

SL. No. 14/25

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BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOKATA.

Original Application No.16 of 2025/EZ

IN THE MATTER OF:

Sumita Banerjee & Ors

.....Applicant

-VS-

State of West Bengal & Ors

.....Respondent

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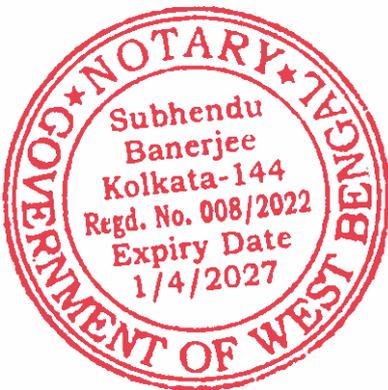
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*Paushali Banerjee*  
PAUSHALI BANERJEE

ADVOCATE

7A, KIRON SHANKAR ROY ROAD,

KOLKATA-700001



26 AUG 2025

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**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOKATA.**

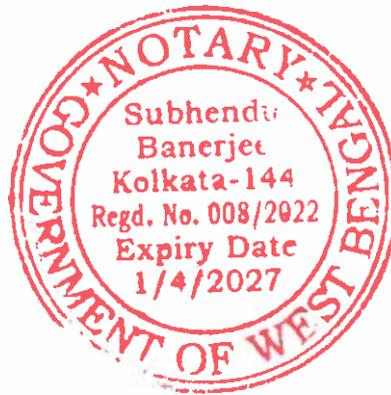
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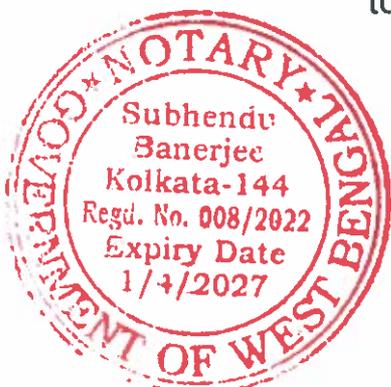
.....Respondent

**AFFIDAVIT OF COMPLIANCE ON BEHALF OF KOLKATA  
METROPOLITAN DEVELOPMENT AUTHORITY.**

I, Dipto Roy Chowdhury, son of Late J.P Roy Chowdhury, aged about 44 years, by occupation service, work for gain as Executive Engineer, Kolkata Metropolitan Development Authority, having office at Unnayan Bhavan, Block-DJ, Sector- II, Salt Lake City, Kolkata- 700091, do hereby solemnly affirm and state as under:-

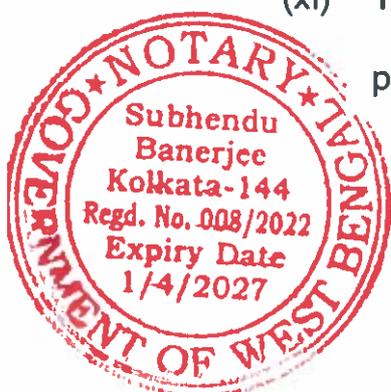
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1. That I am the Executive Engineer, Kolkata Metropolitan Development Authority. I am well acquainted with the facts and circumstances of the case and I have been duly authorized to affirm this affidavit on behalf of the Kolkata Metropolitan Development Authority.
2. I submit that the answering respondent have complied with the orders of this Hon'ble Tribunal arising out of different matters before this Hon'ble Tribunal.
3. I submit that I have complied with the various recommendations of the EIA Report which are as follows:
  - (i) Afforestation programs are conducted by various organisations are permitted throughout the year, especially during monsoons. Zonal demarcation for different species of plants like Karanja, Mangrove, fruits etc. have been done and plantation programs are planned like wise.
  - (ii) Urban forestry programs like Miyawaki Forest has been set up at an area of about 800 Sq.Metres located in between Art Gallery (Maa Phire Elo) and Gate No. 3
  - (iii) Manual desiltation of the peripheral areas of the main waterbody is done yearly to maintain adequate depth
  - (iv) All floating materials are regularly removed from the water to reduce the quantum of pollution





- (v) Movement of petrol / diesel operated vehicles inside Rabindra Sarobar is strictly prohibited
- (vi) Garbage generated from various sources is disposed of at regular intervals beyond the Rabindra Sarobar premises
- (vii) Usage of Plastic commodities has been banned inside Rabindra Sarobar. Entry of vendors has also been prohibited to prevent the selling of plastic packet items
- (viii) Usage of the water from the main waterbody is prohibited for bathing, washing etc
- (ix) The original Maa Phire Elo (Art Gallery) is situated at a distance of around 65 metres from the periphery of the main waterbody.
- (x) The location for the proposed extension was chosen at the area adjacent to the original one, where residential units for erstwhile KIT staffs were present till 2022. The superstructure of the buildings had been demolished and the foundations remained underground. The distance of the proposed location that is the extension of the Art Gallery from the periphery of the waterbody is about 70-75 metres.
- (xi) The location was not an open area before the work was planned and taken up. As mentioned in the earlier Affidavit



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of the answering respondent, it had residential units previously occupied by KIT Staff hutments which were demolished 2 years ago and the residents were relocated to a separate location outside Rabindra Sarobar considering the environmental aspects of the region. The plot in question at Rabindra Sarobar where the Applicant has alleged construction is being done was lying in abandoned condition for the past 2 years. As the present Art gallery (Maa Phire Elo) is adjacent to the said space. The place was extended to accommodate award winning idols.

- (xii) The layout of the proposed extension had been planned in a way so that no major trees/plants are required to be cut or trimmed. The ground level vegetation outgrowth/ weeds were only cleared during the work.
- (xiii) There is no connection between the proposed drainage network of the location and the main waterbody. Hence, there is no chance of water pollution from the worksite.
- (xiv) The use of concrete at the foundation level was done to strengthen the pre -existing foundation which did not have adequate capacity to sustain the load of the superstructure. The

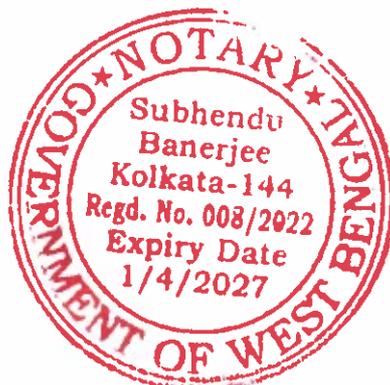


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superstructure was proposed to be detachable type and not a permanent structure.

- (xv) I say that the staff hutments were brick constructions, the walls of which were demolished but the foundation remained. The strengthening of the foundation was done to sustain the load proposed superstructure comprising of RS joists and cement boards with polycarbonate sheet to be used as roofing material. The entire proposed super structure can be assembled and/or unassembled easily within a short period of time if required. Therefore this proposed renovation shall in no way affect the greenery or ecological balance of the vicinity.

4. I submit that no case has been made out in the said Application therefore the relief claimed in the said Application may not be allowed.





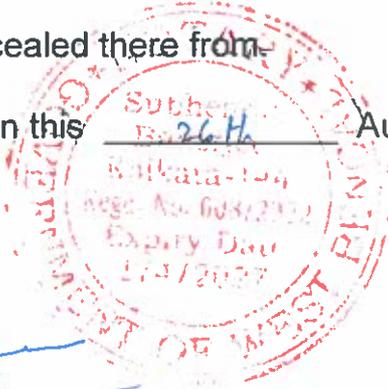
### VERIFICATION

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 26th August, 2025 .

Identified by me

*Panchi Singh*  
*Sd/-*



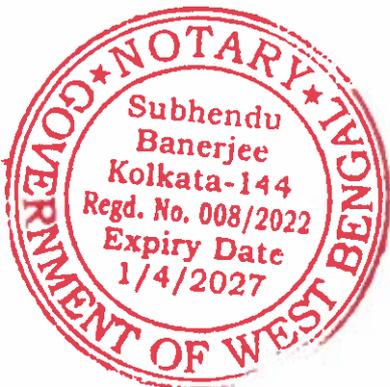
*Dipto Roy Chowdhury*  
Executive Engineer  
BPPD-I/E & AM Sector  
KMDA  
**DEPONENT**

Solemnly Affirmed and  
Declared before me u/s  
139 CPC and u/s 333BNSS 2023

*Banerjee*  
Notary  
Govt. of West Bengal

*26.08.2025*

SUBHENDU BANERJEE  
Notary, Govt. of W.B  
Regd. No. 008/2022  
Advocate High Court, Calcutta



26 AUG 2025