

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
S. Sibojyoti Chakraborti
SIBOJYOTI CHAKRABORTI
ADVOCATE
HIGH COURT AT CALCUTTA

26 SEP 2025

X

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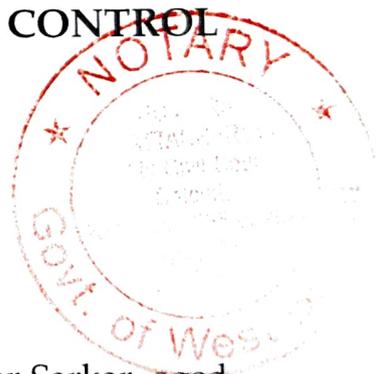
THE STATE OF WEST BENGAL & ORS.

..... RESPONDENT(S)

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



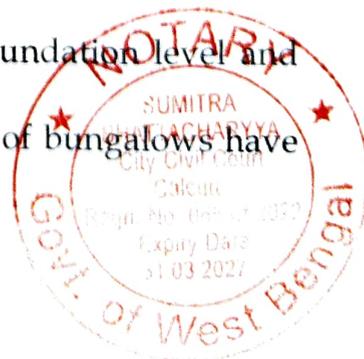
01. That, I am the Chief Engineer, West Bengal Pollution Control Board (hereinafter will be referred to as the 'State Board') and I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 6 to affirm this Affidavit on its behalf and as such, 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 01.08.2025.

03. That, in compliance to the order of the Hon'ble Tribunal dated 01.08.2025, the State Board caused an inspection of the alleged M/s. Shrachhi Keventer Abasan Pvt. Ltd., on 02.09.2025.

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

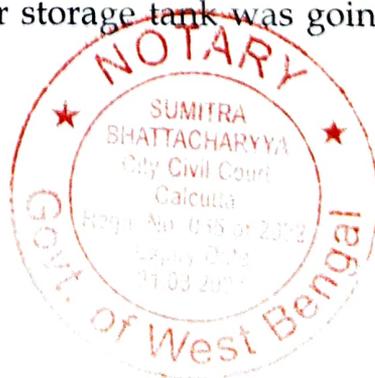
- That superstructures for all the twenty-eight bungalows in Phase I have been completed. For Phase II thirty-nine out of forty-three nos. of bungalows have been completed up to superstructure level. Two out of rest of the four nos. of bungalows has been completed up to foundation level and construction work for the other two nos. of bungalows have



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not been started yet. For Phase III superstructure of the Club House has been completed.

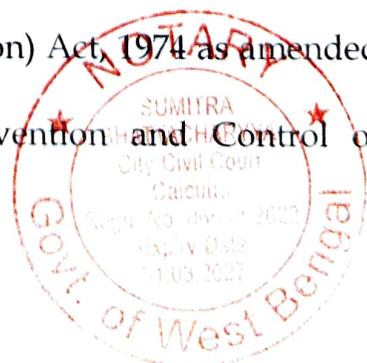
- During inspection it was observed that the project premises is surrounded by canal along the western & southern side and bounded by agricultural/vacant land along the eastern & northern side.
- During inspection it was observed that the project is demarcated partially by boundary wall and remaining wired fencing.
- The unit has installed one no. 62.5 KVA 'Green' Diesel Generator (D.G.) Set for construction phase.
- The unit has installed borewell of capacity 150 m³/day to make up water for construction phase. The unit has obtained permission from State Water Investigation Directorate (SWID) for installation of borewell.
- During inspection it was observed that construction of internal roadway and ground water storage tank was going on at the project site.



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

- During inspection it was found that construction work has been confined within the Phase I, Phase II and Phase III. The combined total built-up area for the Phase I, Phase II and Phase III is 14821.78 sqm. which is well below 20000 sqm. for which 'Environmental Clearance (EC)' is not applicable as per EIA notification 2006 and its subsequent amendments.
- No construction activity with regard to Phase IV and Phase V of the project has been started.
- Since, wastewater generation for the project from Phase I to Phase III exceeds 50 KLD, the project is to obtain 'Consent-to-Establish' form the State Board. The construction work has been started by the project proponent without obtaining 'Consent-to-Establish' form the State Board which is a gross violation of the provision of Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended.



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Copy of the Status Report of State Board 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.

I deposed by me
Sujati Chatterjee
Adv
26.09.2023

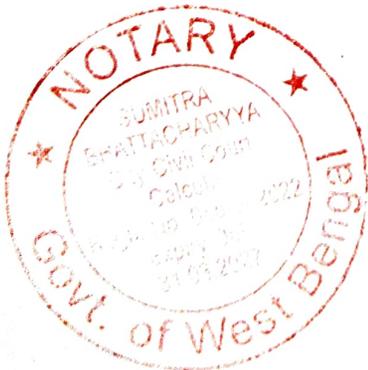
Sujati Chatterjee

DEPONENT

Solemnly Affirmed and
Declared before me U/S 139
CPC, (C)

Sumitra Bhattacharya
Notary

Sumitra Bhattacharyya
Notary, Govt. of W.B
Regd. No. 065 of 2022
City Civil Court. Calcutta



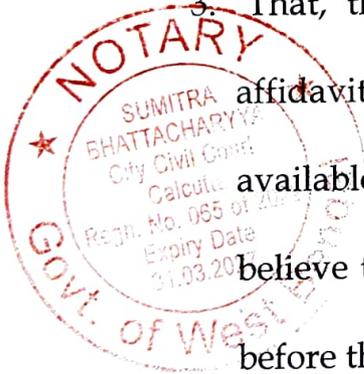
26 SEP 2025

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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.
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.



Debashis Sarkar
DEPONENT

Identified and corrected by me
Advocate *Sibjoyti Chakraborty*
WBPCB

**Status report of M/s. Shrachi Keventer Abasan Private Limited**

As submitted by the project proponent in the PARIVESH portal, the project has obtained Building Plan No. 860/990/1/KMDA signed on 19.07.2024 by South 24 Parganas Zilla Parishad for Plotted Development comprising of 2 Katha (double) (2 units), 2.25 Katha (double) (34 units), 2.5 katha (Double) (12 units), 3 katha Bungalows (76 units), 4 katha Bungalows (10 units) & 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, PS – KLC, Kolkata 743502, Dist – 24 Parganas (South), West Bengal.

As per the sanction plan, the project is being developed in five phases as given below:

- Area statement

Sanction details	Phase 1	Phase 2	Phase 3 (Club)	Phase 4	Phase 5	Total
Area of land (sqm.)	6794.82	9015.52	2891.39	7857.13	9240.14	35799
LR Dag Nos.	489(P), 496(P) & 498(P)	488(P), 489(P) & 498(P)	404(P), 488(P), 491(P), 489(P) & 490(P)	496(P), 497(P), 494(P) & 498(P)	493, 494(P), 495, 496(P), 498(P)	J.L. No.-08, P.S-KLC, P.O-Kulberia, Mouza- Chanda kanthalberia, Block - Bhangar II, PS – KLC, Kolkata 743502, Dist – 24 Parganas (South), West Bengal
Total Built-up area (sqm.)	5492.32	7747.1	1582.36	4809.48	6438.98	26070.24
Ground coverage (Permissible)	45%	45%	45%	45%	45%	45%
Permissible Ground coverage Area (sqm.)	3057.67	5249.19	1001.53	3535.7	4158.06	17002.15
Ground Coverage (Proposed)	39.21%	31.94%	38.40%	30.05%	26.87%	33.77%
Proposed Ground coverage Area (sqm.)	2664.25	3726	854.83	2361.32	2483.14	12089.54
F.A.R.(Permissible)	2.25	2.25	2.25	2.25	2.25	2.25
F.A.R. (Proposed)	0.69	0.66	0.68	0.61	0.697	0.728
Sanction Date	28.12.2022	31.03.2023	31.03.2023	10.07.2023	30.01.2024	
Sanction No.	780/910/KMDA	789/919/KMDA	788/918/KMDA	860/990/KMDA	860/990/1/KMDA	

Unit Matrix								
Sl. No.	Plot type	Unit type	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Total
1.	4K	4B+6T	8	2	0	0	0	10
2.	3K	4B+5T	20	27	0	26	3	76
3.	2.5K	3B+5T	0	12	0	0	0	12
4.	2.25K	3B+4T	0	0	0	0	34	34
5.	2K	3B+4T	0	2	0	0	0	2
Total								134

K – Kattah B – Bedroom T – Toilet



Land use statement			
Details	Values	Unit	(%)
Land Area	35799.00	Sqm.	100.00
Ground Coverage Area	12089.54	Sqm.	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	4405.79	Sqm.	12.31
Open Parking Area	48.02	Sqm.	0.13
Total	35799.00	Sqm.	100.00

The PP has received individual sanction plans for Phase 1 to Phase 5 of the project vide :

Phases	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5
Sanction No.	780/910/KMDA	789/919/KMDA	788/918/KMDA	860/990/KMDA	860/990/1/KMDA
Sanction Date	28.12.2022	31.03.2023	31.03.2023	10.07.2023	30.01.2024

The PP has applied for EC for the 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.

- According to the application 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

- 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 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 the meeting.



- The SEAC took into consideration that the PP had received separate sanction plans for the project based on which they had started the construction work. The SEAC directed the PP to immediately apply for Consent to Establish to the WBPCB for the project for the constructed phases. It may be observed that the project has started construction for phase 1, 2 and 3. The total built up area is 14821.78 sqm. which is less than the threshold limit of 20,000 sqm., the criteria for application for EC under 8(a) category – Building and Construction projects.
- It is informed by the WBPCB, that the PP has applied for Consent to Establish to WBPCB vide application no.7147108 dated 08.07.2025 for 71 no. of bungalows (G+1 storied) and club (G+2 storied) from Phase 1 to Phase 3. The built up area applied for the above was 14821.78 sqm. The application is presently auto rejected in the online system due to non-submission of documents in respect to the query raised by the WBPCB.
- The present status of construction of the project as submitted by the project proponent during presentation before SEAC, is given as follows:

PRESENT STATUS & PERCENTAGE OF COMPLETION										
Sl. No.	Phase	No. Of Units	Type	Present Status	Task / Activities wise percentage completion					
					Sub Structure work up to plinth		Super Structure work			Over all completion Status
					Footing	Tie beam	Slab	Masonry	Plastering	
1	Phase 1	28	G+1	Work in progress	100%	100%	96%	76%	52%	71%
2	Phase 2	43	G+1	Work in progress	95%	91%	85%	52%	40%	68%
3	Phase 3 (CLUB)	1	G+2	Work in progress	100%	100%	75%	0%	0%	48%
4	Phase 4	26	G+1	Not Yet Started	0%	0%	0%	0%	0%	0%
5	Phase 5	37	G+1	Not Yet Started	0%	0%	0%	0%	0%	0%
Total		134+1								

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.
- After detailed deliberation and based on the application made, documents uploaded / submitted, and the presentation made by the PP/Consultant, the SEAC made certain observations and raised queries to the project proponent which is uploaded in the PARIVESH portal.



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. Shrachi Keventer Abasan LLP referred to as the developer, while the applicant is M/s. Shrachi 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

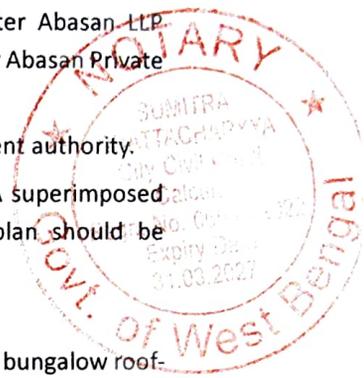
9. Exclusive plantation and open green area should not be confused. Green open area, like lawns, may be proposed in addition to the stipulated tree plantation area.
10. Top soil in the project area shall be conserved and reused on completion of construction to the maximum extent possible.
11. The plan 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.

Need based EMP

16. Revised need-based EMP as per Office Memorandum of MoEF& CC vide F. No. 22-65/2017.IA.III dated 30.09.2020 should be submitted as discussed in the meeting. 50% of the need-based EMP fund should be used for restoration of East Kolkata Wetland.



Miscellaneous



17. The PP shall install the following :-

- a) Solar smart meter for recording generation.
- b) Smart flow water meter with totalizer at inlet for fresh water, for inlet, recycle and discharge of wastewater/ treated wastewater with provision for water quality monitoring at all such points.
- c) Water quality management system based on real time data.
- d) STP with the digital data for inlet / outlet along with discharge quality.
- e) Ambient air quality monitoring station based on real time data. Anti-smog gun/ mist canon to be provided especially during the construction period.
- f) Ambient noise quality monitoring station based on real time data.
- g) Display board for display of all the environmental parameters and beneficiary of the social component of EMP.
- h) Piezometer with automatic water level meter connected to an electronic display board.

External lighting design of the club areas, street lighting, open spaces and building facade should be in compliance with relevant Codes (NBC and NLC) and should not disturb the EKW nocturnal environment in anyway.

Plan in this regard to be submitted.

18. Charging facility for e-vehicles for at least 10% should be provided. Plan in this regard to be submitted.

The SEAC recommended that the above documents may be submitted in the PARIVESH portal for further consideration of the application.

All the documents should be duly signed both by the project proponent and the environmental consultant.

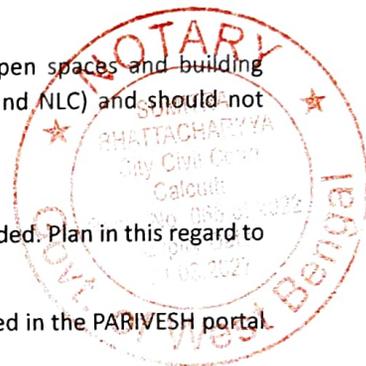
The SEAC will further consider the case on submission of satisfactory reply on the above-mentioned queries only through "PARIVESH" portal.

- Presently, the application for Environmental Clearance in the PARIVESH portal and the application for Consent to Establish in the WBOCMMS portal is lying with the project proponent for submission of additional details sought.

An inspection of the project site was conducted by the West Bengal Pollution Control Board on 02.09.2025. The report of inspection is enclosed as **Annexure – 1**. The observation and remarks / recommendation made during inspection are given below :-

Observation:

- During inspection, it was observed that superstructures for all the twenty-eight bungalows in Phase I have been completed. For Phase II thirty-nine out of forty-three nos. of bungalows have been completed up to superstructure level. Two out of rest of the four nos. of bungalows has been completed up to foundation level and construction work for the other two nos. of bungalows have not been started yet. For Phase III superstructure of the Club House has been completed.

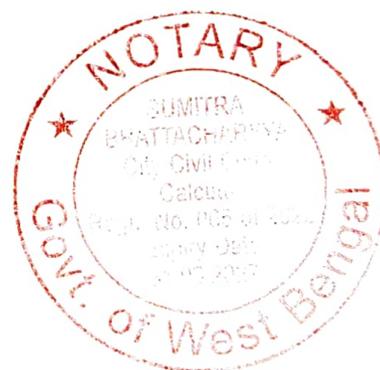




- During inspection, it was observed that the project premises is surrounded by canal along the western & southern side and bounded by agricultural/vacant land along the eastern & northern side.
- During inspection it was observed that the project is demarcated partially by boundary wall and remaining wired fencing.
- The unit has installed one no. 62.5 KVA 'Green' D.G. Set for construction phase.
- The unit had installed borewell of capacity 150 m³/day to make up water for construction phase. The unit had obtained permission from SWID for installation of borewell.
- During inspection it was observed that construction of internal roadway and ground water storage tank was going on at the project site.

Remarks:

- During inspection it was found that construction work had been confined within the Phase I, Phase II and Phase III. The combined total built-up area for the Phase I, Phase II and Phase III is 14821.78 sqm. which is well below 20000 sqm. for which 'Environmental Clearance (EC)' is not applicable as per EIA notification 2006 and its subsequent amendments.
- No construction activity w.r.t Phase IV & Phase V of the project has been started.
- Since, wastewater generation for the project from Phase I to Phase III exceeds 50 KLD, the project should obtain 'Consent-to-Establish' form the State Board (WBPCB). The construction work had been started by the project proponent without obtaining 'Consent-to-Establish' form the State Board which is a gross violation of the provision of Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended.



Annexure - 1

Inspection Report

Name & Address of the project site	Project Proponent: M/s. Srachi Keventer Abason Private Limited Project Name: Newtown Villas Project Site: J.L. No. – 08, Mouza – Chanda Kanthalberia, P.O. – Kulberia, P.S. – Kolkata Leather Complex, District – 24 Parganas (South), West Bengal, Pin Code - 743502.
Date & Time of inspection	02/09/2025 from 13:45 to 15:00 hrs.
Name of the Inspecting Officer(S)	Najimul Hosen Tarafdar, Junior Environmental Engineer, EIM Cell, WBPCB Nayan Das, Assistant Environmental Engineer, Salt Lake Regional Office (SLRO), WBPCB
Person(s) met during inspection	Mr. Rabin Pushilal, Project Manager, M/s. Srachi Keventer Abason Private Limited Mr. Sudipta Das, DGM (Projects), M/s. Srachi Keventer Abason Private Limited Mr. Sunil Maniramka, Architect, Project: Newtown Villas
Reason of inspection	The inspection has been conducted to see the present status of construction.

Description of the project: The project had obtained 'Sanction Building Plan' from South 24 Parganas Zilla Parishad in phases as given below:

(1) Phase I Vide Building Plan No. – 780/910/KMDA dated 28/12/2022 for plotted development (Phase I) comprising of 3 Katha Bungalows (20 Units) & 4 Katha Bungalows (8 Units) at L.R. Dag Nos.- 489(P), 496(P) & 498(P), J.L. No. – 08, Mouza – Chanda Kanthalberia, P.O. – Kulberia, P.S. – Kolkata Leather Complex, District – 24 Parganas (South), West Bengal, Pin Code - 743502.

(2) Vide Building Plan No. – 789/919/KMDA dated 31/03/2023 for plotted development (Phase II as expansion) comprising of 2 Katha (Double) Bungalows (2 Units), 2.5 Katha (Double) Bungalows (12 Units), 3 Katha Bungalows (27 Units) & 4 Katha Bungalows (2 Units) at L.R. Dag Nos.- 489(P), 496(P) & 498(P), J.L. No. – 08, Mouza – Chanda Kanthalberia, P.O. – Kulberia, P.S. – Kolkata Leather Complex, District – 24 Parganas (South), West Bengal, Pin Code – 743502.



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(3) Vide Building Plan No. - 788/918/KMDA dated 31/03/2023 for Club & Commercial Development (Phase III as expansion) at L.R. Dag Nos - 404(P), 488(P), 491(P), 489(P) & 490(P), J.L. No. - 08, Mouza - Chanda Kanthalberia, P.O. - Kulberia, P.S. - Kolkata Leather Complex, District - 24 Parganas (South), West Bengal, Pin Code - 743502.

The combined total built-up area for Phase I, Phase II & Phase III as per the sanction plans is 14821.78 sqm. and combined total land area for Phase I, Phase II & Phase III for the project is 18701.73 sqm.

(4) Vide Building Plan No. - 860/990/KMDA dated 10/07/2023 (Phase IV as expansion) at L.R. Dag Nos - 494(P), 496(P), 497(P) & 498(P), J.L. No. - 08, Mouza - Chanda Kanthalberia, P.O. - Kulberia, P.S. - Kolkata Leather Complex, District - 24 Parganas (South), West Bengal, Pin Code - 743502. Total built-up area for Phase IV is 4809.48 sqm. on land area 7857.13 sqm.

And

(5) Vide Building Plan No. - 860/990/1/KMDA dated 30/01/2024 (Phase V as expansion) at L.R. Dag Nos - 494(P), 495(P), 496(P) & 498(P), J.L. No. - 08, Mouza - Chanda Kanthalberia, P.O. - Kulberia, P.S. - Kolkata Leather Complex, District - 24 Parganas (South), West Bengal, Pin Code - 743502. Total built-up area for Phase IV is 9240.14 sqm. on land area 6438.98 sqm.

Representative of the project informed that the project had also obtained combined sanction building plan from South 24 Parganas Zilla Parishad for all five phases (Phase I to Phase V) vide Building Plan No. - 860/990/1 KMDA dated 19/07/2024. The combined total built-up area is 26070.24 sqm. and total land area is 35799.00 sqm.

As per available record the project proponent had applied for 'Consent-to-Establish' vide application No. 7147108 dated 08/07/2025 for construction of 71 nos. of bungalows (Phase I to Phase III) with total built-up area 14821.78 sqm. Some queries have been raised by the concerned WBPCB official for processing the afore-mentioned application but till the date no satisfactory reply has been made by the project proponent due to which the afore-mentioned application has been auto rejected.

It has been learnt from the representative of the project that the project proponent has applied for 'Environmenta Clearance (EC)' to SEIAA, West Bengal on 'Parvesh Portal' vide Proposal No. SIA/WB/INFRA2/535611/2025 dated 02/07/2025 for plotted development comprising of bungalows and club for entire project (Phase I to Phase V) since total built-up area exceeds 20000 sqm. due to inclusion of Phase IV & Phase V in the project.



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Observation:

- During inspection, it was observed that superstructures for all the twenty-eight bungalows in Phase I have been completed. For Phase II thirty-nine out of forty-three nos. of bungalows have been completed up to superstructure level. Two out of rest of the four nos. of bungalows has been completed up to foundation level and construction work for the other two nos. of bungalows have not been started yet. For Phase III superstructure of the Club House has been completed.
- During inspection, it was observed that the project premises is surrounded by canal along the western & southern side and bounded by agricultural/vacant land along the eastern & northern side.
- During inspection it was observed that the project is demarcated partially by boundary wall and remaining wired fencing.
- The unit has installed one no. 62.5 KVA 'Green' D.G. Set for construction phase.
- The unit had installed borewell of capacity 150 m³/day to make up water for construction phase. The unit had obtained permission from SWID for installation of borewell.
- During inspection it was observed that construction of internal roadway and ground water storage tank was going on at the project site.

Remarks:

- During inspection it was found that construction work had been confined within the Phase I, Phase II and Phase III. The combined total built-up area for the Phase I, Phase II and Phase III is 14821.78 sqm. which is well below 20000 sqm. for which 'Environmental Clearance (EC)' is not applicable as per EIA notification 2006 and its subsequent amendments.
- No construction activity w.r.t Phase IV & Phase V of the project has been started.
- Since, wastewater generation for the project from Phase I to Phase III exceeds 50 KLD, the project should obtain 'Consent-to-Establish' form the State Board (WBPCB). The construction work had been started by the project proponent without obtaining 'Consent-to-Establish' form the State Board which is a gross violation of the provision of Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended.
- Photographs taken during inspection are attached herewith.

Signature
09/09/2025

NAJIMUL HOSEN TARAFDAR

Junior Environmental Engineer, EIM Cell, WBPCB

Signature
09/09/2025

NAYAN DAS

Assistant Environmental Engineer, SLRO, WBPCB

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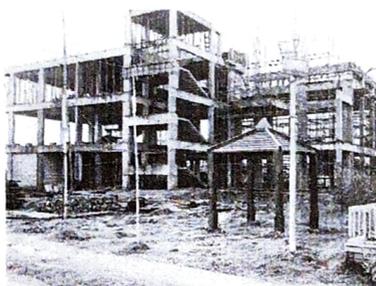
Photographs Taken During Inspection



Entrance to the Project Site



Construction Status of Phase I



Construction Status of Phase III



Construction Status of Internal Roadway



Construction Status of Phase II



Boundary Wall for the project

W. Tang
09/09/25

W. Tang
09/09/25



X

**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.**

**SIBOJYOTI CHAKRABORTI
ADVOCATE
HIGH COURT AT CALCUTTA**

