

Before the Hon'ble National Green Tribunal, Eastern Zone
Bench at Kolkata

MEMORANDUM OF APPLICATION

[Under Section 18(1) read with sections 14 & 15 and under
Section 18 (2) of the National Green Tribunal Act, 2010]

Original Application No.¹¹ /2026/EZ

Ankur Sharma

..... Applicant

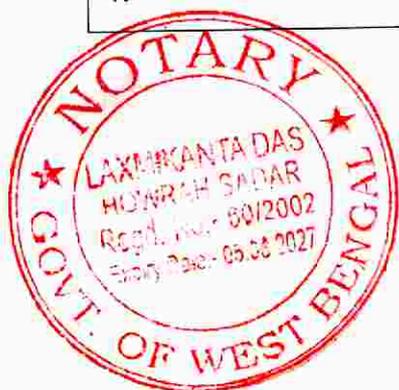
-Versus-

The State of West Bengal & Ors.

..... Respondents

Compilation – I

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Ankur Sharma

Ankur Sharma

(Applicant-in-person)

Mobile No. 9433883322

E-mail: adv.ankursharma9@gmail.com

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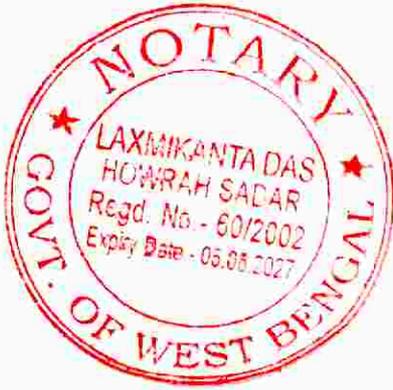
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.....Respondents

Compilation – II



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[Under Section 18(1) read with sections 14 & 15 and under
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Original Application No. /2026/EZ

IN THE MATTER OF :

Ankur Sharma son of Shri
Ambooj Sharma, resident of
13/3, Dr. P. K. Banerjee Road,
P.O., P.S. & District – Howrah,
West Bengal, PIN – 711101.

.....Applicant

-VERSUS -

1. The State of West Bengal
represented by the Chief
Secretary, Government of
West Bengal having office at
NABANNA (13th Floor), 325,
Sarat Chatterjee Road,
Shibpur, Howrah - 711102.
Email : cs-westbengal@nic.in

2. Ministry of Environment,
Forest and Climate Change,
Government of India through
its Secretary having office at



Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi -
110003. Email : secy-
moef@nic.in

3. Central Pollution Control
Board through by its Member
Secretary having office at
PARIVESH BHAWAN, East
Arjun Nagar, Delhi - 110032.

Email : mscb.cpcb@nic.in

4. The Additional Chief
Secretary, Department of
Environment, Government of
West Bengal having office at
PRANISAMPAD BHAWAN,
Block (5th floor), LB-II, Salt
Lake, Sector-III, Bidhannagar,
Kolkata – 700 106.

Email : acsenvwb@gmail.com

5. State Environment Impact
Assessment Authority, West
Bengal through its Member
Secretary having office at
PRANISAMPAD BHAWAN,
Block (5th floor), LB-II, Salt
Lake, Sector-III, Bidhannagar,



Kolkata - 700 106. Email :
environmentwb@gmail.com

6. State Expert Appraisal Committee, West Bengal represented by its Secretary having office at PARIBESH BHAVAN, 10A, Block - L.A., Sector - III, Salt Lake City, Kolkata - 700 106. Email :
ms.wbpcb-wb@bangla.gov.in

7. West Bengal Pollution Control Board represented by its Member Secretary having office at PARIBESH BHAVAN, 10A, Block - L.A., Sector - III, Salt Lake City, Kolkata - 700 106. Email :
ms.wbpcb-wb@bangla.gov.in

8. State Water Investigation Directorate, West Bengal through its Director having office at Nirman Bhavan, DF Block, Sector-I, Bidhannagar, West Bengal, PIN - 700091. Email :
directorswid@gmail.com

9. The District Magistrate, North 24 Parganas having



office at New Administrative Building, Barasat, Kolkata – 700124.

Email : dm-bar-wb@nic.in

10. WBCS Executive Officers' OITIKA Welfare Society a Society registered under West Bengal Societies Registration Act, 1961 service through its Secretary having its office at Flat-B4, Plot No. DB/216, SAJUJYA Co-Opt. Housing Society, New Town Action Area-1, North 24 Parganas, PIN - 700156. Email : oitika.project@gmail.com

.....Respondents

TO

THE HON'BLE CHAIRMAN AND HIS COMPANION MEMBERS OF THE NATIONAL GREEN TRIBUNAL.

Synopsis

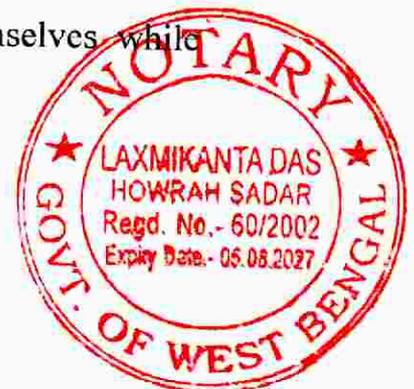
HUMBLE APPLICATION SUBMITTED BY THE APPLICANT ABOVE NAMED

The Applicant is an Advocate by profession and has been working, amongst others, for protection of environment and water bodies in the state of West Bengal.



The instant Application has been filed by the Applicant against the construction of a massive housing complex without obtaining prior Environmental Clearance (EC) from the SEIAA, West Bengal in the name of 'Oitika' having a total built-up area of 51985 sq. m. (approx.) at premises no. 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society in gross violation of environmental norms and laws causing gross pollution.

What renders this case gravely disturbing is that the project proponent is not an ordinary private developer but WBCS Executive Officers' OITIKA Welfare Society which is comprised of serving and former officers of the West Bengal Civil Service (WBCS) and the Indian Administrative Service (IAS). Individuals who are duty bound to enforce laws have, instead, chosen to violate laws thereby setting a dangerous precedent that the law applies only to the public and not to those entrusted with governance. When civil servants themselves flout mandatory statutory safeguards rule of law collapses and compliance becomes optional for the rest of society. A project conceived, promoted and controlled by civil servants meant primarily for civil servants is being executed in open defiance of the very environmental laws those same officers are duty bound to administer and enforce. This is not just an illegality but a dangerous institutional precedent that those who wield regulatory power can treat compliance as optional for themselves while imposing it rigidly on ordinary citizens.



When public servants who are supposed to be the face of the Constitution and custodians of the public trust, organise themselves into a welfare society to build an exclusive housing project and then proceed without prior Environmental Clearance (EC) it sends a chilling message that official position can be converted into a shield against the rule of law. The spectacle of serving and retired WBCS/IAS officers appearing on the side of a violation project erodes public confidence in environmental governance and teaches the public the worst possible lesson that the law bends when its custodians become its violators.

The Applicant had lodged multiple complaints before the Respondent Authorities enclosing photographs and details of ongoing construction. Yet, no action was taken not even issuance of a stop work direction indicating either a complete breakdown of environmental governance or an alarming level of institutional complicity. The inaction of regulatory authorities gains a more concerning dimension when the violators themselves are part of the state machinery.

The Applicant places on record that proceeding against a body composed of serving and retired civil servants exposes him to personal risk of professional and administrative retaliation merely for approaching this Hon'ble Tribunal.

Having no other efficacious remedy and finding no response from the authorities, the Applicant has been compelled to invoke the jurisdiction of this Hon'ble Tribunal seeking urgent intervention, including stoppage of all construction, demolition of illegal structures, prosecution of those responsible, and



imposition of exemplary environmental compensation to uphold the majesty of the law.

List of Dates

February, 2025	Construction work at the project site commenced as per satellite images.
02/07/2025	The Applicant lodged a complaint vide email to : (i) The Member Secretary, State Environment Impact Assessment Authority, (SEIAA), West Bengal ; (ii) The Chairman, West Bengal Pollution Control Board ; (iii) The Member Secretary, West Bengal Pollution Control Board (iv) The Secretary, Ministry of Environment, Forest and Climate Change, Government of India (v) The Chief Secretary, Government of West Bengal (vi) The Member Secretary, Central Pollution Control Board (vii) The Principal Secretary, Urban Development and Municipal Affairs Department, Government of West Bengal
07/07/2025	The Applicant made an Application under section 6 of the Right to Information Act, 2005 with the SPIO, State Environment Impact Assessment Authority, (SEIAA), West Bengal.
14/07/2025	The Ministry of Environment, Forest and Climate



	Change, Government of India through its Impact Assessment Division issued a letter dated 14.07.2025 merely forwarding the Applicant's public grievance email dated 02.07.2025 to SEIAA, West Bengal and the West Bengal Pollution Control Board.
25/07/2025	The SPIO, Department of Environment, Govt. of West Bengal through RTI reply informed that SEIAA, West Bengal has not granted Environmental Clearance to Oitika project.
13/08/2025	The Applicant filed an Appeal in connection with the RTI Application.
28/08/2025	The RTI Appeal of the Applicant was disposed of.
29/08/2025	The Applicant lodged a formal objection against SEAC, West Bengal's act of taking the proposal for grant of EC for the subject project.
09/10/2025	The Applicant received a letter dated 09.10.2025 issued by Dr. Bhardwaj Adiraju, Joint Director (Scientist 'D'), Ministry of Environment, Forest and Climate Change (IA-Compliance & Monitoring Division), Govt. of India in reference to the Applicant's detailed complaint submitted vide email dated 02.07.2025.
01/11/2025	The Applicant visited the subject site and found that construction activities are still continuing.
11/11/2025	The Applicant lodged a complaint with the Chief Secretary, Govt. of West Bengal against the ongoing illegal construction of Oitika project.



FACTS IN BRIEF

MOST RESPECTFULLY SHEWETH :

1. That the Applicant is an Advocate by profession. The Applicant is working, amongst others, for protection of the environment and water bodies and protection of the right to a clean environment for every citizen guaranteed under Article 21 of the Constitution of India, 1950 and in discharge of his duty under Article 51A he raised his voice in past against many other illegalities throughout State of West Bengal, particularly against air pollution, filling of water bodies, pollution by fish markets, conversion of the cities into concrete jungles, pollution of river Hooghly, devastation of East Kolkata Wetlands, pollution by crematoriums, housing scam etc. The Applicant is filing the instant application under Section 14 and 15 read with section 18 of the National Green Tribunal Act, 2010.

2. That the Respondent No. 1 being the Chief Secretary, is the administrative head of all State Respondents and is responsible for ensuring enforcement of environmental laws across the State. The Respondent No. 2, Ministry of Environment, Forest and Climate Change is the authority that issued the EIA Notification, 2006 mandating prior Environmental Clearance (EC) for specific categories of projects. The Respondent No. 3 i.e. Central Pollution Control Board) is provides guidance to State Pollution Control Boards and to ensure compliance with environmental standards nationwide. Both Respondent Nos. 2 and 3 have been impleaded to enable their participation in any joint committee



that may be constituted by this Hon'ble Tribunal for site inspection and factual verification so as to ensure transparency, objectivity, and avoidance of any institutional bias since the flouters of environmental norms and laws in the present Applicants are occupying high places in the Government of West Bengal. The Respondent No. 4 is the administrative head of the Department of Environment, Govt. of West Bengal and responsible for policy formulation, coordination, and overall supervision of environmental governance and regulatory authorities within the State of West Bengal. The Respondent no. 5 and 6 i.e. SEIAA and SEAC, West Bengal are responsible for scrutiny of proposals and issuance or refusal of prior Environmental Clearance. The Respondent No. 7 (WBPCB) is the statutory regulatory authority for enforcement of the Water Act, 1974, the Air Act, 1981, and the Environment (Protection) Act, 1986. The Respondent No. 8 issues groundwater extraction permissions and monitors depletion levels, The Respondent No. 9 is the head of district administration and responsible for field level action, and the Respondent No. 10 is the project proponents responsible for the impugned illegal construction.

3. That the present Application is necessitated due to gross environmental damage and ecological disruption caused by the ongoing construction of a massive housing complex named as "Oitika" at premises no. 44-0676, Plot No. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN – 700136 by WBCS Executive Officers' OITIKA Welfare Society (hereinafter for the sake of brevity referred to as



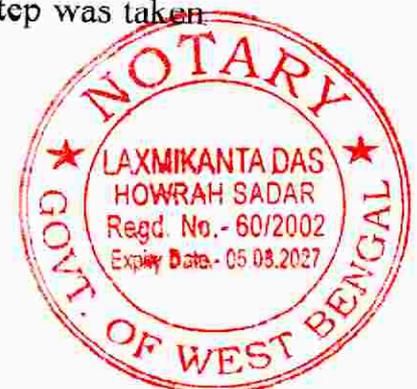
as the 'said project') which is being carried out without prior Environmental Clearance (EC) from SEIAA, West Bengal, without Consent to Establish/Operate from the West Bengal Pollution Control Board and causing gross pollution. The said project falls squarely under Category 8(a) of the EIA Notification, 2006 and any site development, excavation, ground preparation, or construction work cannot be done without prior Environmental Clearance (EC). Any act in defiance of this requirement renders the project illegal ab initio and liable for appropriate actions/directions including imposition of environmental compensation.

4. That the Respondent No. 10 being the owner, developer, and executor of the said project is raising six nos. of G+12 multi-storeyed buildings despite the admitted absence of mandatory prior Environmental Clearance (EC) in brazen violation of the Environment (Protection) Act, 1986 and the EIA Notification, 2006. The Respondent no. 10 has not obtained even Consent to Establish from the West Bengal Pollution Control Board thereby stripping the project of any legal foundation to operate. Satellite imagery reveals that a canal/water channel passing through the project site has been filled up for construction of the said project indicating ecological destruction and obstruction of natural drainage which is prohibited under environmental and municipal laws and constitutes a punishable violation attracting liability for restoration and compensation.

Satellite images of the project site are annexed hereto and collectively marked by the letter and figure 'P-1'.



5. That the ecology and environmental integrity of the area is being irreversibly damaged due to the unchecked construction of the said housing complex without any environmental impact assessment. Uncovered piles of sand, cement, aggregates, construction debris, and dust generating material lie scattered both within and outside the project site. No dust suppression measures, no barricading, and no protective screen covers have been installed leading to unabated pollution and severe nuisance to living being of the impugned area and passersby. It has further been gathered from the locale that groundwater is being extracted through illegal borewells without permission, exacerbating depletion and violating groundwater protection norms. These actions demonstrate reckless disregard for public health, environmental safeguards, and statutory mandates.
6. That the Applicant lodged a detailed complaint vide email dated 02.07.2025 addressed to (i) the Member Secretary, SEIAA, West Bengal, (ii) the Chairman, West Bengal Pollution Control Board, (iii) the Member Secretary, West Bengal Pollution Control Board, and other authorities requesting immediate intervention including (a) an on-site inspection, (b) stoppage of all construction activities, (c) initiation of action under the Environment (Protection) Act, 1986, and (d) imposition of exemplary environmental compensation upon the violators. However, despite the urgency of the matter no response or remedial step was taken by the authorities.



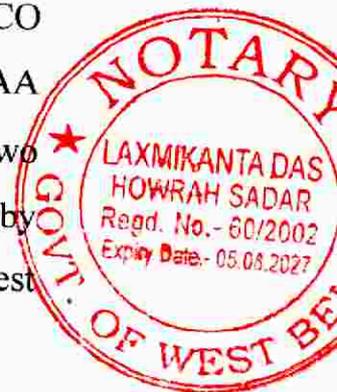
A photocopy of the said email is annexed hereto and marked as Annexure P-2.

7. That on 07.07.2025 the Applicant filed an RTI Application under Section 6 of the Right to Information Act, 2005 before the SPIO, SEIAA, West Bengal seeking (i) copies of action-taken reports, (ii) inspection reports, (iii) total built-up area of the subject project, (iv) copy of any application for grant of Environmental Clearance (EC) submitted by the project proponent and (v) copy of any stop-work notice issued against the subject project.

A photocopy of the RTI Application is annexed hereto and marked as Annexure P-3.

8. That upon finding no response of the SPIO, SEIAA, West Bengal the Applicant filed an appeal dated 13.08.2025 before the Appellate Authority under RTI Act, 2005 and Senior Special Secretary, Department of Environment, Govt. of West Bengal. However, the Appellate Authority in connivance with the SPIO, SEIAA, West Bengal informed that the reply to the RTI Application has already been sent to the Applicant vide memo no. EN/1484/RTI/13/2024 dated 25.07.2025 and enclosed a copy of the said reply without its enclosure.

It is stated by the SPIO, SEIAA, West Bengal in the said reply dated 25.07.2025 that "With regard to your 2 RTI application dated 08.07.2025 regarding 'WBHIDCO Affordable Housing' and 'Oitika, it is informed that SEIAA has not granted Environmental Clearance to any of this two projects. Complaints in both the cases were forwarded by SEIAA to WBPCB for necessary action" Thus, SEIAA, West



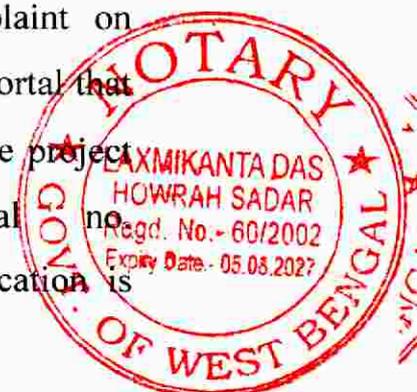
Bengal confirmed that no EC has been granted. The reply also canvassed that (i) no action has been taken by SEIAA, West Bengal, (ii) no inspection was conducted by SEIAA, West Bengal and that no stop work notice has been issued against the subject project.

A copy of the RTI Appeal and reply are annexed herewith and collectively marked as Annexure P-4.

9. That the Ministry of Environment, Forest and Climate Change, Government of India through its Impact Assessment Division issued a letter dated 14.07.2025 merely forwarding the Applicant's public grievance email dated 02.07.2025 to SEIAA, West Bengal and the West Bengal Pollution Control Board despite the complaint specifically alleging execution of the project without prior Environmental Clearance and in violation of the EIA Notification, 2006. The Ministry undertook no independent examination or verification of the allegations and acted only as a forwarding authority. Such mechanical disposal of a serious environmental grievance reflects non-application of mind and abdication of statutory oversight, rendering the grievance redressal process illusory and ineffective.

A photocopy of the said letter is annexed hereto and marked as Annexure P-5.

10. That the Applicant after lodging his first complaint on 02.07.2025 found from the website of PARIVESH Portal that an application for grant of EC has been made by the project proponent on 29.02.2024 being proposal no. SIA/WB/INFRA2/448547/2023 and the said Application is



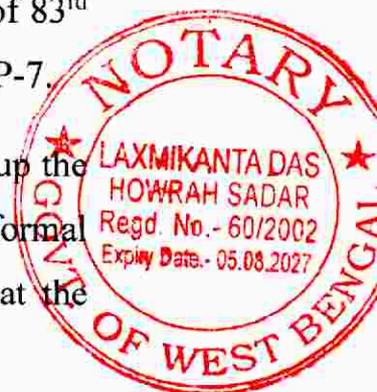
pending. It is further gathered from the said application that the total built-up area of the subject project is 51985 sq. m. It was also gathered by the Applicant from satellite imagery that the constructed work of the project commenced from February, 2025 i.e. after the application for grant of Environmental Clearance was made.

A screenshot of PARIVESH portal showing pendency of the EC Application is annexed herewith and marked as Annexure P-6.

11. That it is deeply alarming that SEAC, West Bengal, despite being in receipt of documented evidence of EIA violations from the Applicant proceeded to appraise the project in its 83rd Meeting held on 27.08.2025 and merely advised the project proponent to upload certain documents on the PARIVESH Portal without ordering stoppage of work, without recording violation status and without rejecting the proposal. Such conduct reflects a disturbing departure from statutory duties creating a perception that regulatory oversight has been reduced to a procedural formality instead of being an instrument of environmental protection. The approach effectively incentivises violation first and compliance later contrary to the principle of prior environmental clearance under the EIA Notification, 2006.

Photocopies of the relevant portions of the minutes of 83rd meeting are annexed herewith and marked as Annexure P-7.

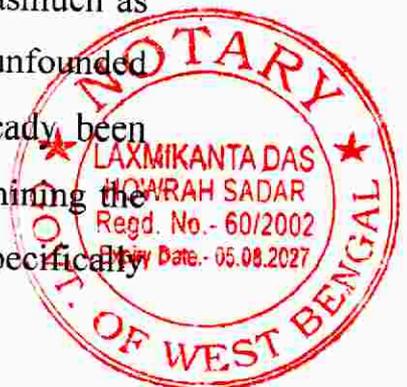
12. That upon learning that SEAC, West Bengal had taken up the proposal for consideration the Applicant lodged a formal objection vide email dated 29.08.2025 pointing out that the



project proponent had misleadingly projected the construction as “Residential Complex by Housing Department, Government of West Bengal” and had applied under the category of “Fresh EC” despite the project being a violation project already under construction. The Applicant specifically pointed out in its email that ex post facto EC is impermissible in law in light of the judgment of the Hon’ble Supreme Court in Vanashakti vs. Union of India, W.P. (C) No. 1394 of 2023 wherein issuance of post-facto clearances was categorically prohibited. Accordingly, the Applicant demanded rejection of the application and immediate regulatory action.

A copy of the email dated 29.08.2025 is annexed hereto and marked as Annexure P-8.

13. That the Applicant was shocked and aggrieved to receive a letter dated 09.10.2025 issued by Dr. Bhardwaj Adiraju, Joint Director (Scientist ‘D’), Ministry of Environment, Forest and Climate Change (IA-Compliance & Monitoring Division), Govt. of India in reference to the Applicant’s detailed complaint submitted vide email dated 02.07.2025, wherein it was stated, inter alia, that since Environmental Clearance (EC) had been accorded by SEIAA, West Bengal, the grievance raised by the Applicant ought to be examined by the said Authority. The said communication clearly demonstrates complete non-application of mind, inasmuch as the Joint Director proceeded on an erroneous and unfounded assumption that Environmental Clearance had already been granted to the project without even reading or examining the contents of the Applicant’s complaint, which specifically



alleged that the project was being executed without any prior Environmental Clearance and in blatant violation of the EIA Notification, 2006.

A photocopy of the said letter is annexed hereto and marked as Annexure P-9.

14. That such mechanical forwarding of a citizen's complaint, based on an incorrect factual premise, amounts to abdication of statutory responsibility and reflects the casual, opaque and dismissive manner in which public environmental complaints are being dealt with by officials of the MoEF&CC, thereby frustrating the very object of environmental governance and public participation mandated under environmental law.

15. That during the Applicant's visit to the site on 01/11/2025 the illegal construction activities were found to be still in progress. Cement, sand, aggregates, and building materials lay openly at the site and outside the site without covers, dust suppression, barricading, or any pollution control mechanism. These activities were being carried out despite the absence of prior Environmental Clearance making each act of construction an ongoing statutory offence. This on site state of affairs establishes unequivocally that the violations are continuing, conscious, and deliberate.

Photographs of the site as captured on 01.11.2025 are annexed hereto as Annexure P-10.

16. That thereafter, the Applicant addressed a detailed complaint dated 11.11.2025 to the Chief Secretary, Government of West Bengal, referring to his earlier complaints dated 02.07.2025



and 29.08.2025 bringing to notice the continued and deliberate violation of the EIA Notification, 2006 by the "Oitika" project undertaken by WBCS Executive Officers' OITIKA Welfare Society. The Applicant specifically pointed out that despite submission of photographic evidence and pendency of the Environmental Clearance application (Proposal No. SIA/WB/INFRA2/448547/2023), construction activities were still being carried on unabated. The complaint highlighted that such defiance indicates either a complete erosion of regulatory authority of SEIAA, West Bengal and WBPCB, or the existence of institutional collusion and complicity between regulators and violators, particularly where the project proponents are themselves members of the civil services. The Applicant further brought to the notice of the Chief Secretary that continuation of construction without prior Environmental Clearance constitutes a blatant violation of law and runs contrary to the binding judgment of the Hon'ble Supreme Court in Vanashakti vs. Union of India (W.P.(C) No. 1394 of 2023), which prohibits ex post facto Environmental Clearances. The Applicant also requested constitution of an independent inquiry into the conduct of SEIAA, SEAC and WBPCB. Despite such grave disclosures being placed at the highest administrative level, no effective corrective or coercive action followed, thereby reinforcing the perception of a complete breakdown of environmental governance in the State.

A copy of the said complaint dated 11.11.2025 is annexed hereto and marked as Annexure P-11.



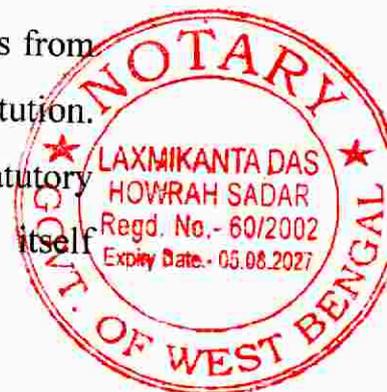
17. That the present case is a classic example of a systemic breakdown of environmental governance in the State of West Bengal. Despite continuous construction without prior Environmental Clearance (EC), without Consent to Establish/Operate, and despite multiple written complaints supported by photographs and evidence of active site work, not a single effective regulatory action such as issuance of a stop work notice, sealing order, or prosecution under the Environment (Protection) Act, 1986 has been initiated by the Respondent Authorities.
18. This sustained inaction reflects not mere administrative delay but a functional paralysis of the regulatory framework where statutory bodies entrusted with enforcement have failed to discharge mandatory duties. When violations are rewarded with procedural indulgence and environmental law is treated as a negotiable formality compliance becomes voluntary and illegality becomes a viable operating model. The situation erodes public trust in state institutions and sends a dangerous message that the rule of law is selectively enforceable, particularly when violators are linked to official networks.
19. This Hon'ble Tribunal's intervention is therefore necessary not only for environmental protection but also for the restoration of the credibility of the regulatory architecture that has collapsed in the present matter.
20. The situation reflects a complete breakdown of environmental governance in West Bengal. It is not only a matter of dereliction of duty, it reeks of institutional complicity and abuse of office. When those entrusted with enforcing



environmental laws deliberately choose to shield offenders, the credibility of the regulatory framework collapses entirely. It is now an open secret that West Bengal is the only state where government officers themselves are engaged in illegal construction activities while holding high moral ground as “civil servants.” The State has the rarest feather of having a part-time Environment Minister, a part-time Environment Secretary, and a part-time Member Secretary of WBPCB together and the results are visible vis-à-vis rampant destruction of the environment and unchecked violations under the very nose of the authorities. However, the appointment of such part time Minister, part-time Environment Secretary, and a part-time Member Secretary of WBPCB is not subject matter of the present Application.

21. That the Applicant being a young socially conscious citizen of the country is compelled to bring the matter before this Hon’ble Tribunal despite facing a genuine and reasonable apprehension of retaliation, harassment or indirect victimisation. The project proponent comprises serving and retired officers of the WBCS and IAS cadre, therefore, initiating proceedings against them exposes the Applicant to professional, administrative, and personal disadvantage.

22. The Applicant submits that environmental activism cannot become a liability, and the right to approach judicial and quasi-judicial bodies for environmental protection flows from Articles 14, 19(1)(a), 21 and 51A(g) of the Constitution. When citizens fear consequences for exposing statutory violations by those in authority, the justice system itself



comes under threat. The Applicant therefore places this apprehension on record that he may be subjected to coercive, prejudicial, or adverse action in consequence of filing the present Application.

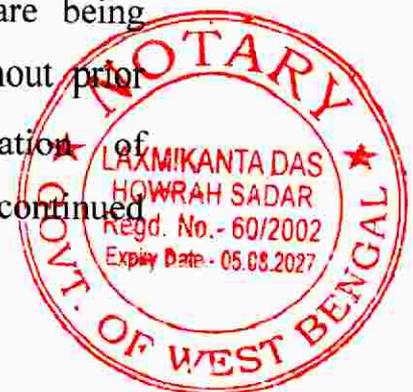
23. That the Hon'ble Supreme Court has repeatedly held that construction without prior environmental clearance is illegal and upheld imposition of heavy compensation.
24. That despite repeated complaints by the Applicant the construction activities continued unabated. This demonstrates that the project proponents being serving and retired civil servants have treated statutory requirements under the EIA Notification, 2006 with complete disregard and have shown an open disregard vis-à-vis a thumb to the rule of law in a manner that reflects a belief that accountability does not extend to them. This continuing defiance conveys a disturbing message that violations can continue with impunity and reveals a functional collapse of regulatory enforcement. The situation undermines the authority of statutory bodies tasked with environmental protection and reflects a serious breakdown of governance in the State of West Bengal.
25. That the project proponent is in desperate and continuous violation of the EIA Notification, 2006 by proceeding with construction without Environmental Clearance (EC). The project stands in a developing area with limited water resources and drainage infrastructure, yet without proper environmental impact assessment sewage discharge planning, or environmental safeguards the construction is going on rampantly. The project also contemplates a substantial influx



of population into an area without carrying capacity assessment which threatens groundwater availability, ambient air quality, drainage systems, and the health and safety of surrounding residents. The reckless approach of the project proponent reflects a conscious evasion of statutory requirements and calls for strict intervention by this Hon'ble Tribunal including coercive directions, compensation assessment, and demolition of structures illegally erected.

26. The statutory authorities entrusted with the duty to prevent illegal and unauthorised construction are expected to monitor, intervene, and initiate action the moment a breach of environmental law is detected. However, in the present case, despite repeated complaints supported by documentary evidence, no effective enforcement action has been taken. As a result, the illegal construction continues openly and the environment continues to be damaged in full public view. The sustained inaction of the authorities creates a reasonable perception that violations are being tolerated and indirectly enabled through deliberate silence. The Applicant is constrained to state that there appears to be little or no seriousness on the part of the authorities in protecting the environment or upholding the sanctity of environmental law and other laws in the State.

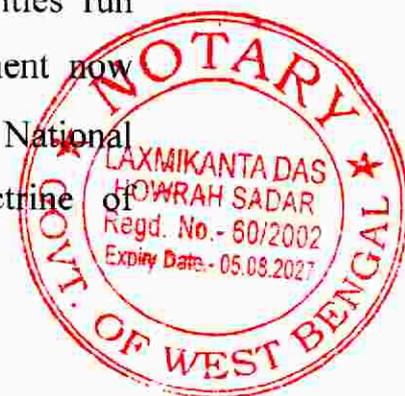
27. That the present project is not an isolated aberration but a reflection of a wider pattern. Similar projects are being constructed across the State of West Bengal without prior Environmental Clearance (EC) and in violation of environmental safeguards, emboldened by the continued



apathy of SEIAA, West Bengal and the West Bengal Pollution Control Board. This Hon'ble Tribunal's intervention is therefore required to break the cycle of non compliance and establish deterrence. The situation warrants exemplary and structural directions, including accountability of regulatory authorities so that environmental compliance does not remain optional for violators possessing influence or administrative access.

28. That appropriate directions of serious consequence in accordance with law are prayed before this Hon'ble Tribunal to prevent further damage to the environment in and around the project site, including but not limited to cessation of ongoing construction, demolition of structures raised without prior Environmental Clearance (EC), restoration of the blocked canal/channel, and recovery of environmental compensation for loss already caused. The Applicant further prays that stern directions be issued upon SEIAA, West Bengal and West Bengal Pollution Control Board for their failure to act despite repeated complaints as such sustained non action has effectively enabled the continuation of illegal construction and environmental degradation.

29. That a major part of the State of West Bengal is ecologically sensitive and geologically fragile. Unregulated construction under the guise of development is incompatible with the environmental character of the region. Such activities run contrary to the principle of Sustainable Development now carrying statutory force under Section 20 of the National Green Tribunal Act, 2010 as well as the doctrine of

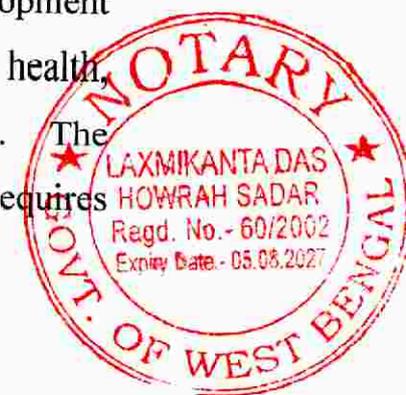


Precautionary Principle. No construction can be permitted in a manner that overwhelms the carrying capacity of the local ecology.

30. That the conduct of the Respondent authorities is inconsistent with statutory environmental obligations and contrary to the mandate of the Water Act, the Air Act, the Environment (Protection) Act. Despite having knowledge of the ongoing ecological damage and the absence of prior EC, the authorities have remained inactive and have failed to exercise powers vested in them for environmental protection. This sustained inaction frustrates the rule of law and renders statutory protections illusory, compelling the Applicant to seek urgent intervention from this Hon'ble Tribunal.
31. That the land on which the impugned housing complex is being constructed was originally comprised of green verge, a canal and open natural landscape, and the surrounding vicinity continues to retain significant stretches of greenery. The conversion of this environmentally sensitive area into a dense concrete mass represents an abrupt and ecologically hazardous transformation. The mushrooming of unauthorised constructions has now become a widespread phenomenon across the State of West Bengal, and disturbingly, such activities are increasingly occurring under the watch of public authorities who are duty-bound to prevent them and in the present case such activities are being done by civil servants of the State. This unchecked conversion of green spaces into concrete structures signals a grave collapse of environmental planning and regulatory enforcement.



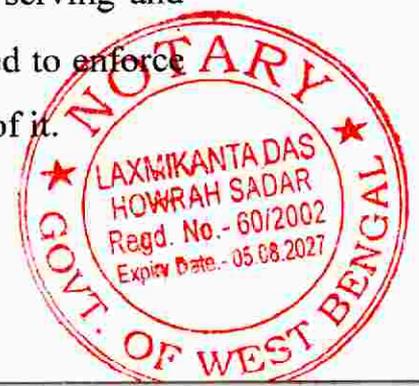
32. That the rapid and unregulated urban expansion in North 24 Parganas district and around the project area coupled with the surge in construction activity many of which are illegal and undertaken without prior Environmental Clearance (EC) has resulted in severe deterioration of environmental quality. The destruction of vegetative cover, obstruction of natural drainage, uncontrolled extraction of groundwater, and continuous release of pollutants have collectively destabilised the ecological balance of the impugned area. The environmental burden imposed by ongoing construction without remedial measures has exceeded the carrying capacity of the area thereby inflicting substantial, avoidable, and continuing ecological harm.
33. That construction projects having a built-up area of 20,000 sq. m. or more mandatorily require prior Environmental Clearance (EC) under Item 8(a) of the EIA Notification, 2006. This requirement exists to ensure that environmental impacts are assessed before any activity commences, not after damage is done. In the present case, construction has proceeded without such clearance rendering the project a violation category project, illegal ab initio, and liable for consequences including stop work order, demolition, environmental compensation, and prosecution of those responsible.
34. That while urbanisation and real estate development may be inevitable components of economic progress, development cannot be permitted at the cost of public health, environmental integrity, or ecological security. The jurisprudence recognised by this Hon'ble Tribunal requires



that development must comply with the statutory doctrines of Sustainable Development and Precautionary Principle. Any construction that proceeds in breach of these principles ceases to be development and instead becomes a vehicle for environmental degradation.

35. That due to the construction of the said complex without prior environmental appraisal the demographic and ecological character of the area has been abruptly altered. The uncontrolled influx of population, vehicular load, sewage discharge, and increased demand on groundwater has already begun to compromise the environment, overwhelm local carrying capacity, and endanger adjoining residential and ecological zones. In the absence of a proper impact assessment the project has progressed in a manner that is detrimental to the environment, public interest, and statutory environmental protections.

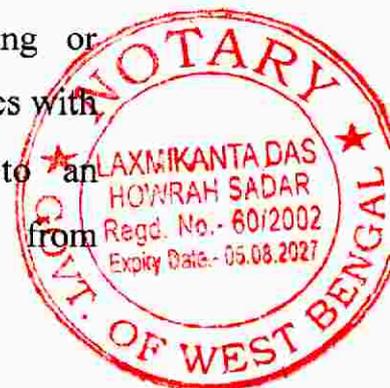
36. That housing complexes and projects that are being constructed without having provision for municipal water supply, sewerage network, solid waste management, traffic regulation, or other basic civic infrastructure and without any assessment of environmental carrying capacity or infrastructure feasibility inevitably leads to an environmental overload, affecting groundwater tables, noise levels, air and water quality, and ultimately the health and safety of residents. The danger is particularly heightened when, as in the present case, the project proponents include serving and retired civil servants themselves, who are expected to enforce the law but are instead participating in violations of it.



37. That the Respondent authorities appear oblivious to the grave implications of permitting large-scale construction without prior Environmental Clearance (EC) or impact assessment. In the present case the illegality is aggravated by the fact that members of the civil service are themselves involved as project proponents. When civil servants directly engage in construction without EC, the rule of law suffers structural damage creating a system where compliance becomes optional and violations become normalised.

38. That due to the aforesaid illegal activities of the Respondent no. 10, including serving and retired government officers associated with the project proponent society, the environment surrounding the project site including areas connected to wide stretches of low lying green verges are under immediate threat. Continuous construction without EC, dust suppression, drainage planning, or pollution abatement measures is causing active and ongoing environmental degradation.

39. That the Respondent Authorities have turned a blind eye to the illegal construction activities of the Respondent no. 10, thereby enabling the continued violation of environmental law. By failing to intervene even after being notified repeatedly the authorities have created a perception that regulatory enforcement in West Bengal has been rendered ineffective when violators have institutional backing or belong to the administrative system. The Applicant states with regret that this pattern of inaction contributes to an environment where civil servants appear shielded from



accountability even when they are themselves engaged in projects requiring regulatory sanction.

40. That numerous projects across West Bengal are now proceeding in violation of the EIA Notification, 2006 primarily due to sustained administrative apathy and institutional tolerance for illegality. This case is only the tip of the iceberg. The present situation reveals a disturbing transformation, the very individuals who are entrusted with enforcing environmental law are participating in or condoning its violation. This constitutes an institutional crisis where environmental protections under the Constitution are being undermined from within. The Applicant submits that accountability cannot be restricted only to Respondent no. 10, State authorities who knowingly ignored violations or failed to act despite being informed must also face consequences in accordance with law. Without judicial intervention including demolition of illegal structures, imposition of exemplary environmental compensation and personal accountability of responsible officers, the environment of West Bengal risks irreversible collapse.

41. That the most alarming feature of the present case is that the project proponent is not an ordinary private developer but the WBCS Executive Officers' OITIKA Welfare Society, a registered body consisting of serving and retired officers of the West Bengal Civil Service (Executive) cadre, Indian Administrative Service (IAS) and other senior administrative officers. Several individuals associated with the project are or have been State Government officers responsible for



implementing, supervising, or assisting governance functions. The very presence of civil servants in a project being executed without prior Environmental Clearance (EC) creates a serious conflict of interest situation and strikes at the foundation of the rule of law.

42. That civil servants who are expected to uphold constitutional values, enforce environmental statutes, and ensure compliance with laws and rules including the EIA Notification, 2006 cannot simultaneously engage in construction activities that disregard those very legal requirements. When government officers themselves participate in a project proceeding without prior EC, the violation is no longer merely regulatory it becomes institutional because those tasked with ensuring compliance are found on the side of non-compliance. This collapses public confidence in environmental administration and erodes the credibility of the State's regulatory machinery.

43. That such conduct sets an extremely dangerous precedent for the public. If civil servants openly undertake construction without EC ordinary citizens are left to believe that environmental laws are optional, negotiable, or selectively enforceable. This reduces compliance to a matter of personal convenience rather than legal obligation. A system where the enforcers become violators creates a perception that law functions differently for those within government networks and differently for ordinary citizens, thereby violating Article 14 of the Constitution and the principle of equality before law.

44. That the Applicant states with utmost respect that this is not merely a case of illegality it is a case of the institutional

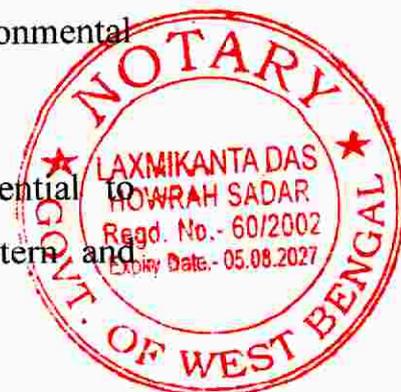


guardians of the law participating in its breach, which, if left without intervention would normalise impunity and teach the public that the law bends for those who hold office. Such a situation justifies the strongest intervention by this Hon'ble Tribunal to ensure that environmental compliance does not become a selective burden falling only upon the powerless while being ignored by those with administrative influence.

45. That corruption is not merely the act of taking illegal gratification. Corruption also lies in the deliberate violation of statutory duties, misuse of public office, flouting of environmental laws by those empowered to ensure proper governance and the attempt to regularise illegality through influence. Such conduct destroys public confidence in administration and normalises lawlessness

46. That despite multiple written complaints, reminders, submission of photographic evidence, and RTI application no effective action has been taken by the Respondent Authorities. Consequently, large-scale construction activities continue at "Oitika" located at Premises No. 44-0676, Plot No. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN – 700136, without prior Environmental Clearance (EC) and without Consent to Establish/Operate from the West Bengal Pollution Control Board. The continued inaction of the authorities amounts to a failure of statutory duty, enabling ongoing violations and causing irreversible environmental harm.

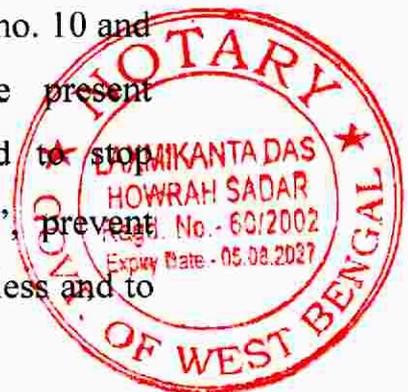
47. That this Hon'ble Tribunal's intervention is essential to uphold the authority of environmental law. A stern and



exemplary direction in the present case will send a necessary message that violations cannot be regularised by delay, influence, or procedural manoeuvring, and that civil servants who are part of the project proponent body in Oitika are not above compliance. The Respondents appear to act as though statutory directions hold no consequence and may be flouted at will, judicial intervention is required to correct this and ensure that there is environmental governance in the State.

48. That the Respondents are in continuing violation of statutory environmental obligations including the EIA Notification, 2006, the Environment (Protection) Act, 1986, the Water Act, 1974, and the Air Act, 1981. The ongoing construction of "Oitika" in the absence of prior EC makes every further act of development an independent and continuing illegality. When violators include civil servants themselves as members of the project proponent society the breach becomes aggravated and reflects a collapse of regulatory deterrence, those empowered to enforce the law are themselves violating it.

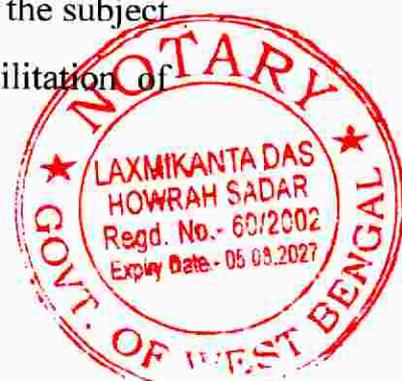
49. That the Applicant, compelled by the need to protect the environment, safeguard the ecology of the area, and uphold the dignity and purpose of environmental laws and rules has been forced to approach this Hon'ble Tribunal. The protections enacted for environmental preservation are being rendered illusory by the conduct of the Respondent no. 10 and by the sustained inaction of authorities. The present Application against "Oitika" is therefore moved to stop pollution due to construction of project "Oitika", prevent environmental protections from becoming meaningless and to



ensure that governance does not deteriorate into a state where civil servants participate in or enable violations they are bound to prevent on the following amongst other grounds :

GROUND

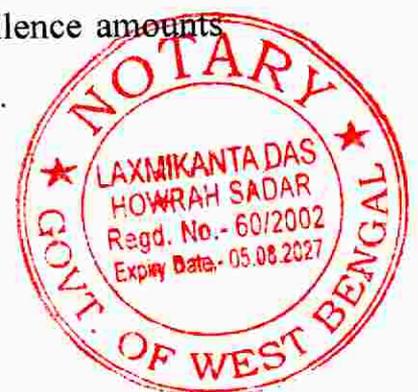
- A. For that the Respondent No. 10 has knowingly devastated the ecology of the area by carrying out large scale construction activities without obtaining prior Environmental Clearance (EC) from SEIAA, West Bengal for the "Oitika" project situated at Premises No. 44-0676, Plot II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN – 700136. The project proponents comprising serving and retired civil servants have proceeded in conscious defiance of environmental law, resulting in the destruction of green verge, obstruction of natural drainage and degradation of local ecology.
- B. For that the Applicant repeatedly informed the authorities through detailed complaints and documentary evidence attempting to awaken their conscience and trigger statutory action. However, no remedial steps were taken, thereby allowing illegality to continue unchecked.
- C. For that government authorities ought to have taken stern legal actions against the Respondent no. 10 who is carrying on illegal construction activities without obtaining prior Environmental Clearance (EC) and Consent from West Bengal Pollution Control Board for construction of the subject project. Their omission amounts to a direct facilitation of illegality.



- D. For that the Respondent Authorities have a duty under the law to ensure that the environment is not polluted due to construction activities without prior Environmental Clearance (EC) or otherwise.
- E. For that inaction vis-à-vis failure of the Respondent Authorities to perform their duties has resulted in the present predicament and violation of several environmental laws.
- F. For that the Respondent Authorities were required to prevent the wrongdoers from polluting the environment but instead remained silent for reasons best known to them. Such inaction has emboldened violators including civil servants themselves to continue construction with an air of impunity.
- G. For that the Respondent Authorities ought to have taken stringent action, including stoppage of construction, demolition of illegal structures, and imposition of exemplary environmental compensation and set an example for other wrongdoers as well. Their failure has allowed continued violation and ecological.
- H. For that the Respondent Authorities ought to have been more vigilant and not sitting tight even after receiving repetitive information of violations.
- I. For that the conduct of the Respondents is violative of the EIA Notification, 2006, the Environment (Protection) Act, 1986, the Water Act, 1974, the Air Act, 1981, and the constitutional mandate of Article 21. It is also against the nationally and judicially recognised doctrine of Sustainable Development.



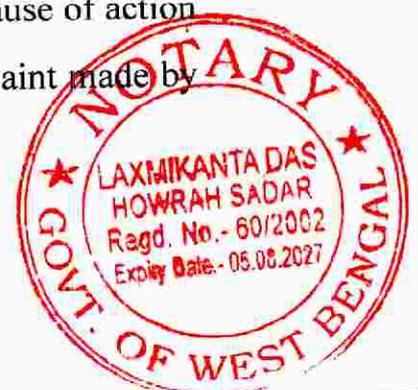
- J. For that under section 18(1) read with section 14 & 15 of the National Green Tribunal Act, 2010, the Hon'ble Court has ample jurisdiction to adjudicate this matter.
- K. For that under section 18(2) of the National Green Tribunal Act, 2010, the Applicant, being an affected person and a person acting in discharge of his duty under Article 51A(g) of the Constitution of India, 1950 is fully competent to file and maintain this Application before the Hon'ble Tribunal.
- L. For that the present case exposes a direct conflict of interest because the project proponents are themselves serving and retired civil servants. Persons entrusted with enforcing laws and rules cannot simultaneously violate it. Such conduct results in a constitutional breakdown where enforcement and violation merge, erasing regulatory deterrence and placing ordinary citizens at a disadvantage.
- M. For that the project proponent attempted to proceed with construction first and seek Environmental Clearance later which is impermissible in law.
- N. For that the continuation of construction in the absence of EC amounts to a continuing offence under section 15 of the Environment (Protection) Act, 1986.
- O. For that the Respondent Authorities, by ignoring repeated complaints, have violated the Public Trust Doctrine, which mandates that the State act as a trustee of natural resources, not as a spectator to their destruction. Their silence amounts to a breach of fiduciary duty owed to the public.



- P. For that the filling of the natural canal/channel for construction activities violates the hydrological integrity of the region. It disrupts drainage patterns, causes stagnation, and ecological damage, and therefore requires immediate restoration.
- Q. For that the inaction of authorities, despite knowledge, constitutes dereliction of duty. It reflects a pattern where enforcement is withheld selectively, particularly when violators are institutionally connected, and thereby erodes equality before law under Article 14 of the Constitution of 1950.
- R. For that the State is constitutionally obligated to prevent ecological degradation under Article 48A of the Constitution of 1950, and citizens are obligated under Article 51A(g) of the Constitution of 1950. When the State refuses to act and citizens are compelled to seek judicial intervention the balance of constitutional responsibility collapses.

LIMITATION

The Applicant states that the present Application is filed within the period of limitation prescribed under the National Green Tribunal Act, 2010. The cause of action first arose on 02.07.2025 when the Applicant initially detected and reported the illegal construction activities at the "Oitika" project being carried out without prior Environmental Clearance (EC). The cause of action further arose on 29.08.2025 upon subsequent complaint made by



the Applicant and continued with every instance of inaction on the part of the Respondent Authorities.

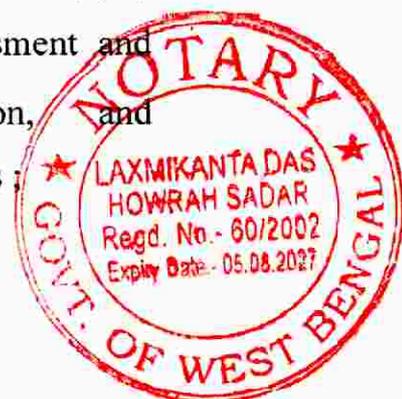
The cause of action last arose on 01/11/2025 when the Applicant again noticed ongoing and continuing construction activities at the site without EC and Consent to Establish/Operate despite the matter having been brought to the knowledge of statutory authorities. The cause of action is continuing from day to day, as the violations are ongoing and the environmental harm is progressive, thus keeping the limitation period alive on a continuous basis.

Accordingly, this Application is well within limitation, maintainable in law, and fit for consideration by this Hon'ble Tribunal.

INTERIM RELIEF :

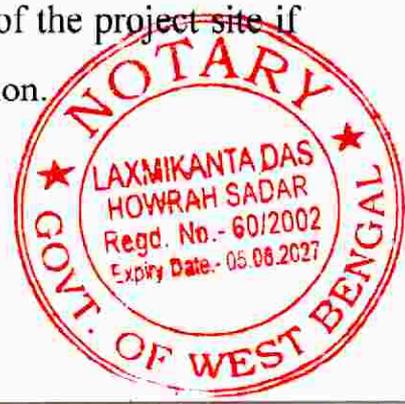
Pending disposal of the Application, the Applicant prays that this Hon'ble Tribunal be pleased to :

- A. Constitute a Joint Committee comprising officials of the Ministry of Environment, Forest & Climate Change (MoEF&CC), Central Pollution Control Board (CPCB) to conduct a site inspection of the "Oitika" project at Premises No. 44-0676, Plot II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN – 700136, and to submit a report before this Hon'ble Tribunal containing (i) factual status of construction, (ii) nature and extent of violations, (iii) hydrological and groundwater impact, (iv) assessment and calculation of environmental compensation, and (v) recommended remedial and restoration measures ;



- B. Direct the Respondents to immediately stop all construction activities at the Oitika project at Premises No. 44-0676, Plot II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN – 700136 being undertaken without prior Environmental Clearance (EC) and without Consent to Establish/Operate from the West Bengal Pollution Control Board ;
- C. Direct the Respondents not to permit disposal, discharge, or dumping of construction debris, soil, refuse, waste, in the vicinity of the project site ;
- D. Direct the Respondent Authorities to submit remedial measures for recovering the damages already caused to the environment due to violation of environmental norms and laws, and due to construction of the subject complex ;
- E. Direct the Respondent no. 10 to not create any third-party rights, encumbrances, or interest in any portion of the Oitika project site during pendency of this Application to prevent multiplicity of proceedings and irreversible prejudice ;
- F. Direct the Respondents to maintain a status quo regarding physical condition of the land and superstructures, restraining any alteration, modification, or new construction until further orders of this Hon'ble Tribunal ;

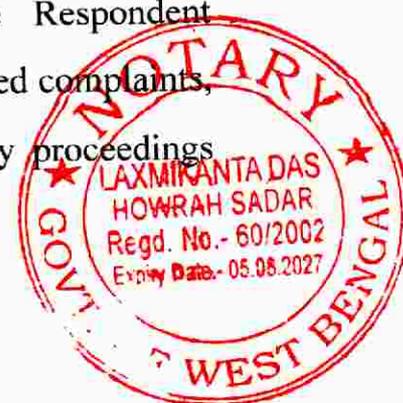
Pass any further interim order or orders as this Hon'ble Tribunal may deem fit, proper, and necessary in the facts and circumstances of the case, including sealing of the project site if continued violations are found during inspection.



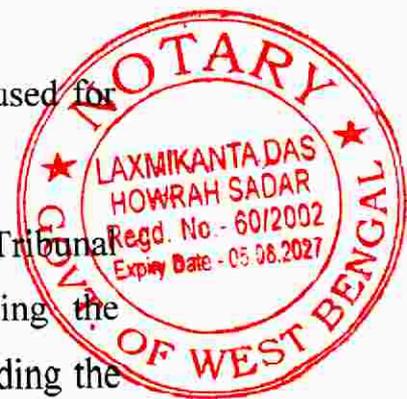
PRAYER

For the reasons stated above, it is humbly prayed that this Hon'ble Tribunal may be pleased to :

- A. Admit the Application and issue notice upon the Respondents;
- B. Direct the Respondents to immediately stop all construction and related activities at the "Oitika" project, Premises No. 44-0676, Plot II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN – 700136 being carried out without prior Environmental Clearance (EC) and Consent to Establish/Operate ;
- C. Direct demolition and removal of all structures raised without prior Environmental Clearance (EC) at the "Oitika" project as a penal and deterrent measure ;
- D. Direct restoration of the canal/channel and restore the natural flow and prohibit any further obstruction of the watercourse ;
- E. Direct the Respondent no. 10 not to draw groundwater without permission, and direct sealing of borewells/points of extraction until lawful sanction is obtained ;
- F. Impose exemplary environmental compensation under the Polluter Pays Principle proportionate to the ecological loss and illegal gains with recovery from persons and entities responsible for unlawful construction ;
- G. Issue strictures and directions against the Respondent Authorities for their failure to act despite repeated complaints, including initiation of departmental/disciplinary proceedings for dereliction of statutory duty ;



- H. Direct the Respondent Authorities to formulate and file a restoration plan for ecological repair, soil recovery, air quality improvement, debris clearance, canal restoration, and prevention of further damage ;
- I. Constitute a High-Level Monitoring Committee to oversee demolition, restoration, ecological remediation, and compliance, with periodic reports to this Hon'ble Tribunal ;
- J. Direct an independent inquiry into the role, involvement, and conduct of serving and retired civil servants functioning as members of the "WBCS Executive Officers' OITIKA Welfare Society" in raising construction without Environmental Clearance (EC) and fix responsibility in accordance with law ;
- K. Direct that if any civil servant, serving or retired, is found to have misused office, influence, position, or institutional access to facilitate violation, the matter be referred for disciplinary, departmental, and/or prosecutorial action ;
- L. Direct SEIAA, West Bengal, SEAC, West Bengal and West Bengal Pollution Control Board to place on record the policy mechanism they propose for preventing violation first, clearance later practices ;
- M. Direct disconnection of electricity and water supply used for construction until compliance is established ;
- N. Pass any other or further orders that this Hon'ble Tribunal may deem fit, proper, and necessary for protecting the environment, restoring ecological balance, and upholding the rule of law.



VERIFICATION

I, Ankur Sharma son of Shri Ambooj Sharma, aged about 28 years, residing at 13/3, Dr. P. K. Banerjee Road, P.S. & District – Howrah, West Bengal, PIN – 711101 state that I am the Applicant of this Application. I do hereby verify the contents of paragraphs no. 1 to 24, and the rest are true to the best of my knowledge, and are my humble prayers before your Lordship and I have not suppressed any material facts herein.

Date: 02/01/2026

Place : Howrah

Ankur Sharma

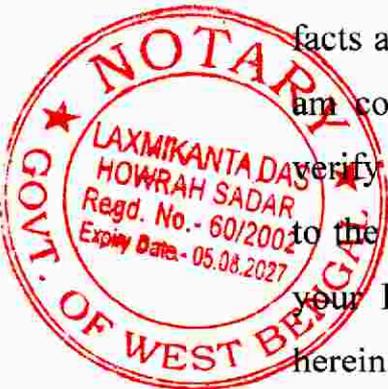
Applicant

BEFORE THE NOTARY PUBLIC
HOWRAH

SL. NO. K/Jan/326/26

AFFIDAVIT

I, Ankur Sharma son of Shri Ambooj Sharma, aged about 28 years, residing at 13/3, Dr. P. K. Banerjee Road, P.S. & District – Howrah, West Bengal, PIN – 711101 state that I am the Applicant of this Application and I am well conversant with the facts and circumstances of the instant Original Application and I am competent to swear and affirm this Affidavit. I do hereby verify the contents of paragraphs no. 1 to 24, and the rest are true to the best of my knowledge, and are my humble prayers before your Lordship and I have not suppressed any material facts herein.



Date : 02/01/2026

Place: Howrah

Place Judges' Court
Howrah - 711101
W.B. India

SOLEMNLY AFFIRMED & DECLARED
BEFORE ME BY THE DEPONENT ON
IDENTIFICATION OF ADVOCATE

LAXMIKANTA DAS
NOTARY HOWRAH
Govt of West Bengal

Ankur Sharma

Applicant

Identified by
Arunshi Kharana
F/498/371/2021

02 JAN 2026







Feb, 2025







RE : Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

Ankur Sharma <adv.ankursharma9@gmail.com>

Wed, Jul 2, 2025 at 1:27 PM

To: Chief Environment Officer <environmentwb@gmail.com>, chrnm.wbpcb-wb@bangla.gov.in, ms.wbpcb-wb@bangla.gov.in
Cc: secy-moef@nic.in, cs-westbengal@nic.in, ms.cb.cpcb@nic.in, secy.ma-wb@gov.in

MOST URGENT

The Member Secretary
State Environment Impact Assessment Authority
(SEIAA), West Bengal

The Chairman
West Bengal Pollution Control Board

The Member Secretary
West Bengal Pollution Control Board

Sir(s),

Sub : Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

I am constrained as duty bound under Article 51A of the Constitution of India, 1950 to bring to your hitherto neglected notice that construction activities are going at abovementioned site without obtaining prior Environmental Clearance (EC) from SEIAA, West Bengal in gross and desperate violation of EIA, Notification, 2006.

As per EIA Notification, 2006 building and construction projects with a built-up area of more than 20,000 sq. m. fall under serial/category 8(a) of the said Notification requiring prior Environmental Clearance (EC) from SEIAA, West Bengal for commencement of any site development, excavation, or construction activities.

The project in question is of a scale that clearly exceeds the prescribed threshold requiring prior Environmental Clearance (EC) but has commenced, and has been continuing construction activities without any such clearance, violating the mandatory provision of "prior" environmental clearance. This makes the project illegal ab initio under the law.

It is gathered from the locale upon visit to the site on 02.07.2025 that the built-up area of the project is more than 40,000 sq. m. and exceeds the threshold limit of 20,000 sq. m. largely. Six G+12 storied buildings are being raised thereat. I attach some photographs of the site as captured by me today i.e. 02.07.2025.

The project is being constructed in breach of sustainable environmental safeguards in the following manner :

- (a) No prior environmental impact assessment has been carried on to assess the damages as may be caused to the environment due to construction of such a massive project ;
- (b) The illegal construction of the project in question is causing air pollution since no dust precipitating measures (ESP), no screen covers are being used for the building blocks under construction. Polluting diesel generator sets are also being used at the construction site ;
- (c) Stone chips, iron bars, sand and other construction materials are lying piled up on public road abutting the project site ;
- (d) The illegal construction activities are causing noise pollution ;
- (e) It is gathered from the locale that ground water is being extracted through illegal borewells ;
- (f) Satellite images reveal that a canal passing within the project area has been filled up for construction of the complex ;
- (g) There is huge loss of biodiversity. Existence of several tree and shrubs in and around the project site have been sacrificed in the interest of the subject project ;
- (h) Construction and demolition (C&D) waste are being dumped in and around the project site in open spaces causing



environmental degradation.

-50-

You may also like to appreciate the fact that in a recent judgment, the Hon'ble Supreme Court of India in the case of Vanashakti vs. Union of India, W.P. (C) 1394 of 2023, struck down two office memorandums issued by the Ministry of Environment, Forest and Climate Change (MoEFCC) that allowed ex post facto environmental clearances for projects that commenced without prior Environmental Clearance (EC). Further, the Hon'ble Court restrained the Central Government from issuing circulars/ orders/ OMs/ notifications providing for grant of ex post facto Environmental Clearance (EC) in any form or manner or for regularising the acts done in contravention of the EIA Notification.

This solemn judgment underscores the legal obligation for obtaining prior Environmental Clearance (EC) and the inadmissibility of post facto clearances, reinforcing the need for strict adherence to environmental regulations.

Unique of the case is that the project is undertaken by WBCS Executive Officers' OITIKA Welfare Society independently. Such an organisation is required to be registered under West Bengal Societies Registration Act, 1961, and have one Memorandums of Association, and a Regulations of Association, inter alia, governing its membership etc. **So, everything of the project is the onus of WBCS Executive Officers' OITIKA Welfare Society (Regn. no. S0042047 of 2024-2025) – an organisation formed by highly placed public servants including from WBCS as the name denotes and IAS with some already superannuated.**

Another unique of the case is violations of statutory provisions, inter alia, like EIA Notification 2006 by, I should say, the project proponent viz. the society formed by very highly placed public servants itself thereby encouraging private flouters of the law who are popularly known as land grabbers of the state. Such act of WBCS Executive Officers' OITIKA Welfare Society must be countermand by condemning their illegal acts and making them to abide by spirit of the law and the government, if necessary, by demolition of every inch of illegal structures they have in the meantime raised to uphold the Constitution of India declaring no one is above law.

In the instant case, there is no publicly accessible record of any grant of Environmental Clearance (EC) on Parivesh portal nor display board containing any details of environmental clearance or any other information is available thereby confirming absence of lawful procedure under the EIA Notification, 2006.

The project is being constructed in a developing area with limited infrastructure. This will ultimately result in a massive environmental overload in the area affecting groundwater, noise levels, ambient air and water quality, and, lastly, the population residing in and around the project area.

The construction is going on rampantly in gross violation of the EIA, Notification 2006, amongst others. The project proponent has not taken any steps to contain pollution generated by their construction activities and is continuously violating several environmental laws and norms as a result of which the environment is getting polluted.

In view of the above, I request the following actions/steps for protection of the environment :

- (i) initiate an immediate inspection of the site through the State Environment Appraisal Committee (SEAC), West Bengal ;
- (ii) Issue a stop-work notice under Section 5 of the Environment (Protection) Act, 1986 ;
- (iii) Order for demolition of all illegal structures already constructed/erected without prior Environmental Clearance (EC) ;
- (iv) Initiate prosecution of the responsible persons and public servants under Sections 15 and 16 of the Environment (Protection) Act ;
- (v) Direct the project proponent to pay environmental compensation for damages already caused to the environment ;
- (vi) Direct the project proponent to take remedial measures for restoring the damages caused to the environment including tree replantation, soil stabilization, and proper C&D waste disposal ;
- (vii) Direct the WBSUEDCL to disconnect electric supply to the project site ;
- (viii) Direct the local body not to provide any civic amenity to the project ;
- (ix) Ensure that restoration and compensation measures are undertaken to mitigate the environmental damage already caused ;
- (x) And take any such other step or steps as may be warranted in the interest of environment of whole of the state.

Thanking you,
Yours faithfully,

Ankur Sharma
13/3, Dr. P. K. Banerjee Road
Howrah, W.B. PIN - 711101
Mob : 9433883322

cc :

The Secretary
Ministry of Environment, Forest and Climate Change
Government of India

The Chief Secretary
Government of West Bengal

The Member Secretary



Central Pollution Control Board

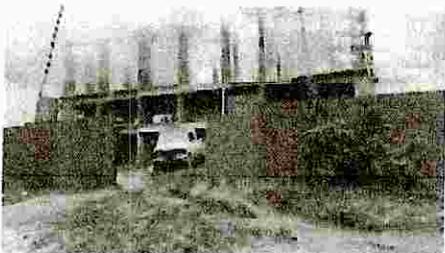
The Principal Secretary
Urban Development and Municipal Affairs Department
Government of West Bengal

- for kind information and necessary directions.

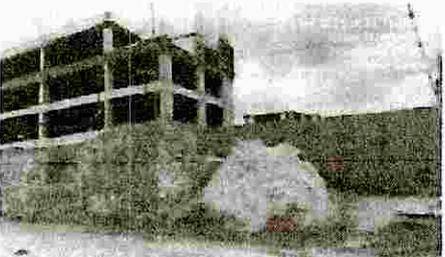
6 attachments



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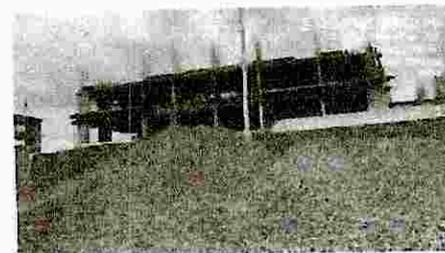
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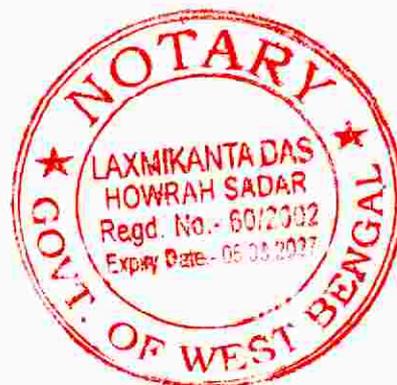
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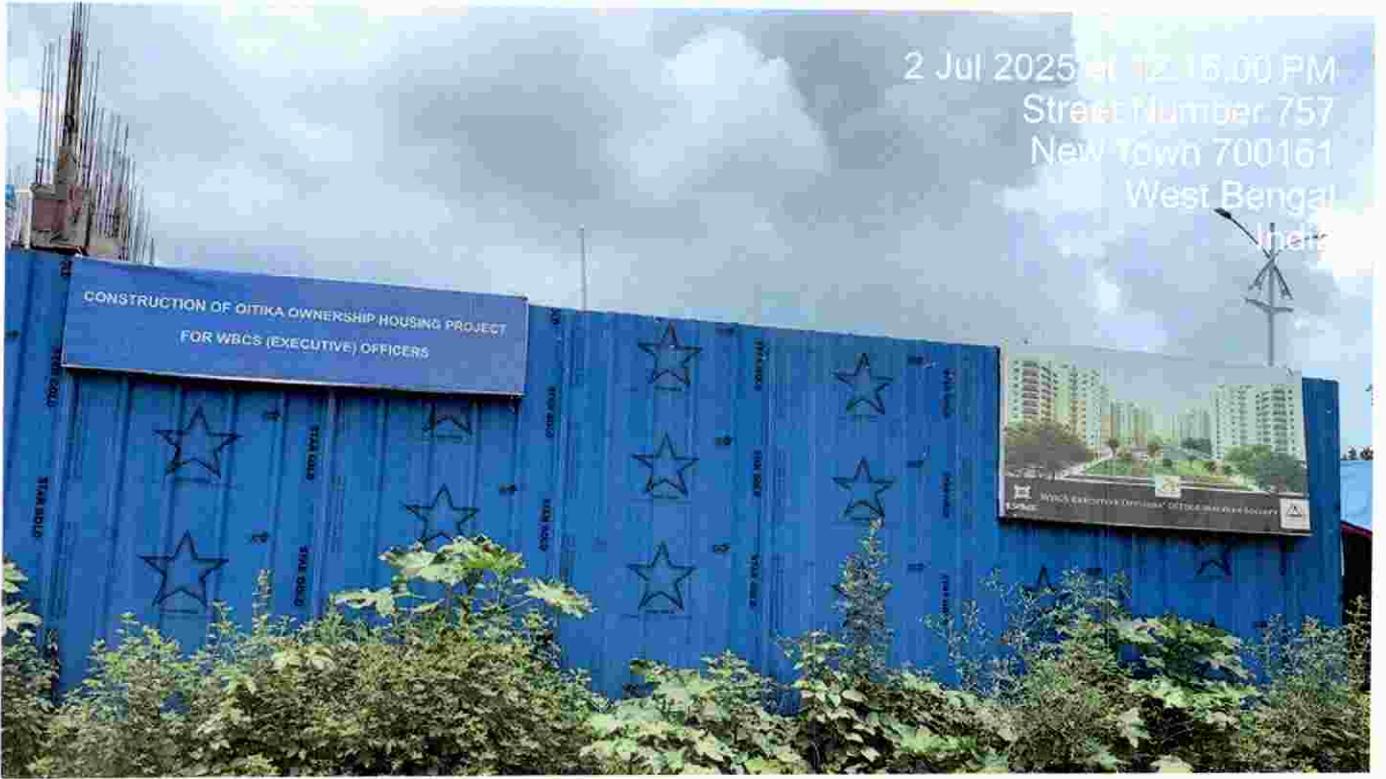


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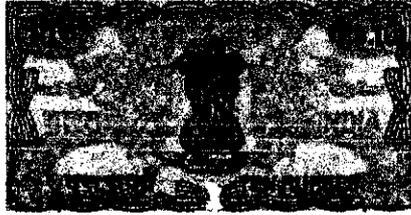


-54-



2 Jul 2025 at 12:16:13 PM
Street Number 676
New Town 700161
West Bengal
India

CONSTRUCTION
FOR...



MOST URGENT

The Right to Information Act 2005

Application for obtaining information

From :

Ankur Sharma

13/3, Dr. P. K. Banerjee Road, Howrah, PIN - 711101

To :

The State Public Information Officer (under the Right to Information Act, 2005)

State Environment Impact Assessment Authority

Department of Environment, Government of West Bengal

5th floor, Pranisampad Bhawan

Block LB - II, Salt Lake, Sector - III

Bidhannagar, Kolkata, PIN - 700106

SUB : Application under the Right to Information Act, 2005.

Dear State Public Information Officer,

Under section 6 of the Right to Information Act 2005, I need some information. The details of the information are as follows :

1. Details of the Applicant :

Name : Ankur Sharma

Email : adv.ankursharma9@gmail.com

Address : 13/3, Dr. P. K. Banerjee Road, Howrah, PIN

Mobile number : 9433883322

2. Period to which the information relates : Latest

3. Details of information sought :

Please provide the following information :

EW272252302IN INR:698727225230
 SP HOWRAH BPO (711101)
 Counter No:1.07/07/2023.10:07
 To:THE SPID ,DEPT.OF ENVIRONM
 PIN:700106, Bidhan Nagar IB Market 50
 From:ANKUR SHARMA,13/3,DR.P.K.BANE
 Wt:40gms
 Amt:41.38.Tax:6.38.Amt.Paid:41.00(Cash)
 (Track on www.indiapost.gov.in)
 (Dial 18002666888)(Wear mask -Stay safe)

- a) Supply me copy of action taken report in connection with my complaint vide email dated 02.07.2025 with the subject "Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society" addressed to the Member Secretary, State Environment Impact Assessment Authority, West Bengal and others (a photocopy of the said complaint is attached herewith for ready reference) ;
- b) Provide copy of inspection report in pursuance to my stated complaint ;
- c) Provide total built-up area of the subject project ;
- d) Provide copy of any application for grant of Environmental Clearance (EC) submitted by the project proponent of the subject project ;
- e) Provide copy of any stop work notice issued against the subject project.

4. Application fee details : Enclosed Application Fee of Rs. 10/-

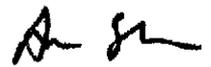
5. Below items are for your kind information and consideration :

- a. As per section 6(3) of the RTI Act 2005, In case, the requested information is held by another public authority, I request the SPIO to transfer the application or part of it within FIVE days and immediately inform me about such transfer.
- b. As per section 7(3) of the RTI Act 2005, In case, there are further fee required to provide the requested information, I request the SPIO to inform me of the additional fee amount along with the calculations made to arrive at the amount.
- c. As per section 7(8)(iii) and 7(3)(ii) of the RTI Act 2005, I request the SPIO to inform me of the particulars of First Appellate Authority.
- d. I State that the information sought does not fall within the restriction contained in section 8 and 9 of the Act and to the best of my knowledge pertains to your office.

6. Declaration :

I declare that I am a citizen of India

Yours faithfully,



Monday, July 7th, 2025



Ankur Sharma <adv.ankursharma9@gmail.com>

RE : Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

Ankur Sharma <adv.ankursharma9@gmail.com>

Wed, Jul 2, 2025 at 1:27 PM

To: Chief Environment Officer <environmentwb@gmail.com>, chmn.wbpcb-wb@bangla.gov.in, ms.wbpcb-wb@bangla.gov.in
 Cc: secy-moef@nic.in, cs-westbengal@nic.in, mscb.cpcb@nic.in, secy.ma-wb@gov.in

MOST URGENT

The Member Secretary
 State Environment Impact Assessment Authority
 (SEIAA), West Bengal

The Chairman
 West Bengal Pollution Control Board

The Member Secretary
 West Bengal Pollution Control Board

Sir(s),

Sub : Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

I am constrained as duty bound under Article 51A of the Constitution of India, 1950 to bring to your hitherto neglected notice that construction activities are going at abovementioned site without obtaining prior Environmental Clearance (EC) from SEIAA, West Bengal in gross and desperate violation of EIA, Notification, 2006.

As per EIA Notification, 2006 building and construction projects with a built-up area of more than 20,000 sq. m. fall under serial/category 8(a) of the said Notification requiring prior Environmental Clearance (EC) from SEIAA, West Bengal for commencement of any site development, excavation, or construction activities.

The project in question is of a scale that clearly exceeds the prescribed threshold requiring prior Environmental Clearance (EC) but has commenced, and has been continuing construction activities without any such clearance, violating the mandatory provision of "prior" environmental clearance. This makes the project illegal ab initio under the law.

It is gathered from the locale upon visit to the site on 02.07.2025 that the built-up area of the project is more than 40,000 sq. m. and exceeds the threshold limit of 20,000 sq. m. largely. Six G+12 storied buildings are being raised thereat. I attach some photographs of the site as captured by me today i.e. 02.07.2025.

The project is being constructed in breach of sustainable environmental safeguards in the following manner :

- (a) No prior environmental impact assessment has been carried on to assess the damages as may be caused to the environment due to construction of such a massive project ;
- (b) The illegal construction of the project in question is causing air pollution since no dust precipitating measures (ESP), no screen covers are being used for the building blocks under construction. Polluting diesel generator sets are also being used at the construction site ;
- (c) Stone chips, iron bars, sand and other construction materials are lying piled up on public road abutting the project site ;
- (d) The illegal construction activities are causing noise pollution ;
- (e) It is gathered from the locale that ground water is being extracted through illegal borewells ;
- (f) Satellite images reveal that a canal passing within the project area has been filled up for construction of the complex ;
- (g) There is huge loss of biodiversity. Existence of several trees and shrubs in and around the project site have been sacrificed in the interest of the subject project ;
- (h) Construction and demolition (C&D) waste are being dumped in and around the project site in open spaces causing

environmental degradation.

-58-

You may also like to appreciate the fact that in a recent judgment, the Hon'ble Supreme Court of India in the case of Vanashakti vs. Union of India, W.P. (C) 1394 of 2023, struck down two office memorandums issued by the Ministry of Environment, Forest and Climate Change (MoEFCC) that allowed ex post facto environmental clearances for projects that commenced without prior Environmental Clearance (EC). Further, the Hon'ble Court restrained the Central Government from issuing circulars/ orders/ OMs/ notifications providing for grant of ex post facto Environmental Clearance (EC) in any form or manner or for regularising the acts done in contravention of the EIA Notification.

This solemn judgment underscores the legal obligation for obtaining prior Environmental Clearance (EC) and the inadmissibility of post facto clearances, reinforcing the need for strict adherence to environmental regulations.

Unique of the case is that the project is undertaken by WBCS Executive Officers' OITIKA Welfare Society independently. Such an organisation is required to be registered under West Bengal Societies Registration Act, 1961, and have one Memorandums of Association, and a Regulations of Association, inter alia, governing its membership etc. **So, everything of the project is the onus of WBCS Executive Officers' OITIKA Welfare Society (Regn. no. S0042047 of 2024-2025) – an organisation formed by highly placed public servants including from WBCS as the name denotes and IAS with some already superannuated.**

Another unique of the case is violations of statutory provisions, inter alia, like EIA Notification 2006 by, I should say, the project proponent viz. the society formed by very highly placed public servants itself thereby encouraging private flouters of the law who are popularly known as land grabbers of the state. Such act of WBCS Executive Officers' OITIKA Welfare Society must be countermand by condemning their illegal acts and making them to abide by spirit of the law and the government, if necessary, by demolition of every inch of illegal structures they have in the meantime raised to uphold the Constitution of India declaring no one is above law.

In the instant case, there is no publicly accessible record of any grant of Environmental Clearance (EC) on Parivesh portal nor display board containing any details of environmental clearance or any other information is available thereby confirming absence of lawful procedure under the EIA Notification, 2006.

The project is being constructed in a developing area with limited infrastructure. This will ultimately result in a massive environmental overload in the area affecting groundwater, noise levels, ambient air and water quality, and, lastly, the population residing in and around the project area.

The construction is going on rampantly in gross violation of the EIA, Notification 2006, amongst others. The project proponent has not taken any steps to contain pollution generated by their construction activities and is continuously violating several environmental laws and norms as a result of which the environment is getting polluted.

In view of the above, I request the following actions/steps for protection of the environment :

- (i) initiate an immediate inspection of the site through the State Environment Appraisal Committee (SEAC), West Bengal ;
- (ii) Issue a stop-work notice under Section 5 of the Environment (Protection) Act, 1986 ;
- (iii) Order for demolition of all illegal structures already constructed/erected without prior Environmental Clearance (EC) ;
- (iv) Initiate prosecution of the responsible persons and public servants under Sections 15 and 16 of the Environment (Protection) Act ;
- (v) Direct the project proponent to pay environmental compensation for damages already caused to the environment ;
- (vi) Direct the project proponent to take remedial measures for restoring the damages caused to the environment including tree replantation, soil stabilization, and proper C&D waste disposal ;
- (vii) Direct the WBSEDCL to disconnect electric supply to the project site ;
- (viii) Direct the local body not to provide any civic amenity to the project ;
- (ix) Ensure that restoration and compensation measures are undertaken to mitigate the environmental damage already caused ;
- (x) And take any such other step or steps as may be warranted in the interest of environment of whole of the state.

Thanking you,
Yours faithfully,

Ankur Sharma
13/3, Dr. P. K. Banerjee Road
Howrah, W.B. PIN - 711101
Mob : 9433883322

CC :

The Secretary
Ministry of Environment, Forest and Climate Change
Government of India

The Chief Secretary
Government of West Bengal

The Member Secretary

Central Pollution Control Board

-59-

The Principal Secretary
Urban Development and Municipal Affairs Department
Government of West Bengal

- for kind information and necessary directions.

6 attachments



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TC_00667.JPG
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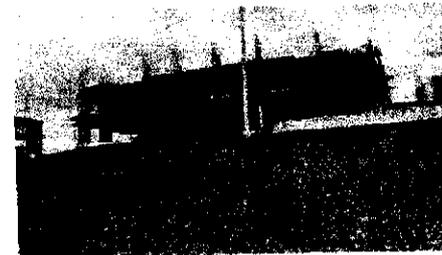
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Date : 13.08.2025

To
 The Appellate Authority under
 Right to Information Act 2005, and
 the Senior Special Secretary,
 Department of Environment
 Government of West Bengal
 5th floor, Pranisampad Bhawan
 Block LB - II, Salt Lake, Sector - III
 Bidhannagar, Kolkata, PIN - 700106

Sub : Appeal u/s 19(1) of the Right to Information Act, 2005
 arising out of refusal to provide the information sought for u/s 6
 of the Act.

Sir,

While enclosing herewith a copy of my request/application dated 7th July, 2025 addressed to the State Public Information Officer, State Environment Impact Assessment Authority, West Bengal seeking to be provided information in respect of my complaint vide email dated 2nd July, 2025 addressed to the Member Secretary, State Environment Impact Assessment Authority, West Bengal I file this Appeal u/s 19(1) of the Right to Information Act, 2005 on the following amongst other grounds:

- i) That the SPIO has not provided any information related to the RTI Application filed by me within the stipulated time period ;
- ii) That I am lawfully entitled to be provided the information sought for under the Act ;
- iii) That you will be pleased to award appropriate penalty u/s 20 of the Act besides directing the SPIO to provide me the information sought for.

Thanking you in anticipation,

Yours faithfully,

Ankur Sharma

(ANKUR SHARMA)
 13/3 Dr. P. K. Banerjee Road
 Howrah, PIN - 711101
 Mob: 9433883322

Email : Adv.ankursharma9@gmail.com

Ramkrishnapur SO (711101)
 SF EW433954023IN, IVR No: 18002666868
 18/08/2025 12:12:27. Counter No. 1
 To: THE APP AUTHORITY SR SPL SECRETARY
 Bidhan Nagar, WEST BENGAL - 700106
 From: ANKUR SHARMA-711101
 Base Amt: 35.00,
 WT: 37 (Actual) gms
 P.Mode: Cash,

POD: No www.indiapost.gov.in

Encl : Copy of my RTI Application dated 7th July, 2025.





MOST URGENT

The Right to Information Act 2005

Application for obtaining information

From :

Ankur Sharma

13/3, Dr. P. K. Banerjee Road, Howrah, PIN - 711101

To :

The State Public Information Officer (under the Right to Information Act, 2005)

State Environment Impact Assessment Authority

Department of Environment, Government of West Bengal

5th floor, Pranisampad Bhawan

Block LB - II, Salt Lake, Sector - III

Bidhannagar, Kolkata, PIN - 700106

SUB : Application under the Right to Information Act, 2005.

Dear State Public Information Officer,

Under section 6 of the Right to Information Act 2005, I need some information. The details of the information are as follows :

1. Details of the Applicant :

Name : Ankur Sharma

Email : adv.ankursharma9@gmail.com

Address : 13/3, Dr. P. K. Banerjee Road, Howrah, PIN

Mobile number : 9433883322

2. Period to which the information relates : Latest

3. Details of Information sought :

Please provide the following information :

EW07252300IN IVR:498727225230
SP HOWRAH BPC (711101)
Counter No:1.07/07/2025.18:07

To:THE SPID ,DEPT.OF ENVIRONM
PIN:700106, Bidhan Nagar IB Market 3D
From:ANKUR SHARMA, 13/3,DR.P.K.BANE

Rs:4.00
Ante:1.50 Tax:1.50 Ant.Paid:41.00(Cash)
<Track on www.indiapost.gov.in>
(Dial 18002668888) Wear mask -Stay safe)



- a) Supply me copy of action taken report in connection with my complaint vide email dated 02.07.2025 with the subject "Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society" addressed to the Member Secretary, State Environment Impact Assessment Authority, West Bengal and others (a photocopy of the said complaint is attached herewith for ready reference) ;
- b) Provide copy of inspection report in pursuance to my stated complaint ;
- c) Provide total built-up area of the subject project ;
- d) Provide copy of any application for grant of Environmental Clearance (EC) submitted by the project proponent of the subject project ;
- e) Provide copy of any stop work notice issued against the subject project.

4. Application fee details : Enclosed Application Fee of Rs. 10/-

5. Below Items are for your kind information and consideration :

- a. As per section 6(3) of the RTI Act 2005, In case, the requested information is held by another public authority, I request the SPIO to transfer the application or part of it within FIVE days and immediately inform me about such transfer.
- b. As per section 7(3) of the RTI Act 2005, In case, there are further fee required to provide the requested information, I request the SPIO to inform me of the additional fee amount along with the calculations made to arrive at the amount.
- c. As per section 7(8)(III) and 7(3)(II) of the RTI Act 2005, I request the SPIO to inform me of the particulars of First Appellate Authority.
- d. I State that the information sought does not fall within the restriction contained in section 8 and 9 of the Act and to the best of my knowledge pertains to your office.

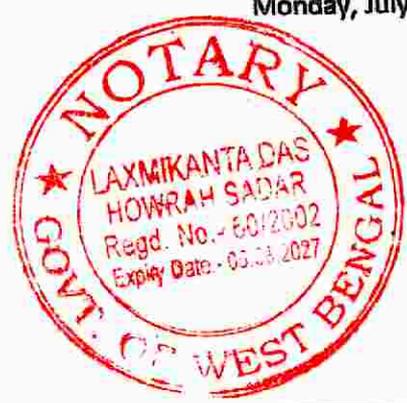
6. Declaration :

I declare that I am a citizen of India

Yours faithfully,



Monday, July 7th, 2025



**Government of West Bengal
Department of Environment**

Pranisampad Bhawan, 5th Floor, LB-2, Sector-III, Salt Lake, Kolkata-700106

No. EN/ 1805 /RTI/10/25

Dated, Kolkata 28th August, 2025

From: Sasim Kumar Barui, IAS
Senior Special Secretary
& Appellate Authority

To : Ankur Sharma
13/3 Dr. P.K Banerjee
Howrah, Pin-711101

Sub: Information under RTI Act, 2005

Sir

With reference to your 2 RTI Appeals under section 19(1) of the RTI Act 2005,, received in this office on 19.08.25 and 25.08.2025 regarding queries on complaint against construction activities on project ' Oitika' and 'WBHIDCO Affordable Housing' this is to inform you that the reply of your RTI Applications has already been sent to you vide memo no EN/1484/RTI/13/2024 dated 25.07.25 .A copy of the same is enclosed herewith for your reference.

Encl: As stated

Yours faithfully



Senior Special Secretary
& Appellate Authority



Government of West Bengal
Department of Environment

Pranisampad Bhawan, 5th Floor, LB-2, Sector-III, Salt Lake, Kolkata-700106

No. EN/1484/RTI/13/2024

Dated, Kolkata 25th July, 2025

From : Pausali Mukherjee, WBL
Spl. Law Officer & SPIO

To : Ankur Sharma
13/3 Dr. P.K Banerjee
Howrah, Pin-711101

Sub: Information under RTI Act, 2005

Sir

With regard to your 2 RTI application dated 08.07.25 regarding 'WBHIDCO Affordable Housing' and 'Oitika', it is informed that SEIAA has not granted Environmental Clearance to any of this two projects. Complaints in both the cases were forwarded by SEIAA to WBPCB for necessary action (copy enclosed)

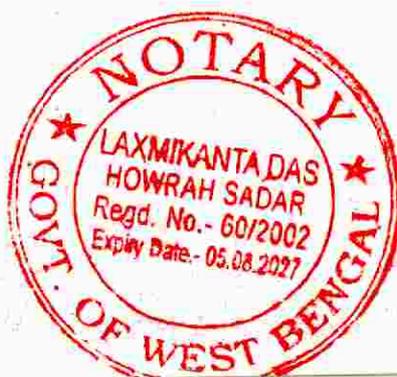
Yours faithfully



Spl. Law Officer &
SPIO

25.7.25

o/c



No. IA3-16/1/2024-IA.III (E-233729)
 Government of India
 Ministry of Environment, Forest and Climate Change
 (Impact Assessment Division)

Indira Paryavaran Bhawan
 Jor Bagh Road, New Delhi-110003
 Dated: 14th July, 2025

To

1. The Member Secretary,
 State Level Environment Impact Assessment Authority,
 5th Floor, Pranisampad Bhawan
 Block LB-II, Sector III, Salt Lake (Bidhannagar)
 Kolkata, West Bengal 700 106
 Email: environmentwb@gmail.com
2. The Member Secretary
 West Bengal Pollution Control Board
 Paribesh Bhavan,
 10A, Broadway Rd, LA Block, Sector 3,
 Bidhannagar, Kolkata, West Bengal 700106
 Email: net.wbpcb-wb@bangla.gov.in

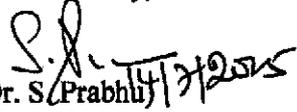
Subject: Public Grievance email dated 02.07.2025 received from Shri Ankur Sharma R/o 13/3, Dr. P. K. Banerjee Road, Howrah, West Bengal, 711101- regarding.

Sir,

I am directed to forward herewith the Public Grievance email dated 02.07.2025 received from Shri Ankur Sharma R/o 13/3, Dr. P. K. Banerjee Road, Howrah, West Bengal. Based on the details provided in the email received, the applicant cited the subject as "Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society". The email highlights several other concerns, one of which is that "the project is running without valid Environmental Clearance".

In this regard, it is requested to examine the nature and extent of the alleged grievance in respect of the above issue and submit a reply to the applicant directly with a copy to this Ministry at an early date. It is also requested that action as per the provision may be taken in the event the grievance is found to be in affirmative and informed to the applicant.

Yours faithfully,


 (Dr. S. Prabhu)
 Scientist D (Infra II)

Encl: As above.

Copy to:

1. Shri Ankur Sharma R/o 13/3, Dr. P. K. Banerjee Road, Howrah, West Bengal PIN - 711101 Email: adv.ankursharma9@gmail.com - for information.
2. Office Copy/Guard File.

Fwd: RE : Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

Munna Kumar Shah <munna.shah@gov.in >

Mon, 07 Jul 2025 6:25:20 PM +0530

To "Alok Baral"<alok.baral95@gov.in>,"S. PRABHU"<p.subramani@gov.in>,"JAYANT KUMAR"<jayantk.805@gov.in>

==== Forwarded message =====

From: Rajat Agarwal <js.la-moefcc@gov.in>

To: "shruti rai bhardwaj"<shruti.rai@nic.in>,"John Daniel Marcus Knight" <m.knight@gov.in>,"Munna Kumar Shah" <munna.shah@gov.in>

Date: Wed, 02 Jul 2025 14:30:25 +0530

Subject: Fwd: RE : Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

==== Forwarded message =====

==== Forwarded message =====

From: Amandeep Garg <asag-moefcc@gov.in>

To: "Rajat Agarwal" <js.la-moefcc@gov.in>

Date: Wed, 02 Jul 2025 14:05:47 +0530

Subject: Fwd: RE : Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

==== Forwarded message =====

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From: Mr Tanmay Kumar <secy-moef@nic.in>

To: "Amandeep Garg" <asag-moefcc@gov.in>

Date: Wed, 02 Jul 2025 13:40:50 +0530

Subject: Fwd: RE : Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

==== Forwarded message =====

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From: Ankur Sharma <adv.ankursharma9@gmail.com>

To: "Chief Environment Officer" <environmentwb@gmail.com>, <chrnmn.wbpcb-wb@bangla.gov.in>, <ms.wbpcb-wb@bangla.gov.in>

Cc: <secy-moef@nic.in>, <cs-westbengal@nic.in>, <mscb.cpcb@nic.in>, <secy.ma-wb@gov.in>

Date: Wed, 02 Jul 2025 13:27:30 +0530

Subject: RE : Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

==== Forwarded message =====

MOST URGENT

The Member Secretary
State Environment Impact Assessment Authority
(SEIAA), West Bengal

The Chairman
West Bengal Pollution Control Board

The Member Secretary
West Bengal Pollution Control Board

Sir(s),

Sub : Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

I am constrained as duty bound under Article 51A of the Constitution of India, 1950 to bring to your hitherto neglected notice that construction activities are going at abovementioned site without obtaining prior Environmental Clearance (EC) from SEIAA, West Bengal in gross and desperate violation of EIA, Notification, 2006.

As per EIA Notification, 2006 building and construction projects with a built-up area of more than 20,000 sq. m. fall under serial/category 8(a) of the said Notification requiring prior Environmental Clearance (EC) from SEIAA, West Bengal for commencement of any site development, excavation, or construction activities.

The project in question is of a scale that clearly exceeds the prescribed threshold requiring prior Environmental Clearance (EC) but has commenced, and has been continuing construction activities without any such clearance, violating the mandatory provision of "prior" environmental clearance. This makes the project illegal ab initio under the law.

It is gathered from the locale upon visit to the site on 02.07.2025 that the built-up area of the project is more than 40,000 sq. m. and exceeds the threshold limit of 20,000 sq. m. largely. Six G+12 storied buildings are being raised thereat. I attach some photographs of the site as captured by me today i.e. 02.07.2025.

The project is being constructed in breach of sustainable environmental safeguards in the following manner :

- (a) No prior environmental impact assessment has been carried on to assess the damages as may be caused to the environment due to construction of such a massive project ;
- (b) The illegal construction of the project in question is causing air pollution since no dust precipitating measures (ESP), no screen covers are being used for the building blocks under construction. Polluting diesel generator sets are also being used at the construction site ;
- (c) Stone chips, iron bars, sand and other construction materials are lying piled up on public road abutting the project site ;

- (d) The illegal construction activities are causing noise pollution ;
- (e) It is gathered from the locale that ground water is being extracted through illegal borewells ;
- (f) Satellite images reveal that a canal passing within the project area has been filled up for construction of the complex ;
- (g) There is huge loss of biodiversity. Existence of several tree and shrubs in and around the project site have been sacrificed in the interest of the subject project ;
- (h) Construction and demolition (C&D) waste are being dumped in and around the project site in open spaces causing environmental degradation.

You may also like to appreciate the fact that in a recent judgment, the Hon'ble Supreme Court of India in the case of Vanashakti vs. Union of India, W.P. (C) 1394 of 2023, struck down two office memorandums issued by the Ministry of Environment, Forest and Climate Change (MoEFCC) that allowed ex post facto environmental clearances for projects that commenced without prior Environmental Clearance (EC). Further, the Hon'ble Court restrained the Central Government from issuing circulars/ orders/ OMs/ notifications providing for grant of ex post facto Environmental Clearance (EC) in any form or manner or for regularising the acts done in contravention of the EIA Notification.

This solemn judgment underscores the legal obligation for obtaining prior Environmental Clearance (EC) and the inadmissibility of post facto clearances, reinforcing the need for strict adherence to environmental regulations.

Unique of the case is that the project is undertaken by WBCS Executive Officers' OITIKA Welfare Society independently. Such an organisation is required to be registered under West Bengal Societies Registration Act, 1961, and have one Memorandum of Association, and a Regulations of Association, inter alia, governing its membership etc. **So, everything of the project is the onus of WBCS Executive Officers' OITIKA Welfare Society (Regn. no. S0042047 of 2024-2025) – an organisation formed by highly placed public servants including from WBCS as the name denotes and IAS with some already superannuated.**

Another unique of the case is violations of statutory provisions, inter-alia, like EIA Notification 2006 by, I should say, the project proponent viz. the society formed by very highly placed public servants itself thereby encouraging private flouters of the law who are popularly known as land grabbers of the state. Such act of WBCS Executive Officers' OITIKA Welfare Society must be countermanded by condemning their illegal acts and making them to abide by spirit of the law and the government, if necessary, by demolition of every inch of illegal structures they have in the meantime raised to uphold the Constitution of India declaring no one is above law.

In the instant case, there is no publicly accessible record of any grant of Environmental Clearance (EC) on Parivesh portal nor display board containing any details of environmental clearance or any other information is available thereby confirming absence of lawful procedure under the EIA Notification, 2006.

The project is being constructed in a developing area with limited infrastructure. This will ultimately result in a massive environmental overload in the area affecting groundwater, noise levels, ambient air and water quality, and, lastly, the population residing in and around the project area.

The construction is going on rampantly in gross violation of the EIA, Notification 2006, amongst others. The project proponent has not taken any steps to contain pollution generated by their construction activities and is continuously violating several environmental laws and norms as a result of which the environment is getting polluted.

In view of the above, I request the following actions/steps for protection of the environment

- (i) Initiate an immediate inspection of the site through the State Environment Appraisal

- Committee (SEAC), West Bengal ;
- (ii) Issue a stop-work notice under Section 5 of the Environment (Protection) Act, 1986 ;
 - (iii) Order for demolition of all illegal structures already constructed/erected without prior Environmental Clearance (EC) ;
 - (iv) Initiate prosecution of the responsible persons and public servants under Sections 15 and 16 of the Environment (Protection) Act ;
 - (v) Direct the project proponent to pay environmental compensation for damages already caused to the environment ;
 - (vi) Direct the project proponent to take remedial measures for restoring the damages caused to the environment including tree replantation, soil stabilization, and proper C&D waste disposal ;
 - (vii) Direct the WBSEDCL to disconnect electric supply to the project site ;
 - (viii) Direct the local body not to provide any civic amenity to the project ;
 - (ix) Ensure that restoration and compensation measures are undertaken to mitigate the environmental damage already caused ;
 - (x) And take any such other step or steps as may be warranted in the interest of environment of whole of the state.

Thanking you,
Yours faithfully,

Ankur Sharma
13/3, Dr. P. K. Banerjee Road
Howrah, W.B. PIN - 711101
Mob : 9433883322

cc :

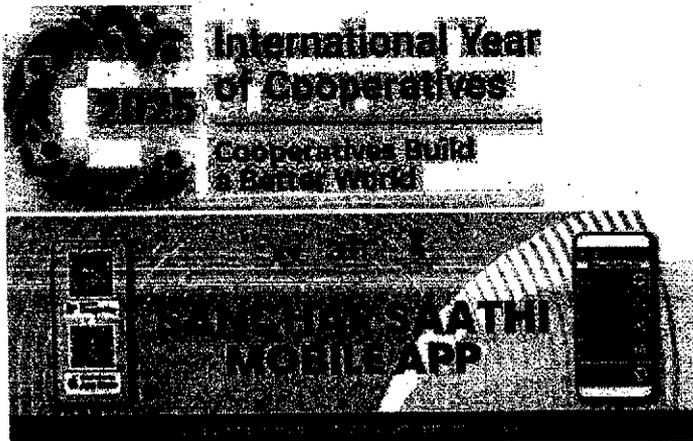
The Secretary
Ministry of Environment, Forest and Climate Change
Government of India

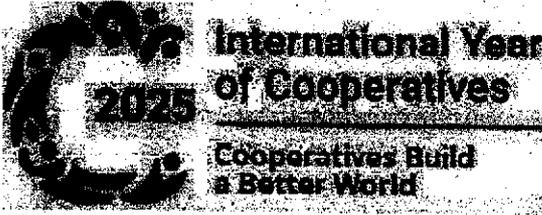
The Chief Secretary
Government of West Bengal

The Member Secretary
Central Pollution Control Board

The Principal Secretary
Urban Development and Municipal Affairs Department
Government of West Bengal

- for kind information and necessary directions.





6 Attachment(s)

TC_00692.JPG
287.2 KB

TC_00667.JPG
369.4 KB

TC_00660.JPG
355.4 KB

TC_00679.JPG
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TC_00694.JPG
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2 Jul 2025 at 12:11:20 PM

Street Number 757

City Town 70061

Area Bengal

at 71

English



परिवेश
PARIVESH
जैविक हरित

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change



75
आजादी का
अमृत महोत्सव



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List of Proposals

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S. No.	Proposal No.	Clearance Details	Project Name	Location	User Agency	Other Details	Proposal Status
1	SIA/WB/ INFRA2/ 448547/ 2023	Clearance Type: Application for ToR (Category A, B1, and B2 Violation)/ EC (Category B2) - Form 1 S/W No.: SW/14769 6/2023	Residential Complex by Housing Department, Government of West Bengal	WEST BENGAL	WBCS Executive Officer's Oitika Welfare Society	Category: B2 Sector : INFRA-2 Date of Submission: 29/02/2024	Referred to SEAC



Project Details

1. Introduction of Project or Activity

1.1. Need for the project or activity and its importance to the country/region	Yes
1.2. Demand - Supply Gap and Domestic and export markets, if any	N/A

2. Social Infrastructure

2.1. Readily available	Yes, Readily Available
2.2. Proposed to be developed	No

3. Connectivity to the project or activity

3.1. Nearest railway station and its distance (in Km)	Dum Dum Junction	6.33
3.2. Nearest Airport and its distance (in Km)	Netaji Subhash Chandra Bose International Airport	3.16
3.3. Nearest Town/City/District head quarter and its distance (in Km)	Rajarhat	1.47
4. Soil classification	It is a Residential Project	
5. Distance from the HFL of the river in m, if any	0	

6. Benefits of the project

6.1. Social benefits of project or activity	It is a Residential Project
6.2. Financial benefits of project or activity	Employment likely to be generated for the local people to some extent

7. Project/ Activity Construction Status

7.1. Likely date of start of construction activity (start of mining operations in case of mining proposals)	12/04/2024
7.2. Likely date of completion of construction activity (end of mining operations in case of mining proposals)	12/04/2028

Resource Utilization

8. Use of resources for construction or operation of the project

8.1. Whether requirement of water involved in the project?	Yes
--	-----

Details of Water requirement during Construction stage

Sr.No.	Source	Quantity in KLD Present	Quantity in KLD with Expansion	Method of water withdrawal	Distance from Source in mtr	Mode of Transport	Details of Permission	Competent Authority	Upload a copy of the permission letter/NOC	Status of Permission/t
Group										

Details of Water requirement during Operational stage

Sr.No.	Source	Quantity in KLD Present	Quantity in KLD with Expansion	Method of water withdrawal	Distance from Source in mtr	Mode of Transport	Details of Permission	Competent Authority	Upload a copy of the permission letter/NOC	Status of Permission/
1	Other	215	N/A	Tube well	0.01	Pipeline	N/A	No	N/A	N/A
2	Recycled	93	N/A	Tube well	0.01	Pipeline	N/A	No	N/A	N/A
3	Ground Water	308	N/A	Tube well	0.01	Pipeline	N/A	No	N/A	N/A

8.2. Other information, if any N/A

8.3. Whether requirement of Minerals and/or fuels involved in the project? No

8.4. Construction material Yes

Construction material	Quantity in MT	Source	Mode of transport	Distance from source in Km
Bricks	11371.27	Local Brick Field	Road	8
Sand	1126102.5	Birbhum	Road	250
Stone Chips	1142422.5	Pakur	Road	300
Cement	6007	Reputed Manufacturer	Road	10

8.5. Timber No

8.6. Electric Power: Yes

8.6.1. Total Electricity requirement (MW): 2.1125

8.6.2. Main Source: WBSEDCL

8.6.3. Renewable energy proposed to install (KW): 17

8.6.4. Percentage contribution of renewable energy: 1

8.6.5. Standby arrangements (details of DG Sets): 2 nos. 500 KVA

8.6.6. Stack height in m (DG set): 4.5

8.6.7. Energy conservation measures: Energy efficient lighting system e.g. High Pressure Sodium Vapour (HPSV) lamp.

8.7. Whether any other natural resources / other raw materials required?: No

8.8. Whether any use of substances or materials, which are hazardous (as per MSIH rules) to human health or the environment (flora, fauna, and water supplies) required? No

8.9. Whether any resource efficiency / optimization / recycling and reuse envisaged in the project? Yes

Physical Changes

9. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality:

9.1. Whether any permanent or temporary change in land use, land cover or topography due to project activity? No

9.2. Whether any clearance of existing vegetation due to project activity? No

9.3. Whether any loss of native species or genetic diversity? No

9.4. Whether any demolition works involved in project activity? No

9.5. Whether any linear structures proposed for diversion or demolition due to project activity? (e.g. roads, transmission lines, rail line, pipeline, conveyor, etc.) No

9.6. Whether any closure or diversion of existing transport routes or infrastructure due to project leading to changes in traffic movements? No

9.7. Whether any closure or diversion of water bodies present in project area or realignment of water courses passing through project area? No

9.8. Whether any dismantling or decommissioning or restoration works or reclamation works (Long-term/ short-term)? No

9.9. Whether any construction works for temporary use for project activity? No

9.10. Whether any cut and fill excavations proposed for the project activity? Yes

9.10.1. Quantity of cutting material in Cu.m 4766

9.10.2. Proposed utilization / dispose of cutting material is being utilized in foundation work

9.10.3. Quantity of filling material in Cu.m 4766

9.10.4. Source of filling material Excavated earthwork

9.10.5. Other information, if any N/A

9.11. Whether any underground works including tunnelling? No

9.12. Whether any dredging involved in project? No

9.14. Whether any new road, rail, sea, airports, helipad, etc. during construction or operation?	No	
9.15. Whether any construction of new linear structures? (e.g. transmission lines, pipelines, etc.)	No	
9.16. Whether any Facilities for storage of goods or raw materials?	Yes	
9.16.1. Covered area proposed for storage	50	sqm
9.16.2. Open area proposed for storage (sqm/Km)	100	sqm
9.16.3. Other information, if any	N/A	
9.17. Whether any Facilities for long term/ permanent housing of operational workers/ staff?	NO	
9.18. Whether any Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?	No	
9.19. Whether any Stream crossings, temporary and permanent?	No	
9.20. Whether any influx of people to an area in either temporarily or permanently?	Yes	
9.20.1. No. of people likely to influx to an area temporarily	215	
9.20.2. No. of people likely to influx to an area Permanently	2224	
9.20.3. Other information, if any	N/A	
9.21. Whether any other information would like to submit?	No	

Pollution Details

10. Release of pollutants to Air and Mitigation measures

10.1. Whether any probable air pollutants generated?	Yes
Air Pollution Source	Probable Pollutants
Others	Particulate matters (PM10, PM2.5)
	Mitigation Measures
	water sprinkling
10.2. Other information, if any	N/A

10.3. Generation of Noise & Vibration and mitigation measures

10.3.1. Whether any probable generation of Noise and vibration from the proposed project?	Yes
10.3.1.1. Sources of Noise	Construction work (drilling, piling, etc.)
10.3.1.2. Sources of Vibration	Construction work (drilling, piling, etc.)
10.3.1.3. Details of blasting, if any	N/A

10.3.1.4. Other information, if any N/A

10.3.1.5. Whether any mitigation measures proposed for Noise & Vibration? No

10.3.2. Whether any probable generation of Light and Heat? No

10.4. Discharge of pollutants to water and mitigation measures

10.4.1. Whether any probable water pollutants generated? No

Details of reuse / recycle of wastewater

Details	Qty / Capacity
10.5. Quantity of waste water generation per day (KLD)	216
10.6. Quantity of treated water proposed to use per day (KLD)	93
10.7. Quantity of treated water proposed to discharge outside the premises (KLD)	123
10.8. Purpose for which treated water is proposed to use	Landscaping, flushing, yard washing & HVAC
10.9. Whether it is proposed to opt/avail common off-site Sewage Treatment Plant (CSTP)/Effluent Treatment Plant (CETP) facility?	No
10.10. Whether it is proposed to setup on-site Sewage Treatment Plant (STP)/Effluent Treatment Plant (ETP) facility?	Yes
10.10.1. Whether 100% of the waste water generated will be treated?	Yes
10.11. Type of treatment plant	STP
10.12. ETP/STP Capacity	216 KLD
	ETP
	N/A N/A
10.13. ETP/STP Technology	STP ETP
	MBBR N/A

10.14. Whether the adequacy of the Sewage Treatment Plant (STP) or Effluent Treatment Plant certified by an independent expert? Yes

10.14.1. Details thereof Will be certified after installation.

10.15. Whether any other mitigation measures proposed? No

10.16. Whether Dual Plumbing System proposed to be implemented? Yes

10.16.1. Details thereof Treated waste water will be reused in flushing

10.17. Whether any discharge of treated effluent involved? Yes

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10.17.1. Mode of discharge of treated effluent	Will be discharged via pipeline.
10.17.2. Place of discharge of treated effluent	HIDCO/NKDA Pipeline
10.17.3. Other information, if any	N/A

Water Requirements

11. Ground water intersection and water conservation measures:

11.1. Whether ground water table intersection involved in the project activities?	No
11.2. Area category from Groundwater availability perspective?	Safe
11.3. Whether Rainwater harvesting proposed	Yes
11.3.1. Capacity of facilities provided	270
11.3.2. Description of facilities provided	Rain water harvesting tank of capacity 20 cum and 12 nos. recharge structures.
11.3.3. Description	NA
11.3.4. Total Quantity of water requirements met from water harvesting in KLD	0
11.3.5. Storage capacity of rain water harvested in cubic meters	270
11.4. Whether any other water conservation measures proposed?	No
11.5. Whether the ZLD is proposed?	No

12. Greenbelt

12.1. Area proposed for green belt (in Ha)	0.57
12.2. Width of green belt (in m) along the boundary of the project or activity	1
12.3. Percentage of the total area covered under green belt	25.83
12.4. Details of the species proposed for plantation	Mainly fruit & flower bearing trees are proposed along with a few ornamental trees.
12.5. No. of tree saplings to be planted	462
12.6. Funds allocated for plantation in Lakhs.	9.5355

Waste Generation

13. Production of wastes during construction or operation or decommissioning

13.1. Whether any generation of Solid waste (domestic wastes)?	Yes
--	-----

Name of the waste	Source	Qty (TPA)	Mode of disposal	Mode of Transport
Municipal Solid	Domesti		To be treated through on-site OMC and rest to be disposed of	

13.2. Whether any generation of plastic waste?	No
13.3. Whether any generation of e-waste?	No
13.4. Whether any generation of batteries waste?	No
13.5. Whether any generation of Bio-medical waste?	No
13.6. Whether any generation of hazardous wastes (as per Hazardous Waste Management Rules)?	No
13.7. Whether any generation of construction or demolition wastes?	No
13.8. Whether any generation of other wastes?	No
13.9. Whether any generation of surplus products?	No
13.10. Whether measures for waste minimization proposed?	No

Risk Assessment

14. Whether any risks associated with project activities which could affect human health or the environment, -	
14.1. From explosions, spillages, fires etc. from storage, handling, use or production of hazardous substances?	No
14.2. From any other causes?	No
14.3. Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?	No
14.4. Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)	No
14.5. Could project adversely affect the wellbeing of people in project area e.g. by changing living conditions?	No
14.6. Vulnerable groups of people who could be adversely affected by the project e.g. hospital patients, children, the elderly etc.	No
14.6.1. Has cumulative risk assessment been performed?	N/A
14.7. Whether any likely impacts of the proposed activity on the existing facilities adjacent to the proposed site due to generation of dust, smoke, odorous fumes or other hazardous gases?	No

15. Factors which should be considered (such as consequential development) which could lead to environmental effects or

15.1. Whether lead to development of supportive facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: Supportive infrastructure (roads, power supply, waste or waste water treatment, etc.); housing development; industries in supply chain and downstream; any other?	No
15.2. Whether lead to after-use of the site, which could have an impact on the environment? (e.g. mine void, dump sites, etc.)	No
15.3. Whether set a precedent for later developments?	No
15.4. Have cumulative effects due to proximity to other existing or planned projects with similar effects?	No
15.5. Whether lead to growth of alien species, if any?	No
15.6. Is there any threat of the project to the biodiversity (including displacement of fauna-both terrestrial and aquatic and avi-fauna or creation of barriers for their movement)?	No
15.7. Will the proposed project in any way result in the obstruction of a view, scenic amenity or landscapes?	No
15.8. Is there any impact on anthropological or archaeological sites or any important site feature in the vicinity of the proposed site have been considered?	No
15.9. Will the proposed project result in any changes to the demographic structure of local population?	No
15.10. Will the project cause adverse effect on local communities, disturbance to sacred sites or other cultural values?	No

16. Building or Construction projects or Area Development projects and Townships Proposals

16.1. Major Project Requirement in terms of the land area, built up area, green belt, parking needs etc.

	Existing	Expansion
16.1.1. Total number of dwelling units	376	N/A
16.1.2. Unpaved Area (sq. m)	5660.71	N/A
16.1.3. Surface Parking Area (sq. m)	3673.84	N/A
16.1.4. STP & Solid Waste Area (sq. m)	1104.35	N/A
16.1.5. Open Area (sq. m)	N/A	N/A
16.1.6. Number of parking Required	520	N/A
16.1.7. Residential Complex: Six Nos. Tower (1,2,3,4,,5,6) of G+12 storied	51985.705	N/A
16.1.8. Total Land/plot area (sq. m)	21911.64	N/A
16.1.9. Paved Area (sq. m)	6376.74	N/A
16.1.10. Maximum number of floors	13	N/A

16.1.11. Green belt Area (sq. m)	5660.71	N/A	-81-
16.1.12. Build up area (sq. m)	51985.705	N/A	
16.2. Whether management of drainage in and around site is proposed as per the Central Public Health & Environment Engineering Organization (CPHEEO) Manual on Storm Water Drainage System, 2019 to avoid flooding or water logging?	Yes		
16.2.1. Details thereof	Project falls under HIDCO and all infrastructural support will be provided by them.		
16.3. Details regarding measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)	Very negligible quantity of construction materials are expected to be deposited on the construction site, which may be carried through surface run off.		
16.4. Impact of the land use changes occurring due to the proposed project on the runoff characteristics of the area in post construction phase on a long term	The storm drains of the building will collect and convey the rainwater into the adjacent HIDCO drain.		
16.5. Will there be any significant land disturbance resulting in erosion, subsidence and instability?	No		
16.5.1. Reasons thereof	This is a Residential project		
16.6. Whether soil erosion control measures proposed to conform to best management practices highlighted in the National Building Code (NBC) of India, 2016?	Yes		
16.6.1. Details thereof	During construction phase removal of top soil may cause soil erosion at the construction site. The construction site run off with eroded soil will be routed through catch pit / sedimentation basin prior to final disposal to HIDCO drain.		

16.7. Breakup of water requirement for various daily uses

Daily Use	Daily quantity (KLD)	
	During Construction	During Operation
Drinking Water	19	215
Green Belt	10	49
Flushing	2	26
Dust Suppression	3	8

Daily Use	During Construction	During Operation
16.8. Details of traffic management at the entry & exit to the project site in construction and operation phase with comparison to the present level of traffic	There may be some increase in movement of light vehicles, private cars, and two wheelers in the area due to the proposed project.	
16.9. Whether buildings or building complexes have a connected load of 100 kW or greater or a contract demand of 120 kVA or greater and are intended to be used for commercial purposes.	No	
16.10. What is the Energy Performance Index (EPI) of a building in kilowatt-hours per square meter per year of the building and measures to minimize energy consumption?	-	
16.11. Whether Compliance to the ECRC norms is applicable?	No	

16.12. Details for Energy efficiency level

Building envelope

16.12.1. Fenestration

Parameter	Details	Remarks
U-Factor (W/m ² .K)	-	-
Solar Heat Gain Coefficient	-	-
Visual Light Transmittance	-	-

16.12.2. Day lighting

Parameter	Details	Remarks
% Useful daylight illuminance (UDI)	0	-
Area per floor (sq. m) UDI requirement during 90% of the year	0	-
Total daylight area (sq. m) in building meeting UDI requirement during 90% of the year	0	-

Building Envelope Sealing

16.12.3. Roof

Parameter	Details	Remarks
Roof assembly U-factor (W/m ² .K)	0	-
Climate Zone	0	-

16.12.4. External Wall

Opaque Assembly Maximum U-factor (W/m ² .K)	0	-
Climate Zone	0	-
Material	0	-
R Value	0	-

16.12.5. Energy efficiency in Thermal comfort systems and controls

-

16.12.6. Energy efficiency in Lighting and Electrical systems and controls

-

16.13. Does the layout of streets & buildings maximize the potential for solar energy devices? Substantiate with details.

-

16.14. What extent the non-conventional energy technologies are utilized in the overall energy consumption? Provide details of the renewable energy technologies used

Solar energy will be used in street lighting to minimize the energy consumption.

16.15. What are the likely effects of the building activity in altering the microclimates? Provide a self-assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?

Planting trees, bushes and properly planned landscape will reduce the heat island effect by reducing ambient temperature through evapotranspiration.

16.16. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans

-

16.17. Details of NOCs available for the project (if any)

N/A

17. Layout Plan showing the components of the project and green belt proposed; general location and specific location of the project along with coordinates **Building Permit.pdf**

17.1. Upioaa copy of Replenishment Study Report & Baseline Survey Data	Land Use Plan.pdf Preview
17.2. Upload Copy of EMP Report	EMP.pdf
17.3. Conceptual Plan for Building and Construction project	DPR .pdf
17.4. Upload copy of District Survey Report	N/A
18. Schematic representation of the feasibility drawings which give information for EIA purpose	Covering.pdf

19. Additional Information

S. No.	Document Name	Remark	Document
1	EDS Reply	EC Payment challan	EC Payment challan.pdf
2	Sanction Plan - Ground Floor Plan	Sanction Plan - Ground Floor Plan	Ground Floor Plan.pdf
3	Microclimate Analysis Report	Microclimate Analysis Report	Microclimate Analysis Report_ Oitika Housing.pdf
4	Project cost	Project cost	Project cost.pdf
5	Need based	Need based	Need based.pdf
6	Authoraization Letter	Authoraization Letter	Authoraization Letter.pdf
7	STP plan & Section	STP plan & Section	STP plan & Section.pdf
8	Soil Test Report	Soil Test Report	Soil Test Report.pdf
9	Sanction Plan - Water Supply	Sanction Plan - Water Supply	Sanction Plan - Water Supply.pdf
10	Sanction Plan - Water Reservoir Section Detail	Sanction Plan - Water Reservoir Section Detail	Sanction Plan - Water Reservoir Section Detail.pdf
11	Sanction Plan - Storm Water & Sewarage	Sanction Plan - Storm Water & Sewarage	Sanction Plan - Storm Water & Sewarage.pdf
12	Sanction Plan - Services Drawing	Sanction Plan - Services Drawing	Sanction Plan - Services Drawing.pdf
13	Sanction Plan - Master Plan	Sanction Plan - Master Plan	Sanction Plan - Master Plan.pdf
14	Sanction Plan - Location Plan	Sanction Plan - Location Plan	Sanction Plan - Location Plan.pdf
15	Sanction Plan - Land Use Plan	Sanction Plan - Land Use Plan	Sanction Plan - Land Use Plan.pdf
16	Sanction Plan - Floor Plan,Tower 2	Sanction Plan - Floor Plan,Tower 2	Sanction Plan - Floor Plan,Tower 2.pdf
17	Sanction Plan - Floor Plan,Tower 1,3,4,6	Sanction Plan - Floor Plan,Tower 1,3,4,6	Sanction Plan - Floor Plan,Tower 1,3,4,6.pdf
18	Sanction Plan - Floor Plan, Tower 5	Sanction Plan - Floor Plan, Tower 5	Sanction Plan - Floor Plan, Tower 5.pdf
19	Sanction Plan - Elevation-Section, Tower 5	Sanction Plan - Elevation-Section, Tower 5	Sanction Plan - Elevation-Section, Tower 5.pdf
20	Sanction Plan - Elevation-Section, Tower 2	Sanction Plan - Elevation-Section, Tower 2	Sanction Plan - Elevation-Section, Tower 2.pdf
21	Sanction Plan - Elevation-Section, Tower 1,3,4,6	Sanction Plan - Elevation-Section, Tower 1,3,4,6	Sanction Plan - Elevation-Section, Tower 1,3,4,6.pdf
22	Sanction Plan - Detail of Stair, Tower 1,3,4,6	Sanction Plan - Detail of Stair, Tower 1,3,4,6	Sanction Plan - Detail of Stair, Tower 1,3,4,6.pdf

23	NABET	NABET	NABET.pdf
24	Land - Possession	Land - Possession	Land - Possession.pdf
25	Land - Mutation	Land - Mutation	Land - Mutation.pdf
26	Land - Deed of Lease	Land - Deed of Lease	Land - Deed of Lease.pdf
27	Form IA	Form IA	Form IA.pdf
28	Form I	Form I	Form I.pdf
29	Fire Recommendation	Fire Recommendation	Fire Recommendation.pdf
30	DFO Certified Plan	DFO Certified Plan	DFO Certified Plan.pdf
31	DFO Certificate	DFO Certificate	DFO Certificate.pdf
32	Declaration	Declaration	Declaration.pdf
33	Consent Letter	Consent Letter	Consent.pdf
34	Checklist B	Checklist B	Checklist B online.pdf
35	Checklist A	Checklist A	Checklist A online.pdf
36	Aviation NOC	Aviation NOC	Aviation NOC.pdf
37	Covering	Covering	Covering.pdf
38	DPR	DPR	DPR .pdf
39	EMP	EMP	EMP.pdf
40	Land Use Plan	Land Use Plan	Land Use Plan.pdf
41	Building Permit	Building Permit	Building Permit.pdf

20. Document Checklist

21. I certify that I have uploaded all the required documents and correctly indicated them in the checklist. In case any discrepancy is found, or any required document is missing, the application shall be liable to be rejected at our own risk and cost.

Undertaking

22. I hereby give undertaking that the data and information given in the application and enclosures are true to be best of my knowledge and belief and I am aware that if any part of the data and information is found to be false or misleading at any stage, the project will be rejected and clearance given if any to the project will be revoked at our risk and cost. In addition to the above, I hereby give undertaking that no activity/construction/expansion has been taken up

22.1. Name	MADHU DATTA
22.2. Designation	Superintending engineer
22.3. Company	MADHU DATTA
22.4. Address	P - 7& 8, CIT Road, 1st Floor Kolkata - 700014
22.5. Date	16/10/2023



सत्यमेव जयते

Government of India
Ministry of Environment, Forest and Climate Change
 (Issued by the State Level Expert Appraisal
 Committee(SEAC),
 WEST BENGAL)



**Minutes of 83rd Meeting of Reconstituted SEAC State Level Expert Appraisal Com
 mittee meeting held from 27/08/2025 to 27/08/2025**

Date: 09/09/2025

MoM ID: EC/MOM/SEAC/771800/8/2025

Agenda ID: EC/AGENDA/SEAC/771800/8/2025

Meeting Venue: Conference Room, Paribesh Bhawan, West Bengal Pollution Control Board, Bidhannagar, Kolkata – 700106.

Meeting Mode: Hybrid

Date & Time:

27/08/2025	02:00 PM	06:00 PM
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1. Opening remarks

The Member Secretary, SEAC welcome the Members & the Chairman of the Committee and apprised them about the Agenda of the meeting.

2. Confirmation of the minutes of previous meeting

The proceedings of 82nd meeting of SEAC held on 20.08.2025 were prepared and uploaded in the Parivesh Portal on 28.08.2025 with the approval of all the Members & the Competent Authority. SEAC confirmed the same.

3. Details of proposals considered by the committee

Day 1 -27/08/2025

3.1. Agenda Item No 1:**3.1.1. Details of the proposal**

DAKSHIN GOPALPUR SAND MINE OF G S INDUSTRIES by pRADIP KUMAR pAL located at PURBA BAR DHAMAN, WEST BENGAL			
Proposal For		Fresh ToR	
Proposal No	File No	Submission Date	Activity (Schedule Item)
<u>SIA/WB/MIN/548263/2025</u>	-2N-39/2023(E)	18/08/2025	Mining of minerals

of EMP.

i) Piezometer with automatic water level meter connected to an electronic display board.

Plan in this regard to be submitted.

28. 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.

3.18.5. Recommendation of SEAC

Deferred for ADS

3.19. Agenda Item No 19:

3.19.1. Details of the proposal

Residential Complex by Housing Department, Government of West Bengal by WBCS Executive Officer's Oitika Welfare Society located at 24 PARAGANAS NORTH, WEST BENGAL			
Proposal For		Fresh EC	
Proposal No	File No	Submission Date	Activity (Schedule Item)
<u>SIA/WB/INFRA2/448547/2023</u>	2N-60/2024(E)	29/02/2024	Building / Construction (8(a))

3.19.2. Project Salient Features

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

Total Land Area	21911.64 sqm (100%)
Swimming pool area	330.00 sqm (1.51%)
Ground Coverage Area	4766.00 sqm (21.75%)
Service Area	1104.35 sqm (5.04%)
Paved Area	6376.74 sqm. (29.10%)
Exclusive Tree Plantation Area	5660.71 sqm. (25.83%)

Open Parking Area	3673.84 sqm. (16.77%)
Total Built Up Area	51985.705 sqm
No. of Block & Story	Six No. Towers (1, 2, 3, 4, 5, 6) of G+12 storied
No. of Dwelling units	376 Nos.
Source of Water	NKDA / HIDCO
Total Quantum of Water required	308 KLD
Quantity of Wastewater Generation	216 KLD
Quantity of treated wastewater recycled	93 KLD
Quantity of treated wastewater Discharge	123 KLD
Quantum of Fresh Water required	215 KLD
Quantity of Solid Waste Generation	1050 Kg/Day
Constructional Phase Water Demand	35 KLD (construction work – 29 KLD, potable water – 5 KLD)
Total Population During Construction	420 Nos.
Total Population During Operation	2439 Nos. (Fixed Person – 2224, Floating Person – 192, Service Person – 23)
Electricity Load	2112.50 KVA & 1690 KW
Electricity Supplied By	2 Nos. 500KVA
Car Parking required	520 Nos.
Car Parking provided	521 Nos. (Cover car parking – 126, Open car parking – 395)
No. of trees provided	357 Nos.
Latitude & Longitude of site	22°37'31.90"N & 88°27'17.79"E

Height of the building	39.925 m.
Project cost (Rs.)	Rs. 128,37,09,698.00

3.19.3. Deliberations by the committee in previous meetings

Date of SEAC 1 :13/03/2024

Deliberations of SEAC 1 :

- Based on the application made and the documents uploaded / submitted, in the PARIVESH portal, the SEAC observed that the sanctioned building plan uploaded by the PP is not in accordance with the SEIAA notification vide no. 2495/EN-T-II-I/011/2018 dated 17.12.2019. The sanctioned building plan does not include the mandatory details such as land use statement, scaled up drawing of STP both plan and section, rainwater harvesting tank details, location of recharge pits and its details etc. as mentioned in the notification.
- The PP presented the details of the project before SEAC on which the SEAC made the following observations:

Mandatory Documents

1. Sanctioned building for the project in accordance with the notification issued by SEIAA vide no. 2495/EN-T-II-I/011/2018 dated 17.12.2019.
2. The covered area for the project is 54293.814 sqm., whereas the built-up area of the project as per the sanction plan is 51985.705 sqm. According to the MoEF&CC, the application for EC should be done for the covered area on all floors put together including its basement and other service areas.
3. The NOC of the airport shows a different name of the proponent. Document for clarification of such anomaly should be furnished. Name of the project proponent should also be clarified.

Water & waste water

4. Proposal for installation of piezometer with automatic water level meter. The design of the piezometer and the monthly water level in the piezometer should be reported with the six-monthly compliance report.
5. The sewage characteristic should include the parameters like total N, total P and faecal coliforms table for both raw and treated sewage.
6. Water required for the construction phase as far as practicable be arranged from the treated wastewater of the operational STP of NKDA.
7. Flow diagram of STP should clearly show the backwash waters and the water from sludge dewatering system recycled to the equalization tank. At present the lines shown are confusing.

Rainwater harvesting

8. Water from areas of rooftop garden should be separated from the rainwater which will be harvested. The plan of the rooftop showing the areas of roof top garden, rainwater harvesting area, etc. should be submitted. Recharge wells are to be shown on the sanctioned plan. The overflow from rainwater storage tanks should be planned for recharge through wells. At least two recharge tanks each with 6 recharge wells should be constructed for better recharge. Recharge wells should be raised above ground level to avoid contamination.

Solar

9. Layout of rooftop solar PV array to be submitted along-with utilization plan of this solar power.

Need based activities

10. Need based activities should be more specific and communication with the proposed beneficiaries should be furnished.

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.

- The SEAC considered the submission made by the PP in the 83rd meeting of SEAC, WB (2023-2026) held on 27.08.2025 along with the presentation made by the PP. Considering the complaint received by SEIAA and WBPCB and 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) Present site photographs of the project along with date, time and geo-coordinates matching with the project proposal in the portal and clearly mentioning the current status of construction at site should be submitted.
- 2) A fresh drone videography of the project site clearly showing the date, time and location should be submitted.

Water and waste water

- 3) Detailed design of STP should be submitted.

Need-based EMP

- 4) 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. Beneficiaries for the social part of EMP should be identified and their consent should 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.

3.19.5. Recommendation of SEAC

Deferred for ADS

4. Any Other Item(s)

N/A

5. List of Attendees

Sr. No.	Name	Designation	Email ID	Remarks
1	Prof Anirban Gupta	Chairman, SEAC	gup*****@hotmail.com	Present.
2	Prof Dr Indranath Sinha	SEAC MEMBER	ind*****@gmail.com	Present.
3	Aniruddha Mukhopadhyay	SEAC MEMBER	amc*****@gmail.com	Present.
4	Pradip Kumar Sikdar	SEAC MEMBER	pra*****@gmail.com	Present.
5	Sampa Chakrabarti	SEAC MEMBER	sam*****@gmail.com	Present.

6	Suchandra Bardhan	SEAC MEMBER	suc*****@gmail.com	Present through VC.
7	Subhendu Bandopadhyay	SEAC MEMBER	shu*****@gmail.com	Present.
8	Shri Jagdish Prasad Meena IAS	Member Secretary, SEAC	ms.*****@bangla.gov.in	Present.

Minutes of the 83rd meeting of the State Level Expert Appraisal Committee, West Bengal (2023-2026) held on August 27, 2025 at 14:00 hr at the Conference Room, Paribesh Bhawan, Bidhannagar.

The 83rd meeting of the State Level Expert Appraisal Committee (SEAC), West Bengal (2023-2026) was held on Wednesday the 27th August, 2025 at 14:00 hr at the Conference Room, Paribesh Bhawan, Bidhannagar. The following members participated:

1)	Jagdish Prasad Meena, IAS	Secretary, SEAC	Present
2)	Prof. Anirban Gupta	Chairman, SEAC	Present
3)	Prof. Pradip Sikdar	Member, SEAC	Present
4)	Prof. Suchandra Bardhan	Member, SEAC	Present through VC
5)	Prof. Sampa Chakrabarti	Member, SEAC	Present
6)	Prof. Aniruddha Mukhopadhyay	Member, SEAC	Present
7)	Shri Shubhendu Bandyopadhyay	Member, SEAC	Present

1) TECHNICAL PRESENTATIONS:-

1.1) Terms of Reference:

1.1.1) Mining of Minerals:

- I. Proposed Dakshin Gopalpur Sand Mine [Sand Block No.: BARDHAMAN-II/DAKSHIN GOPALPUR/2019/G] over an area of 2.03 Hectare (5.02 Acres) on the river Damodar at Plot no: 2019(P), J.L. No. - 165, Mouza: Dakshin Gopalpur, P.S: Bardhaman, District: Purba Bardhaman, West Bengal.**

Proposal No.:	SIA/WB/MIN/548263/2025
Project Proponent:	Pradip Kumar Pal
Environmental Consultant:	M/s. Palle Business House.

Activities:

- This is a proposal for Dakshin Gopalpur Sand Mine [Sand Block No.: BARDHAMAN-II/DAKSHIN GOPALPUR/2019/G] over an area of 2.03 Hectare (5.02 Acres) on the river Damodar at Plot no: 2019(P), J.L. No. - 165, Mouza: Dakshin Gopalpur, P.S: Bardhaman-II, District: Purba Bardhaman, West Bengal.
- **The project is falling within the DSR potential zone code PBBD_BD2_DA_15(XVB).**
- **According to the DSS of the PARIVESH portal, the project area does not touch any CRZ, ESZ, PA WII and RFA.**
- As required under the West Bengal Minor Mineral Concession Rules, 2016, the PP got a composite 'Mining Plan with Progressive Mine Closure Plan' prepared for riverbed sand mining at the site by an RQP. The plan has been approved by the State Government on

	Institutional Tower: ▪ Basement: 28 nos. ▪ Open Mechanical: 46 nos.
No. of Trees proposed	120 & 3 nos. existing to be retained
Backup Power	1 X 500 kVA & 1 X 250 kVA
Proposed solar capacity (Existing + Proposed)	10.26 kW _p (Existing) 6.31 kW _p (Proposed)
Project Cost (Rs.)	Rs.60 Crores

Chronology of the Events:

- The PP has applied in prescribed format for the proposed project for Environmental Clearance and uploaded the proposal in the PARIVESH portal on 19.07.2025.
- 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 79th meeting of the SEAC, WB (2023-2026) held on 23.07.2025 and the PP presented their proposal in this meeting.
- **According to the DSS of the PARIVESH portal, the project area does not touch any CRZ, ESZ, RFA & PA WII.**
- The consultant appearing for presentation along with the PP could not submit their certificate of accreditation from NABET. According to the NABET website, which was reviewed during the meeting, the extension letter validity was upto 31/05/2025. Hence, the SEAC was compelled not to accept the presentation of the project as per the provisions of the Notification issued by MoEF & CC vide S.O. 648(E) dated 03.03.2016, since the validity of NABET accreditation of the consultant has been expired. The PP was advised to appear for a fresh presentation of their project only on the basis of the Notification issued MoEF & CC and SEIAA dated 17.12.2019 and further amended on 17.07.2025 and with environmental consultant having valid accreditation by NABET.
- The project proponent uploaded their reply in PARIVESH Portal on 22.08.2025 requesting for withdrawal of the present proposal, which was considered in the 83rd meeting of SEAC, WB (2023-2026) held on 27.08.2025.

SEAC Observations and Recommendations:

- The SEAC considered the submission made by the PP in the 83rd meeting of SEAC, WB (2023-2026) held on 27.08.2025.
- **Considering the above, the committee recommended that the present proposal for Environmental Clearance may be forwarded to SEIAA for rejection.**

IV. Proposed Residential Complex for WBCS Officers housing scheme at Premises no. 44-0676, Plot No. – IID / 37 in AA – IID of Newtown, PS – Airport, District – North 24 Pargana, Kolkata, West Bengal.

Proposal No.:

Project Proponent:

Environmental Consultant:

SIA/WB/INFRA2/448547/2023

WBCS Executive Officer's Oitika Welfare Society

M/s. Ultra-Tech.

Activities:

- This is a proposal for development of Residential Complex for WBCS Officers housing scheme comprising of Six Nos. Towers (1, 2, 3, 4, 5, 6) of G+12 storied. Total Land Area is 21911.64 sqm. and total built up area is 51985.705 sqm. Total no. of dwelling units are 376 Nos.

Salient Features of the project:

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

Total Land Area	21911.64 sqm (100%)
Swimming pool area	330.00 sqm (1.51%)
Ground Coverage Area	4766.00 sqm (21.75%)
Service Area	1104.35 sqm (5.04%)
Paved Area	6376.74 sqm. (29.10%)
Exclusive Tree Plantation Area	5660.71 sqm. (25.83%)
Open Parking Area	3673.84 sqm. (16.77%)
Total Built Up Area	51985.705 sqm
No. of Block & Story	Six No. Towers (1, 2, 3, 4, 5, 6) of G+12 storied
No. of Dwelling units	376 Nos.
Source of Water	NKDA / HIDCO
Total Quantum of Water required	308 KLD
Quantity of Wastewater Generation	216 KLD
Quantity of treated wastewater recycled	93 KLD
Quantity of treated wastewater Discharge	123 KLD
Quantum of Fresh Water required	215 KLD
Quantity of Solid Waste Generation	1050 Kg/Day
Constructional Phase Water Demand	35 KLD (construction work – 29 KLD, potable water – 5 KLD)
Total Population During Construction	420 Nos.
Total Population During Operation	2439 Nos. (Fixed Person – 2224, Floating Person – 192, Service Person – 23)
Electricity Load	2112.50 KVA & 1690 KW
Electricity Supplied By	2 Nos. 500KVA
Car Parking required	520 Nos.
Car Parking provided	521 Nos. (Cover car parking – 126, Open car parking – 395)
No. of trees provided	357 Nos.
Latitude & Longitude of site	22°37'31.90"N & 88°27'17.79"E

Height of the building	39.925 m.
Project cost (Rs.)	Rs. 128,37,09,698.00

Chronology of the Events:

- The PP applied in prescribed format for Environmental Clearance for the proposed project and uploaded the application in the PARIVESH portal on 29.02.2024.
- The PP was called for the EC presentation in the 32nd meeting of the SEAC, WB (2023-2026) held on 06.03.2024 and the PP presented their proposal in this meeting.
- Based on the application made and the documents uploaded / submitted, in the PARIVESH portal, the SEAC observed that the sanctioned building plan uploaded by the PP is not in accordance with the SEIAA notification vide no. 2495/EN-T-II-I/011/2018 dated 17.12.2019. The sanctioned building plan does not include the mandatory details such as land use statement, scaled up drawing of STP both plan and section, rainwater harvesting tank details, location of recharge pits and its details etc. as mentioned in the notification.
- The PP presented the details of the project before SEAC on which the SEAC made the following observations:

Mandatory Documents

1. Sanctioned building for the project in accordance with the notification issued by SEIAA vide no. 2495/EN-T-II-I/011/2018 dated 17.12.2019.
2. The covered area for the project is 54293.814 sqm., whereas the built-up area of the project as per the sanction plan is 51985.705 sqm. According to the MoEF&CC, the application for EC should be done for the covered area on all floors put together including its basement and other service areas.
3. The NOC of the airport shows a different name of the proponent. Document for clarification of such anomaly should be furnished. Name of the project proponent should also be clarified.

Water & waste water

4. Proposal for installation of piezometer with automatic water level meter. The design of the piezometer and the monthly water level in the piezometer should be reported with the six-monthly compliance report.
5. The sewage characteristic should include the parameters like total N, total P and faecal coliforms table for both raw and treated sewage.
6. Water required for the construction phase as far as practicable be arranged from the treated wastewater of the operational STP of NKDA.
7. Flow diagram of STP should clearly show the backwash waters and the water from sludge dewatering system recycled to the equalization tank. At present the lines shown are confusing.

Rainwater harvesting

8. Water from areas of rooftop garden should be separated from the rainwater which will be harvested. The plan of the rooftop showing the areas of roof top garden, rainwater harvesting area, etc. should be submitted. Recharge wells are to be shown on the sanctioned plan. The overflow from rainwater storage tanks should be planned for recharge through wells. At least two recharge tanks each with 6 recharge wells should

be constructed for better recharge. Recharge wells should be raised above ground level to avoid contamination.

Solar

9. Layout of rooftop solar PV array to be submitted along-with utilization plan of this solar power.

Need based activities

10. Need based activities should be more specific and communication with the proposed beneficiaries should be furnished.

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

- The project proponent uploaded their reply in PARIVESH Portal on 19.08.2025, which was considered in the 83rd meeting of SEAC, WB (2023-2026) held on 27.08.2025.
- **A complaint was lodged by Shri Ankur Sharma dated 02.07.2025 regarding construction activities in violation of EIA Notification, 2006 and flouting of environmental norms for construction of 'Oitika' project at Premises 44-0676, Plot No. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN – 700 136 by WBCS Executive Officers' Oitika Welfare Society. This was forwarded to the Member Secretary, SEIAA and the Member Secretary, WBPCB by the MoEF&CC vide letter dated 14.07.2025.**
- It was noticed that the name of the PP has been changed in the PARIVESH portal from Madhu Sudan Datta, Superintending Engineer, Housing Directorate, Housing Department, Government of West Bengal to WBCS Executive Officer's Oitika Welfare Society.
- The PP has informed that initially the land parcel was leased to Housing Directorate, Govt. of West Bengal with a mandate to develop the housing complex for the members of the WBCS Executive Officers. Subsequently, through a Deed of Rectification vide being No 190400197 for the year 2025, dated 11.06.2025, the Housing Department, Govt. of West Bengal assigned the Deed of Lease to "WBCS Executive Officers' OITIKA Welfare Society", the present proponent of the project, represented by its Secretary, Mr. Rupam Banerjee.
- **The PP has submitted in the PARIVESH portal on 19.08.2025 that the present status of construction as boundary wall and site preparation work including site office work has been started.**
- The PP was called for a presentation in the 83rd meeting of SEAC, WB (2023-2026) held on 27.08.2025 and the PP presented their proposal in this meeting. They submitted their presentation along with a drone videography of the status of the project site.

SEAC Observations and Recommendations:

- The SEAC considered the submission made by the PP in the 83rd meeting of SEAC, WB (2023-2026) held on 27.08.2025 along with the presentation made by the PP. Considering the complaint received by SEIAA and WBPCB and 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) Present site photographs of the project along with date, time and geo-coordinates matching with the project proposal in the portal and clearly mentioning the current status of construction at site should be submitted.
- 2) A fresh drone videography of the project site clearly showing the date, time and location should be submitted.

Water and waste water

- 3) Detailed design of STP should be submitted.

Need-based EMP

- 4) 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. Beneficiaries for the social part of EMP should be identified and their consent should 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.

Table-1 : List of the projects which were placed before the SEAC, WB (2023-2026) in the eighty-second meeting held on 27.08.2025 and the Summary Decisions thereof:

Sl. No.	Name of the unit and Project address	Summary Decision
1. Cases for Technical Presentation		
1.1) Terms of Reference		
1.1.1) Mining of Minerals		
I.	Pradip Kumar Pal Proposed Dakshin Gopalpur Sand Mine [Sand Block No.: BARDHAMAN-II/DAKSHIN GOPALPUR/2019/G] over an area of 2.03 Hectare (5.02 Acres) on the river Damodar at Plot no: 2019(P), J.L. No. - 165, Mouza: Dakshin Gopalpur, P.S: Bardhaman, District: Purba Bardhaman, West Bengal. (Proposal No.: SIA/WB/MIN/548263/2025)	Additional details sought
II.	M/s. West Bengal Mineral Development & Trading Corporation Limited Proposed Iswarda (MIN_BNK_106) Sand Mine over an area of 5.720 Ha (14.13 Acres) on the Damodar River bed at Mouza: Iswarda, Plot No. 1(P), J.L. No.-31, Block: Saltora, District: Bankura, West Bengal. (Proposal No.: SIA/WB/MIN/545390/2025)	Additional details sought
III.	M/s. West Bengal Mineral Development & Trading Corporation Limited Proposed Ghoradanga (MIN_BNK_84C) Sand Mine over an area of 22.00 Ha (54.36 Acres) on the Damodar River bed at Mouza: Ghoradanga, Area- 22.00 Ha/54.36 Ac, Plot	Additional details sought



Ankur Sharma <adv.ankursharma9@gmail.com>

MOST URGENT - Ref : My complaint vide email dated 2nd July, 2025 against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

Ankur Sharma <adv.ankursharma9@gmail.com>

Fri, Aug 29, 2025 at 11:37 PM

To: Chief Environment Officer <environmentwb@gmail.com>, chrnm.wbpcb-wb@bangla.gov.in, ms.wbpcb-wb@bangla.gov.in

Cc: secy.moef@nic.in, cs-westbengal@nic.in, ccb.cpcb@nic.in, secy.ma-wb@gov.in

MOST URGENT

The Member Secretary
State Environment Impact Assessment Authority
(SEIAA), West Bengal

The Chairman
West Bengal Pollution Control Board

The Member Secretary
West Bengal Pollution Control Board
& SEAC, West Bengal

Sir(s),

Ref : My complaint vide email dated 2nd July, 2025 against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society.

I lodged a complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises no. 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officers' OITIKA Welfare Society vide my email dated 2nd July 2025 (copy attached for ready reference). However, no steps have been taken by SEIAA, West Bengal or West Bengal Pollution Control Board.

Today, i.e. 29.08.2025 I noticed on the Parivesh Portal that an Application for grant of Environmental Clearance (Proposal no. SIA/WB/INFRA2/448547/2023) in connection with the subject project was taken up for consideration in the 83rd Meeting of SEAC, West Bengal on 27.08.2025. The minutes of meeting has not yet been uploaded on the portal.

I raise my strong objection against such proposal for grant of Environmental Clearance (EC) by the project proponent claiming to be a venture of the Government by using the project name as "Residential Complex by Housing Department, Government of West Bengal" because the Environmental Clearance (EC) application is made under "FRESH EC" category but the project is a violation project and that ex post facto Environmental Clearance (EC) cannot be granted in light of the solemn judgment of the Hon'ble Apex Court in Vanashakti vs. Union of India, W.P. (C) 1394 of 2023.

Photographs of the ongoing construction activities have already been attached with my email dated 2nd July, 2025. Issuance of ex post facto Environmental Clearance (EC) will tantamount to gross violation of the solemn judgment of the Hon'ble Apex Court.

In view of above, you are requested to reject the application for grant of Environmental Clearance and take other steps as may be warranted, failing which I shall have no other options left but to approach the appropriate legal forum for protection of the environment.

Thanking you,
Yours faithfully,

Ankur Sharma
13/3, Dr. P. K. Banerjee Road
Howrah, West Bengal, PIN - 711101

Mob : 9433883322

Attachments : As stated above.

cc :

The Secretary
Ministry of Environment, Forest and Climate Change
Government of India

The Chief Secretary
Government of West Bengal

The Member Secretary
Central Pollution Control Board

The Principal Secretary
Urban Development and Municipal Affairs Department
Government of West Bengal

- for kind information and necessary directions.



Email dated 2nd July 2025.pdf

206K

Speed Post/Online

F.No. IA-Z-12011/59/2025-IA-I

Government of India

Ministry of Environment, Forest and Climate Change
(IA- Compliance & Monitoring Division)

Indira Paryavaran Bhavan
Jor Bagh Road, Aliganj
New Delhi-110 003

Email: bhardwaj.adiraju@gov.in

Dated: 09th October, 2025

To,

Member Secretary,

State Environment Impact Assessment Authority

New Administrative Building of Environment Department, Govt. of West Bengal
IB-180, Sector-III Salt Lake,

Kolkata-700106

Sub: Complaint against construction activities in violation of EIA, Notification, 2006 and flouting of environmental norms for construction of "Oitika" project at premises 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas; PIN - 700136 -reg.**Ref: Complaint received vide Email dated 02.07.2025**

Sir,

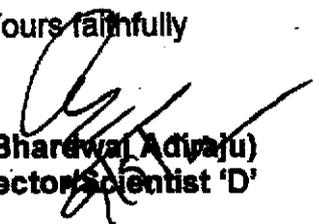
This has reference to the complaint from Sh Ankur Sharma against WBCS Executive Officers' OITIKA Welfare Society (copy enclosed).

2. Since the EC was accorded by SEIAA, West Bengal, in line with the Ministry's Notification dated 28.02.2014 and Office Memorandum dated 09.09.2019, it is requested that the grievance may be examined by SEIAA, West Bengal and necessary action, as deemed appropriate, be taken on the issues raised in the complaint, with an intimation to the Ministry at the earliest.

This issues with the approval of the Competent Authority.

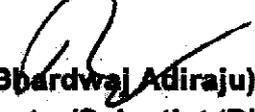
Encl: As above

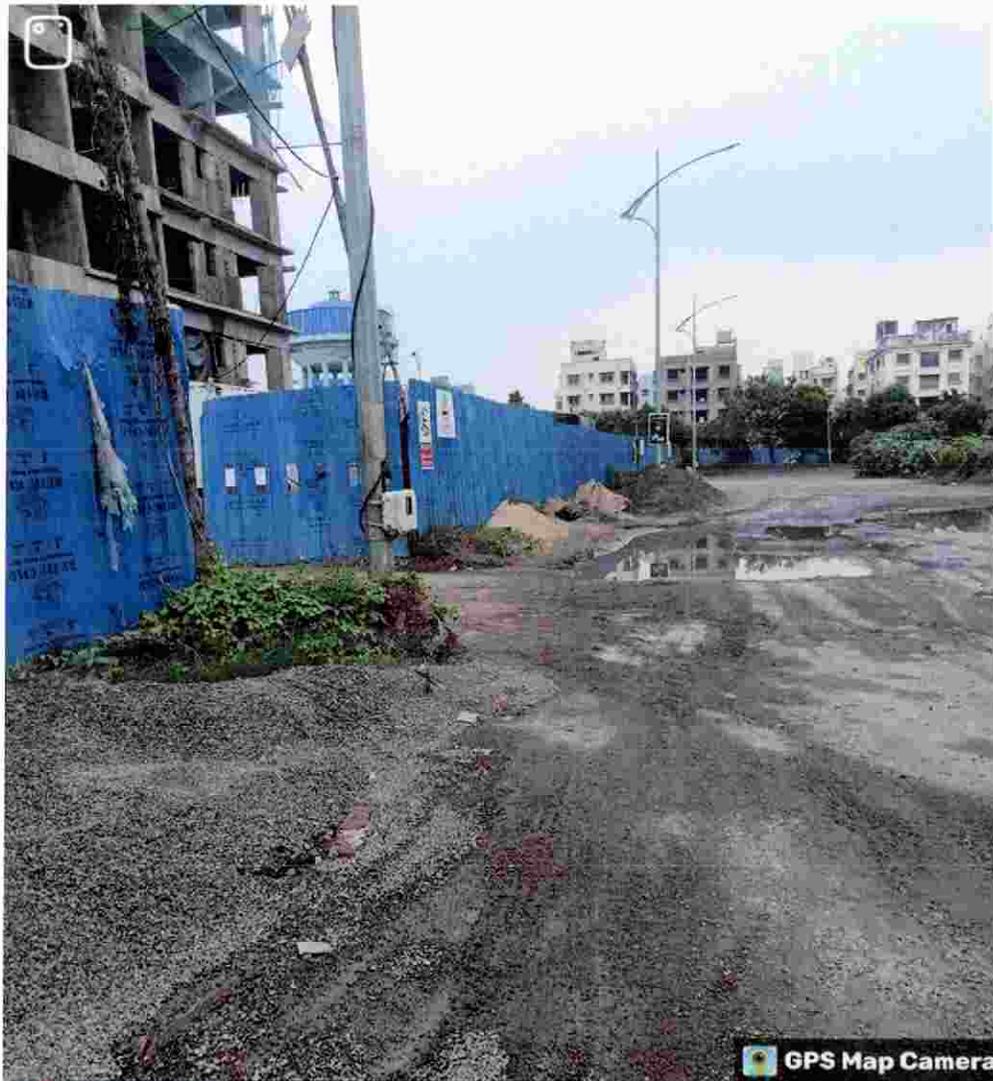
Yours faithfully


(Dr. Bhardwaj Adiraju)
Joint Director, Scientist 'D'

Copy to:

1. **The Chairman, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032**
2. **Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change A/3, Chandersekharpur, Bhubaneswar – 751023**
3. **Member Secretary, West Bengal Pollution Control Board, Kalpataru Point, Paribesh Bhawan, 10A, Block-LA, Sector-III, Bidhannagar, Kolkata-700 106 (for information and necessary action)**
4. **Shri Ankur Sharma, 13/3, Dr. P. K. Banerjee Road Howrah, W.B. PIN – 711101 (Email-adv.ankursharma9@gmail.com)**


(Dr. Bhardwaj Adiraju)
Joint Director/Scientist 'D'



GPS Map Camera

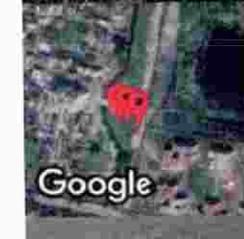


Kolkata, West Bengal, India 
Premises No 23-0885, Street No 0885, Street No 755, Tali
Park, City Centre 2, Near Water Tank No 11, Aa li, Aa lid,
Newtown, Kolkata, West Bengal 700136, India
Lat 22.624855° Long 88.454728°
Saturday, 01/11/2025 02:19 PM GMT +05:30

Google

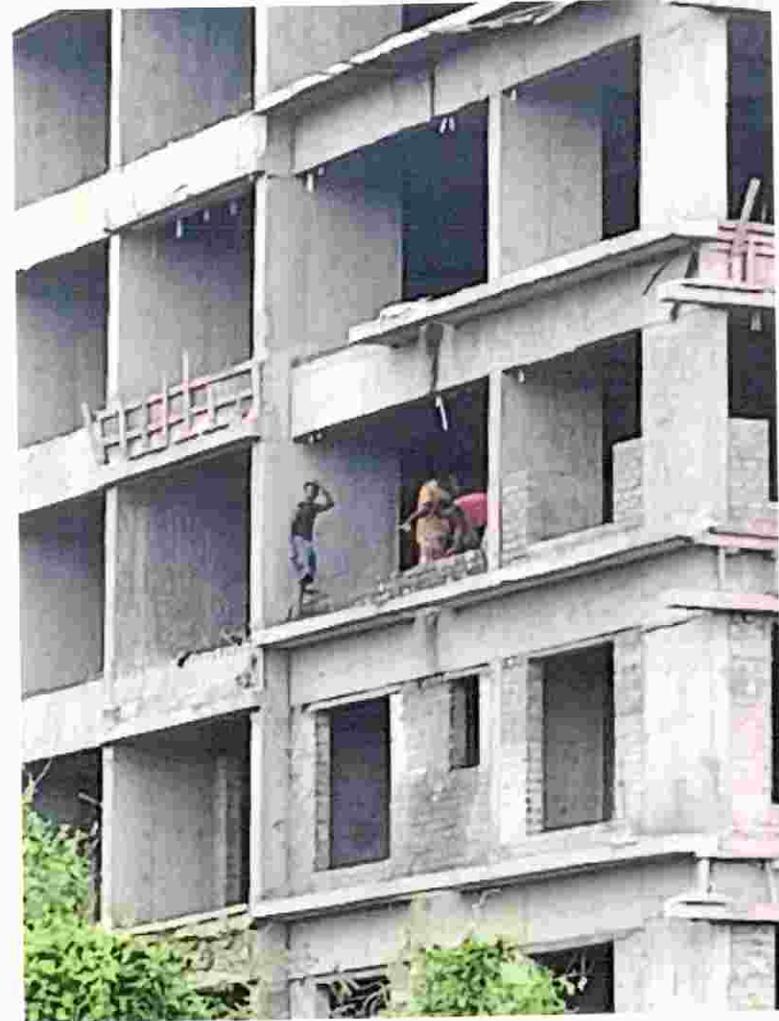


GPS Map Camera



Kolkata, West Bengal, India 
Rgm1343, Rgm1343, Dashadron, Rajarhat, Kolkata,
West Bengal 700136, India
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Saturday, 01/11/2025 02:14 PM GMT +05:30

Google





GPS Map Camera

Kolkata, West Bengal, India 🇮🇳
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Lat 22.627457° Long 88.453893°
Saturday, 01/11/2025 02:12 PM GMT +05:30

Google



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Kolkata, West Bengal, India 🇮🇳
4/32, 1/4/32, Dash Drone, Rajarhat, Kolkata, West Bengal 700136, India
Lat 22.627463° Long 88.453832°
Saturday, 01/11/2025 02:12 PM GMT +05:30

Google



GPS Map Camera

Kolkata, West Bengal, India

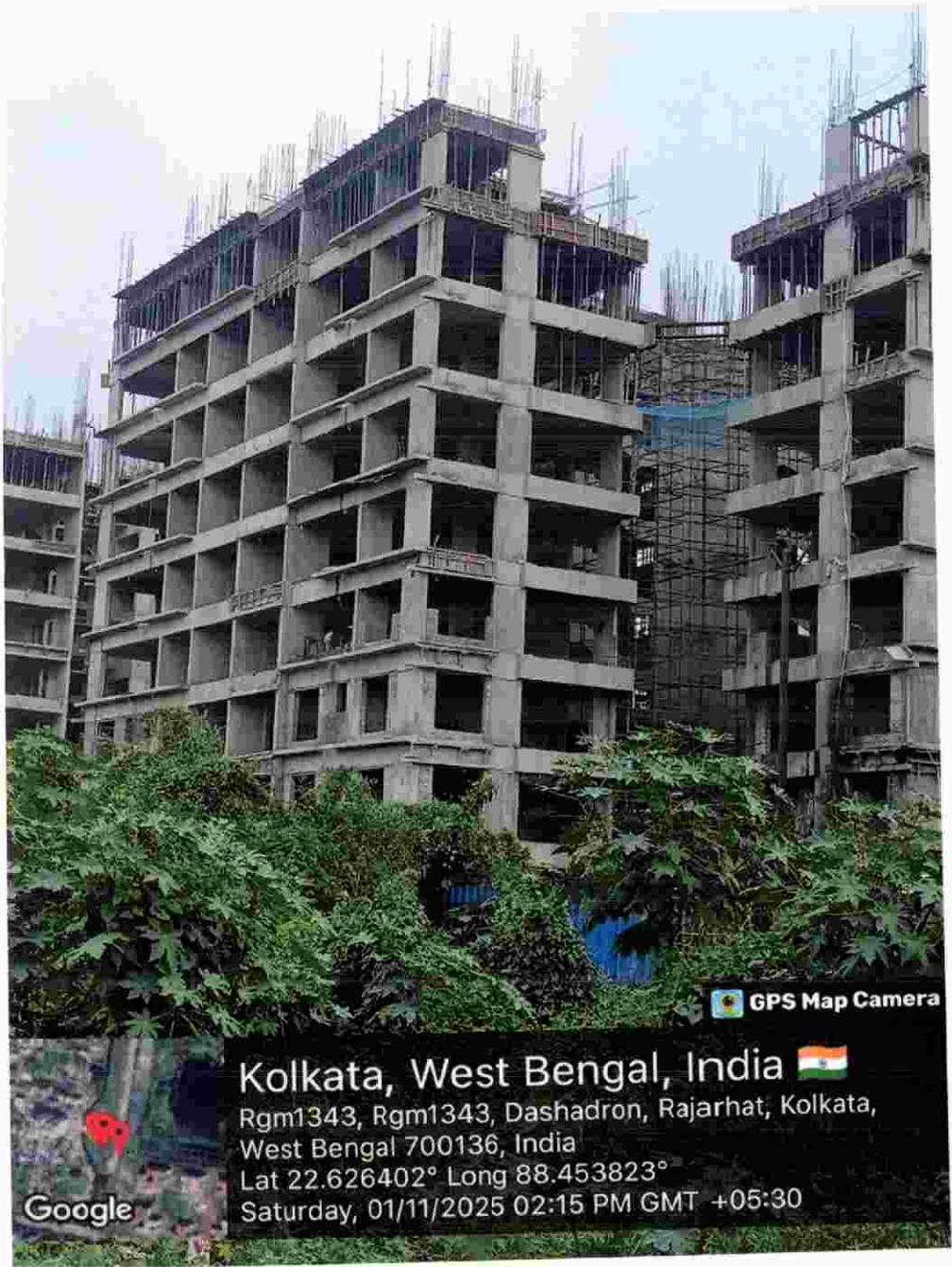
2931, Action Area 2d, Aa lid, Rajarhat, Kolkata, West Bengal 700161, India

Lat 22.625353° Long 88.4557°

Saturday, 01/11/2025 02:23 PM GMT +05:30



Google



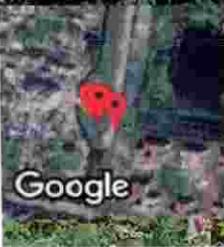
GPS Map Camera

Kolkata, West Bengal, India

Rgm1343, Rgm1343, Dashadron, Rajarhat, Kolkata, West Bengal 700136, India

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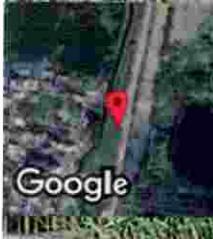
Saturday, 01/11/2025 02:15 PM GMT +05:30



Google



GPS Map Camera



Kolkata, West Bengal, India 
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Bengal 700136, India
Lat 22.627463° Long 88.453832°
Saturday, 01/11/2025 02:12 PM GMT +05:30





Ankur Sharma <adv.ankursharma9@gmail.com>

RE : Deliberate inaction and complicity in ongoing environmental violations at "Oitika" premises no. 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officer's OITIKA Welfare Society.

Ankur Sharma <adv.ankursharma9@gmail.com>
 To: cs-westbengal@nic.in
 Cc: secy-moef@nic.in, msob.cpcb@nic.in, secy.ma-wb@gov.in

Tue, Nov 11, 2025 at 12:21 PM

The Chief Secretary
 Govt. of West Bengal

Sub : Deliberate inaction and complicity in ongoing environmental violations at "Oitika" premises no. 44-0676, plot no. II-D/37, Action Area IID, Rajarhat, New Town, North 24 Parganas, PIN - 700136 by WBCS Executive Officer's OITIKA Welfare Society.

Ref : My complaints dated 02.07.2025 & 29.08.2025.

Sir,

I am constrained once again to write to you over disgusting continuance of illegal construction of "Oitika" project by **WBCS Executive Officer's OITIKA Welfare Society** in total defiance of the EIA Notification, 2006 and all environmental norms.

Despite clear evidence including photographs of the site submitted together with my complaints dated 02.07.2025 and 29.08.2025 (copies of both the complaints are attached herewith for ready reference), and pendency of the Environmental Clearance (EC) application (Proposal No. SIA/WB/INFRA2/448547/2023) **construction activities are still being carried on at the site desperately.** This makes it evident that either the officers of SEIAA, West Bengal and West Bengal Pollution Control Board **have completely lost their authority** being defied by their own cadre of state officers or there exist **collusion and complicity** between the regulators and the violators, ensuring that laws meant to protect the environment are reduced to a farce.

The situation reflects a **complete breakdown of environmental governance in West Bengal.** It is not only a matter of dereliction of duty, it reeks of **institutional complicity and abuse of office.** When those entrusted with enforcing environmental laws deliberately choose to shield offenders, the credibility of the regulatory framework collapses entirely.

It is now an open secret that **West Bengal is the only state where government officers themselves are engaged in illegal construction activities while holding high moral ground as "civil servants."** The State has the rarest feather of having a **part-time Environment Minister, a part-time Environment Secretary, and a part-time Member Secretary of WBPCB** together, and the results are visible vis-à-vis rampant destruction of the environment and unchecked violations under the very nose of the authorities. From the enclosed notification no. 2171-PAR(IAS)/7P-182/2011 dated 18.12.2024, Department of Personnel & Administrative Reforms, Govt. of West Bengal you will feel ridiculed that one officer of the government in the rank of Secretary has indulged in issuing appointment letter in his own favour but behind your back desperately misusing the omnibus and blanket delegation of power to act on behalf of the Hon'ble Governor of West Bengal.

The ongoing construction without prior Environmental Clearance (EC) is a **blatant violation** of the law and constitutes **contempt** of the Hon'ble Supreme Court's judgment in Vanashakti vs. Union of India, W.P. (C) No. 1394 of 2023, which unequivocally prohibits **ex post facto ECs.** The fact that the project continues under the guise of "Residential Complex by Housing Department, Government of West Bengal" which is utterly false and exposes the **fraudulent and misleading** nature of the Environmental Clearance application.

It appears that officers within SEIAA, West Bengal and WBPCB responsible for ensuring strict compliance of environmental norms and laws are deliberately turning their blind eyes to these violations either due to direct involvement or due to bureaucratic pressure. Such conduct not only violates the Environment (Protection) Act, 1986 but also amounts to **criminal negligence, wilful criminal misconduct, and dereliction of statutory duty.**

This is for your kind information as necessary steps in the matter is now a subject of your wisdom.

You may kindly like to consider **constitution of an independent inquiry committee** headed by a retired judicial officer to investigate the conduct of SEIAA, SEAC, and WBPCB in this matter.



The continuing silence of the authorities has only strengthened the impression that **the State of West Bengal has become a safe haven for environmental law violators** where even government officers engage in illegal projects with impunity and the so-called regulators stand as silent spectators.

Enough is enough. Environmental protection cannot be treated as a ceremonial exercise or a bureaucratic formality. Accountability must begin somewhere and it must begin here – you may kindly like also to consider.

Thanking you,
Yours faithfully,

Ankur Sharma
13/3, Dr. P. K. Banerjee Road
Howrah, West Bengal, PIN - 711101
Mob : 9433883322

Attachments : As stated above.

cc :

The Secretary
Ministry of Environment, Forest and Climate Change
Government of India

The Member Secretary
Central Pollution Control Board

The Principal Secretary
Urban Development & Municipal Affairs Department
Govt. of West Bengal

- for urgent intervention and necessary punitive directions.

3 attachments

 **Complaint dated 2nd Jul 2025.pdf**
206K

 **Complaint dated 29th Aug 2025.pdf**
96K

 **Notification no. 2171.pdf**
375K

