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BEFORE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH,KOLKATA

ORIGINAL APPLICATION NO: 155 OF 2024

IN THE MATTER OF:

Salboni Apartment Owners' Association

.....Applicant

VS

State of West Bengal & Ors

.....Respondent

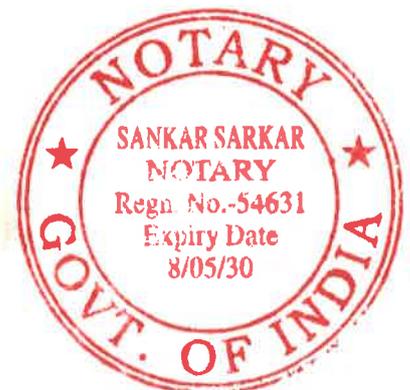
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Paushali Banerjee

Advocate



10 SEP 2025

- X -

7A, Kiron Shankar Roy Road,
Kolkata-700001



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AFFIDAVIT ON BEHALF OF THE APPLICANT :

I, Samar Kumar Saha, son of Sudhir Kumar Saha, aged about 57 years, by occupation Business, member of Salboni Apartment Owners' Association, resident of 64/98 C, Piasal Block, Salboni, Flat No. B-703, 7th Floor, Khudiram Bose Sarani, Milk Colony, Belgachia, Kolkata - 700037 Solemnly Affirm and say as follows -

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1. I am the authorised signatory of Salboni Apartment Owners' Association, the Applicant of this instant Application, I am conversant with the facts and circumstances of the instant case. I am competent to affirm this affidavit.

1. A copy of the Affidavit affirmed on 36/06/25 by West Bengal Pollution Control Board (hereafter the "said Affidavit") has been served upon me. I have perused the said Affidavit and understood the contents and purport thereof.

2. I have been advised to traverse and/or to deal with only those statements and/or allegations contained in the said Affidavit and to refer to such facts as may be material and/or relevant for the disposal of the Original Application.

3. As such, save what would be borne out by the admitted records or what may be specifically admitted by me hereinafter, all statements and/or allegations contained in the said Affidavit should be deemed to have been denied and disputed by me as if each one has been set out hereunder and denied in seriatim

4. Before dealing with the statements and/or allegations contained in the instant OA, I beg to place the following facts and contentions on record:-



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(I) I say that the water body is known as Salboni lake/pond situated at premises no. 3, 3/1, 3/1/1 Jiban Krishna Ghosh Road, near 64/99 Khudiram Bose Sarani, (Belgachia Milk Colony) Belgachia, Ward No. 3, Kolkata - 700037, covers an area measuring to more or less 32 bighas, The Mouza map of CIT SCH NO. 148 annexed with the OA as Annexure A, clearly delineates the premises no.3, 3/1 & 3/1/1 which is the entire water body.

(III) I repeat that the water body and/or lake is a shallow water body with water not more than five meters deep and the water body meets the definition of wetlands in accordance with the Wetland (Conservation and Management) rules 2017

(IV) I say that in December 2017 a Notice Inviting Tender was floated by the Project Management Unit (PMU) department of KMC where bids were invited **“from reputed and resourceful agency for pisciculture against each ponds”**, where in that document at serial no. 78 of the list depicts a pond named **Behind Salboni Apartment** located in Borough I and measuring **26,218 sq. metre**. It is pertinent to mention here this pond is the lake which is the subject matter of this instant Original Application and that this pond refers to the location corresponding to Premises numbered 3/1/1 J. K. Ghosh Road and the area of 26,218 sq. metre is exactly equivalent to **19.47 bighas approximately in**

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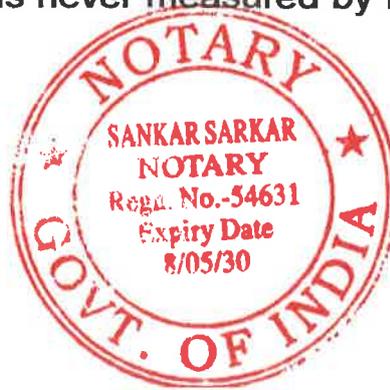
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accordance with the Notice Inviting Tender. Copy of the December 2017 Notice Inviting Tender is annexed herewith and marked as Annexure A.

(V) I say that the respondent authorities have started filling the lake using machines, Photographs of the filling of the lake are annexed herewith and marked as Annexure B.

5. Without waiving the aforesaid, but fully relying thereon, I now deal with the statements and/or allegations contained in the said Affidavit as under:
6. With reference to the statements and/or allegations contained in paragraphs 1, 2, 3, 4 & 5 of the said application, I deny and dispute the same. It is stated in the said Affidavit that "according to the attending KMC officials the lake is 11 bighas". However, in the OA it is the contention of the Applicant that the area of the lake is more or less 32 bighas. It is therefore clear that no measurement of the water body is carried out by the respondent authorities. The respondent authorities based on assumption have stated the area of water body as eleven bighas whereas the record of KMC as found in the Annexure A above show that the lake is more or less nineteen bighas.
7. I say it is an admitted fact that there exists a water body in the assessment record and list of ponds of KMC, but it is a fact that the area of the water body was never measured by KMC so the area is also not

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stated in the record. I repeat that Annexure D to the instant OA is a notice of KMC dated 16/05/17 the boundaries of the water body are clearly described in the notice dated 16/05/17.

8. It is submitted that no case has been made out in the said affidavit for denying the relief as prayed for in the writ petition which may be kindly be allowed.

VERIFICATION

I, the deponent above named do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge which are derived from the relevant office records. No part of it is false and nothing material has been concealed there from.

Verified at Kolkata on this 10th September, 2025.

Panshali Banerjee
Advocate

For **SALBONI APARTMENT**
OWNERS' ASSOCIATION

[Signature]

Authorised Signatory

DEPONENT



solemnly Affirmed & Declared Betor
me on Identification of Ld. Advocate

Sankar Sarkar 10/09/2025

SANKAR SARKAR
NOTARY, GOVT. OF INDIA
REGN NO. 54631
HIGH COURT, CALCUTTA
CHAMBER 4 (479) M. B. ROAD, KOL-5
MAHAJATI HEIGHTS APT
Ph-9232445358

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TENDER FORMAT

Annexure - 'A'

Sealed Tender in duplicate super scribing the name of the work on the envelop are invited from reputed and resourceful agency for pisciculture against each ponds as follows. Tender papers etc. will be available against payment on subscribed price (non refundable) from the Central Record Office 5, S.N. Banerjee Road.

The tenderers will have to enclose documents like certificate of T L,PAN etc and other relevant papers as may be admissible as per Fisheries dept guide line and necessary earnest money either in Bank Draft /Crossed Pay Order / Bankers Cheque drawn in favor of KMC along with the tender paper falling which the tenders will be liable for rejection.

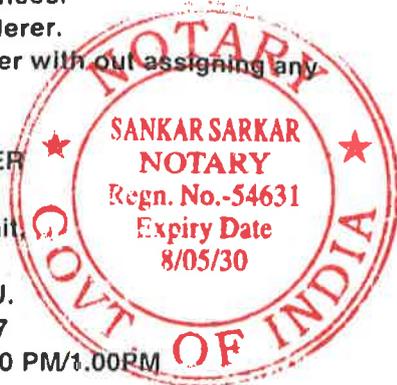
If the last date of receipt of tender or the day of opening of tender happens to be a holiday or otherwise the next working day will be the last date of receiving or opening. The tenderer may remain present at the time of opening of tenders at respective offices.

Agreement will have to be executed by the selected tenderer.

The Corporation reserves the right to accept / reject in full or in part any tender without assigning any reason whatsoever.

DETAILS OF OPEN TENDER/ NOTICE INVITING TENDER

- (i) Name of the Department : Project Management Unit
48, Market Street, Kol- 87.
- (ii) Tender invited and to be received by : D.G/P.M.U.
- (iv) Last date of purchase of tender paper 23/12/2017
- (v) Time & last date of receipt/opening of Tender 26/12/2017 12:30 PM/1.00PM
- (vi) S.D. money, if any :2% of the quoted rate



Name of Work	Organization	Department	Reserve price / Lease rent(Rs)	Earnest Money (Rs)	Price of Tender Document (Rs)
Pisciculture on water bodies under the management control of the Kolkata Municipal Corporation	KMC	PMU	Fixed as per the guideline of Fisheries dept against each pond which will be disclosed during opening of tender .	2 % of the quoted rate	100/-each

LIST OF WATERBODIES TO BE LEASED OUT FOR PROMOTION OF PISCICULTURE

Sl No	Name of the waterbody	Ward	Borough	Area (sqm.) (approx.)	Quoted rate per year (in figure)	Quoted rate per year (in word)
1	1/1 (p) Gopal Chandra Chatterjee Road	1	I	2570		
2	37/1 A Cossipore Road	1	I	1230		
3	21 Raja Manindra Road	3	I	2153		
4	3 Tarini Charan Ghose Lane	4	I	2373		
5	33C/1, Biplabi Barin Ghosh Sarani	14	III	8940		
6	Gurudwara Guru K Bag	29	III	830		
7	40 'D' Block, Upendra Chandra Banerjee Road	30	III	2200		
8	2, Beliaghata Main Road (Rashmoni Bazar)	34	III	5771.52		
9	150/2, Dr Suresh Chandra Banerjee Road	34	III	2070		
10	Pagladanga Patra Para	57	VII	2200		
11	12 Chingrighata Lane	58	VII	2150		

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12	1 Halgachia Road	58	VII	7728	
13	Victoria Pond 1 Ullamkumar Sarani	63	VII	8547	
14	6/25 Viveknagar in Ward No 104, Br XII	104	XII	700	
15	74 J Block (House of Malay Talukdar) & 16, Swami Vivekananda Road in Ward No 102, Br XII	102	XII	2381	
16	27, Viveknagar in Ward No 104, Br XI	104	XI	2002	
17	57, Navadiganla in Ward No 109 Br XII	109	XII	1127 49	
18	81B, Bansdrani Govt Colony in Ward No 113, Br XI	113	XI	1204	
19	17/3, 17/4, 17/5, 17/6 & 17, D L Khan Road in Ward No 71, Br -IX	71	IX	5463 62	
20	116/1, Kalilala Park (south) in Ward No 113, Br XI	113	XI	900	
21	42, M G Road in Ward No. 115, Br XIII	115	XIII	635 86	
22	Ananda Pally & Purba pullary, Ward-114, Borough-XI	114	XI	900	
23	15/53, Bank Plot	104	XI	13100	
24	Panchsayar Cooperative	109	XII	11983 99	
25	Parnasree Jheel	132	XIV	21145 12	
26	67/1 & 1667, Mazlish Ara Road in Ward No-121, Br -XIV	121	XIV	11419 38	
27	Dagar Pukur (Meror Pukur)	123	XIII	2564 7	
28	Bansdrani Govt Colony near KMC Pump House	113	XI	1800	
29	Near Friends Eleven Club	114	XI	2064	
30	Near Pally Prativa Club	114	XI	1322	
31	New Shidla	113	XI	1302	
32	Majumder Pukur	112	XI	1722	
33	90 C Selimpure	92	X	489 04	
34	J Block Lake	102	XII	700	
35	Sahid Smrily	109	XII	3254	
36	Dr A K Road	141	XV	5353 2	
37	Fathepure 1st Lane	133	XV	3500	
38	Near C/171/1, Bapuji Nagar	96	X	2934 11	
39	Waterbody at Nehru Colony	97	X	639 83	
40	Near 4A, Naktala Road, Aurobindo Sangha	100	X	1188 91	
41	Waterbody at Lakshmi Narayan Colony	100	X	1086 6	
42	Kabiguru Sarani	118	XIII	598	
43	Co-Cola Bagan	120	XIII	1890	
44	Parnasree Club	131	XIV	6053	
45	Surya Sangha	131	XIV	6252 56	
46	Sadar Pukur	131	XIV	6918	
47	Old Dog Race Course	132	XIV	5274	
48	383, Bramha Samaj Road (Na Pukur)	130	XIV	2436	
49	69, D C Dey Road	58	VII	2697 343	
50	Dabaloy pond	102	XII	1029 6193	
51	Commint Park	109	XII	4170	
52	Ajoy Nagar	109	XII	1295	
53	Baghajatin Park	109	XII	3875	
54	H L Sarkar Road (Biscuit Co)	112	XI	4725	
55	Brahmapur Milan Tirtha Club	111	XI	1090	
56	Sreerampur North Road	110	XI	562	
57	Briji Kishor Sangha Club	110	XI	1242	
58	Indu Park	107	XII	4030	
59	Kayastha Para	106	XII	2296 8	
60	Ramlal Bazar	106	XII	1715	
61	Sucheta Nagar 3/108	106	XII	514	
62	Pancha Pukur	96	X	1326	
63	31/1/1, D H Road	119	XIII	857	
64	J. K Paul	118	XIII	1850	
65	M.I.D Road	129	XIV	562 5	
66	Banerjee Pukur	129	XIV	891 34	
67	Pond near Ajalshatru Club	129	XIV	1200	
68	3, Rabindranagar	129	XIV	1000	
69	Gholpara Pond	116	XIII	1100	

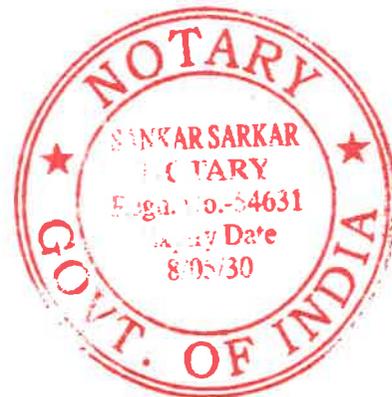


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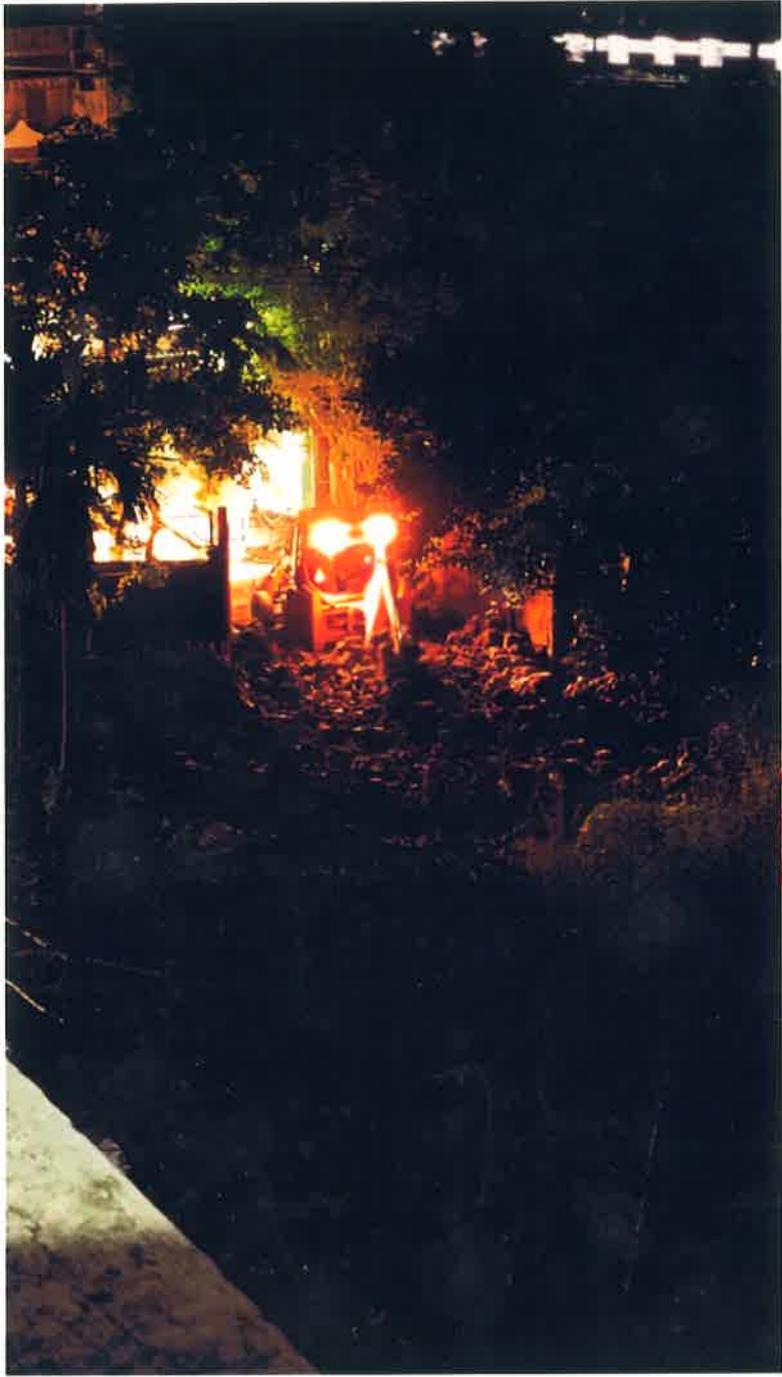
70	328/6A, Upen Banerjee Road	132	XIV	3520		
71	81, Banerjee Para Road	115	XIII	1100		
72	42, Taramoni Ghat Road	115	XIII	1550		
73	Birajmoni Park	130	XIV	2625		
74	Karunamoyee Ghat Road	115	XIII	12000		
75	New Tollygunge	114	XI	1075		
76	Senhati Colony	116	XIII	1164		
77	Pasupati Bhattacharya	121	XIV	1017		
78	Behind Salboni Apartment	3	I	26218		
79	BNG Brick Field Road	142	XVI	2658		
80	Ashavori	142	XVI	2572		



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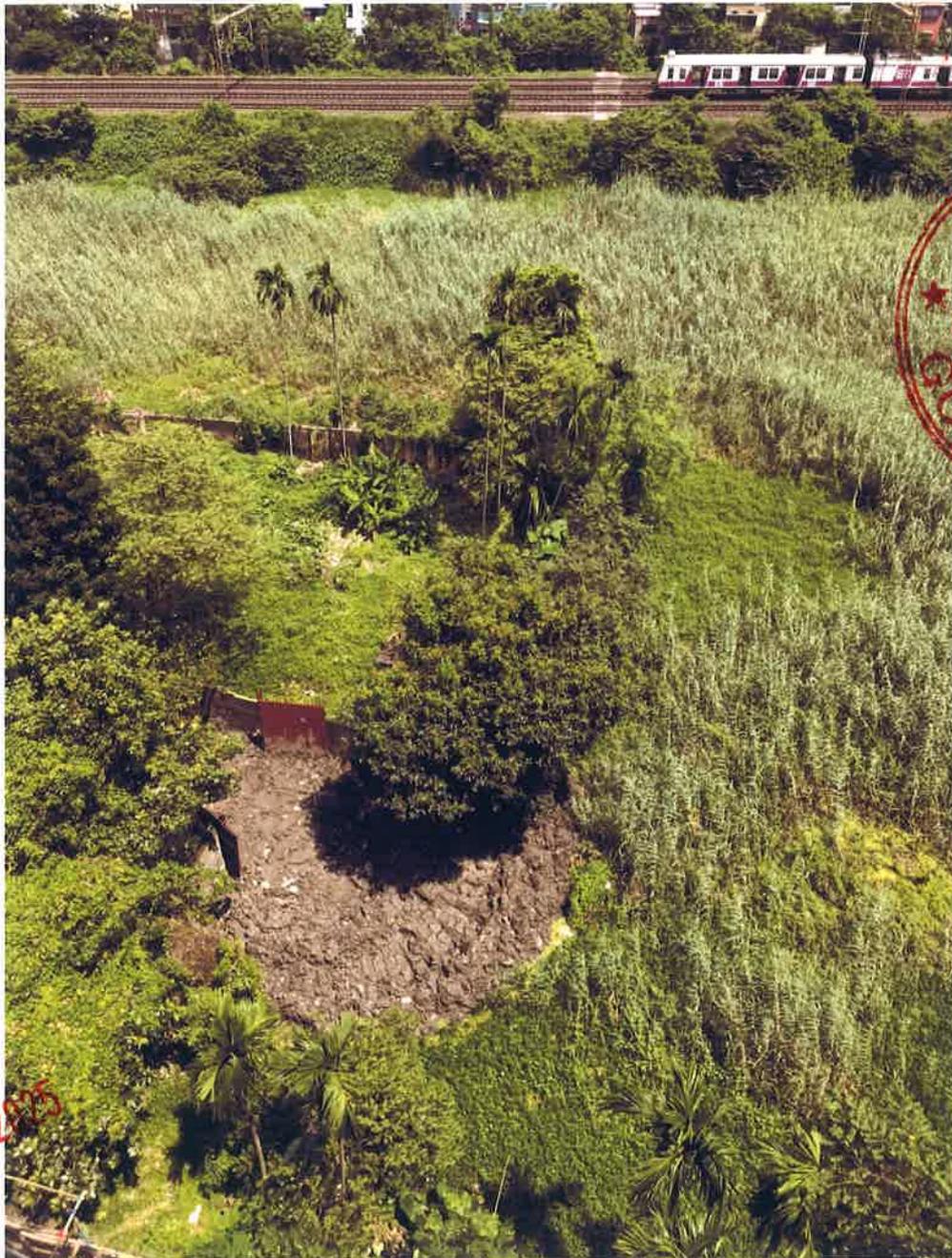
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SANKAR SARKAR
 NOTARY
 Rega. No.-54631
 Expiry Date
 8/05/30

NOTARY
 SANKAR SARKAR
 NOTARY
 Rega. No.-54631
 Expiry Date
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 GOVT. OF INDIA

10 SEP 2025