon'ble NGT on 30.06.2025 wherein all the respondents were directed to file their counter affidavits within four weeks and the matter will be listed on 01.08.2025.

Based on the application made, documents uploaded / submitted, and the presentation made by the PP/Consultant, the SEAC made the following observations :



Mandatory documents

1. Concurrence from the East Kolkata Wetlands Management Authority (EKWMA) for the project.
2. Consent to Establish from WBPCB for the ongoing project.
3. Land Use Compatibility Certificate from the competent authority should be submitted.
4. In the DPR submitted by the PP, the total waste water generation is given as 111 KLD however, the capacity of the STP mentioned in the plan is 100 KLD. Reasons for the mismatch should be submitted. The discharge point and analysis of the STP-treated water should be indicated.
5. The development agreement is in the name of M/s. Shrachhi Keventer Abasan LLP referred to as the developer, while the applicant is M/s. Shrachhi Keventer Abasan Private Limited. Reasons for the mismatch should be submitted.
6. Permission for construction of culvert over the nallah from the competent authority.
7. It is observed that the project is being developed in 5 (five) phases. A superimposed map depicting the five phases in different colors on the master plan should be submitted. The already constructed part should also be marked.

Solar

8. All Solar panels should be installed on the club roof in place of individual bungalow roof-tops.

Plantation and green area and biodiversity

9. Exclusive plantation and open green area should not be confused. Green open area, like lawns, may be proposed in addition to the stipulated tree plantation area.
10. Top soil in the project area shall be conserved and reused on completion of construction to the maximum extent possible.
11. The plan for filling the land to raise the ground level, if any, shall be submitted, specifically highlighting the intervention at the canal banks.
12. A Local Biodiversity Strategy and Action Plan (LBSAP) shall be formulated and submitted for protection and conservation of biodiversity, especially with respect to the EKW.
13. 'Cool pavement' with solar reflective material or permeable paving, as applicable, to be considered for the hardscapes to minimize the heat island effect.

Water and waste water

14. It is observed that a single borewell permission of capacity 25m³/hr for six hours per day has been proposed for the project. The quantum of fresh water required is 96 KLD. The SEAC requested the PP to submit proposal for two borewells of less capacities having a combined discharge capacity of not more than 100 KLD. The pumping schedule should accordingly be modified.

15. The site has canals on its two sides. The site boundary and canal interface should be responsive to the ecological characteristics of the canal embankment. Stipulated guidelines should be strictly followed. A drawing showing a cross-section of the property boundary in relation to the canal embankments has to be submitted in this regard.



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