

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 104/2023/EZ

SUBHAS DATTA

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

.....RESPONDENT(S)

AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 07 i.e.
THE WEST BENGAL POLLUTION CONTROL BOARD.

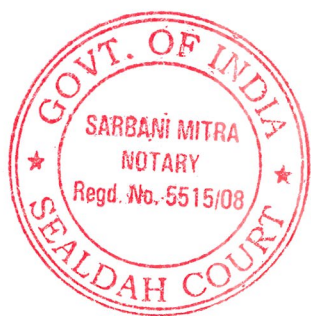
INDEX

SL No	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		1-8
2.	Copy of inspection report of State Board.	'R'	9-12

Filed by

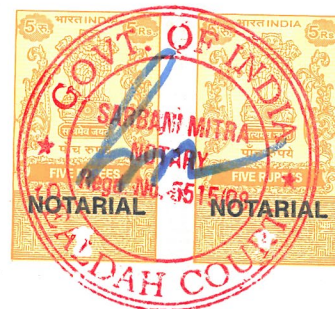
DIPANJAN GHOSH
ADVOCATE
HIGH COURT AT CALCUTTA

SL. NO. 31 Dt.-05 NOV 2024



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EASTERN ZONE BENCH, KOLKATA

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THE WEST BENGAL POLLUTION CONTROL BOARD.

Most Respectfully Sheweth

I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 60 years, by faith-Hindu, Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District - Hooghly, do hereby solemnly declare and say as follows:-

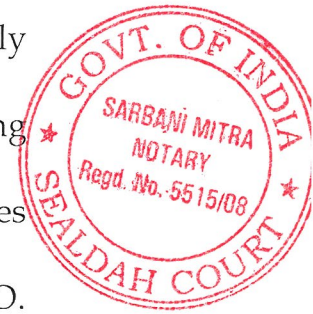
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01. That, I am the Officer on Special Duty (OSD), West Bengal Pollution Control Board (hereinafter will be referred to as the 'State Board') and I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 07 to affirm this Affidavit on its behalf and as such, I am competent to do so.
02. That, this affidavit is being affirmed in pursuant to the solemn orders passed by this Hon'ble Tribunal dated 02.09.2024.
03. That, in compliance to the order of the Hon'ble National Green Tribunal dated 02.09.2024, the State Board Officials visited the area in the vicinity of Howrah Railway Station on 25.09.2024.
04. That, from the inspection the following observations are revealed:
- (a) The hotels/eateries are situated in the area in front of the Railway Station Complex on the bank of river Hooghly.
 - (b) There are 14 nos. of Hotels/eateries situated in the area of which 03 nos. (Abhishek Hotel Restaurant, Sai Ganga Hindu



05 NOV 2024

Hotel and Jay Bijay Hindu Hotel) have obtained 'Consent to Operate' of WBPCB from District Industries Centre (DIC), Howrah under "Green" category. As per record, previously 16 nos. of Hotels/eateries were in operation. During inspection it was observed that 02 nos. hotel/eateries (namely hotel of Smt. Sami Das located at infront of P.O. RMS, Platform Inspector WB Division, and Om Jay Ma Tara Tea & Tiffin Centre located at 1/A, Rishi Bankim Chandra Road, Howrah-711101) out of 16 nos. of Hotels/eateries have been closed permanently.

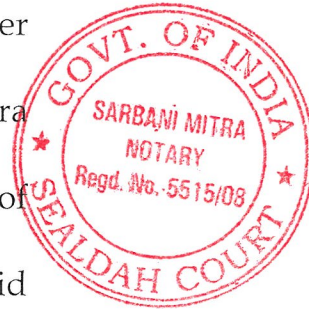


- (c) On enquiry with the unit representative, it was learnt during inspection that most of the hotel/eateries have been operating in the said area since long time.
- (d) As reported, the water requirement for cooking/washing of vegetables etc. and cleaning of utensils, domestic use of hotel staff and others is met from river Hooghly or supply from Hooghly Nadi Jalpath Paribhan Samabay Samity (HNJPSS). The following hotels/eateries namely 1. Anna Hotel (earlier name S. Sundar Tewar) located at 4/5, Rishi Bankim Chandra Road, Howrah-711101, 2. Howrah Station Porters

05 NOV 2024

Welfare Association (earlier name Joy Maa Tara Hotel) located at 4/5, Rishi Bankim Chandra Road, Howrah-711101 and 3. Howrah Station Porters Welfare Association (earlier name Tara Maa Hotel) located at 4/3, Rishi Bankim Chandra Road, Howrah-711101 have installed ETP for treatment of process effluent 07 (Seven) nos. hotels/eateries have laid collecting & common pipe for discharging process effluent to a common pit leading to drain. 03 (Three) nos. hotels/eateries directly discharge process effluent to river Hooghly without any treatment. For remaining 01 (namely Royal Rail Hospitality located at on Railway Land Howrah New Complex, Bapu Udyan), process effluent is discharged to a common ETP with Howrah Railway. Drinking water for customers of Hotels/eateries are procured in large jars from outside as observed.

- (e) All the Hotels/eateries carry out cooking and serving of food within their premises. Cooking is done using either coal fired or LPG fired oven which are mostly provided with fume extraction/exhaust system.



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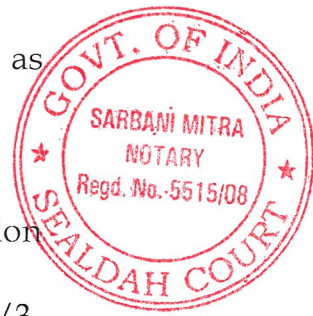
(f) Solid waste generated from the hotels/eateries is disposed off through Howrah Municipal Corporation conservancy as reported.

(g) Hotel run by Howrah Station Porters' Welfare Association (presently known as New Tara Ma Hotel) is located at 4/3, Rishi Bankim Chandra Road, Howrah near Mother Dairy/ACP office (north Division) was found operating with bamboo structure and tin shed. Some of the Hotels have encroached the river bank and constructed bamboo structures.

(h) During inspection, units reported that they have taken the hotel/eatery premise on rent basis from Kolkata Port Trust.

05. That, the following remarks were obtained by the State Board Officials from the said inspection :-

(i) 03 nos. out of 14 nos. hotels/eateries namely, Anna Hotel (earlier name S. Sundar Tewar), Howrah Station Porters Welfare Association (earlier name Joy Maa Tara Hotel) and Howrah Station Porters Welfare Association (earlier name



05 NOV 2024

Tara Maa Hotel) have installed ETP for treatment of process effluent.

(ii) The entire solid waste from the area including the generated from the units should be taken by the Howrah Municipal Corporation conservancy department so that it's not dumped on the river bank.

Copy of the inspection report of the State Board is annexed herewith and marked with letter "R".

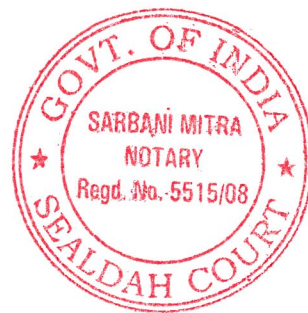
06. That, the State Board is in the process of initiating regulatory action against the non-complying units.

07. It is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.


DEPONENT

05 NOV 2024





VERIFICATION

I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 60 years, by Religion - Hindu, by Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District-Hooghly, do hereby solemnly declare and say as follows:-

1. That, I am the Officer on Special Duty (OSD), West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.
2. That, the statements made in paragraph 1 of this affidavit is true to my knowledge and belief.
3. That, the statements made in paragraphs 2 to 6 of this affidavit are my information derived from the records available in the office of the State Board which I verily believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.

Dipankar Ghosh

Identified and corrected by me
Advocate
WBPCB

Subrata Ghosh
DEPONENT

Solemnly Affirmed &
Declared Before Me
On Identification By

hm
SARBANI MITRA
NOTARY
Regd. No. 5515/08

05 NOV 2024

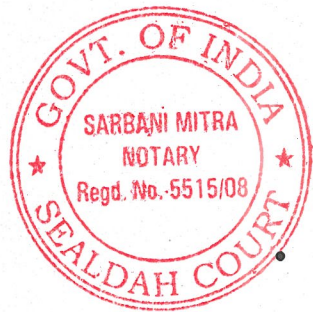
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Report in the matter of Original Application No. 104/2023/EZ (Mr. Subhas Dutta Vs The State of West Bengal & Ors.) vide Hon'ble NGT order (Eastern Zone Bench, Kolkata) dated 02/09/2024.

In connection with the above Hon'ble NGT matter, the area in the vicinity of Howrah Railway Station was inspected on 25.09.2024

Observations:

- The hotels/ eateries are situated in the area in front of the Railway Station Complex on the bank of river Hooghly.
- There are 14 nos. of Hotels/ eateries situated in the area of which 03 nos. (Abhishek Hotel Restaurant, Sai Ganga Hindu Hotel and Jay Bijay Hindu Hotel) have obtained 'Consent to Operate' of WBPCB from DIC, Howrah under 'Green' category. As per record, previously 16 nos. of Hotels/ eateries were in operation. During inspection it was observed that 02 nos. hotel/eateries (Namely Hotel of Smt. Sami Das located at infront of P.O. RMS, Platform Inspector WB Division. and Om Jay Ma Tara Tea & Tiffin Centre located at 1/A, Rishi Bankim Chandra Road, Howrah – 711101) out of 16 nos. of Hotels/ eateries have been closed permanently.
- On enquiry with the unit representative, it was learnt during inspection that most of the hotel/ eateries have been operating in the said area since long time
- As reported, the water requirement for cooking/ washing of vegetables etc. and cleaning of utensils, domestic use of hotel staff and others is met from river Hooghly or supply from Hooghly Nadi Jalpath Paribhan Samabay Samity (HNJPSS). The following hotels/ eateries namely 1. Anna Hotel (earlier name S. Sundar Tewar) located at 4/5, Rishi Bankim Chandra Road, Howrah 711101, 2. Howrah Station Porters Welfare Association (earlier name Joy Maa Tara Hotel) located at 4/5, Rishi Bankim Chandra Road, Howrah – 711101 and 3. Howrah Station Porters Welfare Association (earlier name Tara Maa Hotel) located at 4/3, Rishi Bankim Chandra Road, Howrah – 711101 have installed ETP for treatment of process effluent. 07 (Seven) nos. hotels/ eateries have laid collecting & common pipe for discharging process effluent to a common pit leading to drain. 03 (Three) nos. hotels/ eateries directly discharge process effluent to river Hooghly without any treatment. For remaining 01 (namely Royal Rail Hospitality located at on Railway Land Howrah New Complex, Bapu Udyan), process effluent is discharged to a common ETP with Howrah Railway. Drinking water for customers of Hotels/ eateries are procured in large jars from outside as observed.
- All the Hotels/ eateries carry out cooking and serving of food within their premises. Cooking is done using either coal fired or LPG fired oven which are mostly provided with fume extraction/ exhaust system.

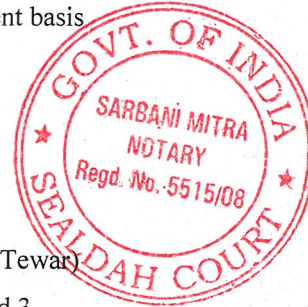


X

- Solid waste generated from the hotels/ eateries is disposed off through HMC conservancy as reported.
- Hotel run by Howrah Station Porters' Welfare Association (presently known as New Tara Ma Hotel) is located at 4/3, Rishi Bankim Chandra Road, Howrah near Mother Dairy/ ACP office (north Division) was found operating with bamboo structure and tin shed. Some of the Hotels have encroached the river bank and constructed bamboo structures.
- During inspection, units reported that they have taken the hotel/ eatery premise on rent basis from Kolkata Port Trust.
- Details status of units inspect are enclosed

Remarks:

- 03 nos. out of 14 nos hotels/ eateries namely 1. Anna Hotel (earlier name S. Sundar Tewari) 2. Howrah Station Porters Welfare Association (earlier name Joy Maa Tara Hotel and 3. Howrah Station Porters Welfare Association (earlier name Tara Maa Hotel) have installed ETP for treatment of process effluent.
- The entire solid waste from the area including the generated from the units should be taken by the HMC conservancy department so that it's not dumped on the river bank.



B. Tikader
04/10/24

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B Tikader

Nupur Sengupta

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N Sengupta

B. Mal
04/10/24

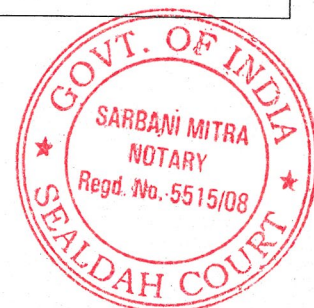
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B.Mal



Status of the Hotels/Eateries situated in front of Howrah Railway Station

Sl. No.	Unit name with owner and address	Status of Consent to Establish (CFE) / Consent to Operate (CFO)	Status of Effluent Treatment Plant (ETP)
01	Eating House (earlier name Ganapati Bhojanalaya) 4/5, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO: Could not produce during inspection.	ETP : No Kitchen, washing of utensil & wash basin is directly discharged to River Hooghly
02	Howrah Station Porters Welfare Association (earlier name Joy Maa Tara Hotel) 4/5, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO: Could not produce during inspection.	ETP : Yes ETP comprising of the following: Collection tank → Chemical dozing cum settling tank → PSF → ACF → discharged to River Hooghly.
03	Gupta Hotel 4/5, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO: Could not produce during inspection.	ETP : No Kitchen, washing of utensil & wash basin is directly discharged to River Hooghly
04	Anna Hotel (earlier name S. Sundar Tewar) 4/5, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO: Could not produce during inspection.	ETP : Yes ETP comprising of the following: Collection tank → Chemical dozing cum settling tank → PSF → ACF → discharged to River Hooghly.
05	Howrah Station Porters Welfare Association (earlier name Tara Maa Hotel) 4/3, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO: Could not produce during inspection.	ETP : Yes ETP comprising of the following: Collection tank → Chemical dozing cum settling tank → PSF → ACF → discharged to River Hooghly.
06	Kishori Mohan Dutta & Bros (Dutta Cabin) 4/3, Rishi Bankim Chandra Road, PS – Golabari, Howrah – 711101 (Trade Licence Holding No. – 02)	CFE / CFO: Obtained CFE of from DIC, Howrah but could not produce CFO	ETP : No Kitchen, washing of utensil & wash basin is directly discharged to HMC drain through newly laid pipe.
07	Abhishek Hotel Restaurant 4/3, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO : Obtained CFO from DIC, Howrah and valid upto 31.07.2026	ETP : No Kitchen, washing of utensil & wash basin is directly discharged to HMC drain through newly laid pipe.



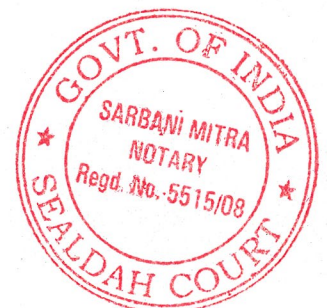


Sl. No.	Unit name with owner and address	Status of Consent to Establish (CFE) / Consent to Operate (CFO)	Status of Effluent Treatment Plant (ETP)
08	Islamia Hotel 4/3, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO: Obtained CFE of from DIC, Howrah but could not produce CFO	ETP : No Kitchen, washing of utensil & wash basin is directly discharged to HMC drain through newly laid common pipe.
09	Sai Ganga Hindu Hotel 1/7B, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO : Obtained CFO from DIC, Howrah and valid upto 31/01/2026	
10	Durga Mukesh Hindu Hotel 1/7B, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO: Obtained CFE of from DIC, Howrah but could not produce CFO	
11	Jay Bijay Hindu Hotel 1/7B, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO : Obtained CFO from DIC, Howrah and valid upto 31/07/2026	
12	Rajesh Hindu Hotel 1, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO: Obtained CFE of from DIC, Howrah but could not produce CFO.	ETP : No Kitchen, washing of utensil & wash basin is directly discharged to River Hooghly
13	Dilip Hindu Hotel 4/3, Rishi Bankim Chandra Road, Howrah – 711101	CFE / CFO: Obtained CFE of from DIC, Howrah but could not produce CFO	ETP : No Kitchen, washing of utensil & wash basin is directly discharged to HMC drain through newly laid pipe.
14	Royal Rail Hospitality on Railway Land Howrah New Complex, Babu Udyan	CFE / CFO: Could not produce during inspection.	ETP: Yes Unit proposes to discharge effluent to a common ETP with Howrah Railway

B. Tikader
04/10/24
B Tikader

Nipun Sengupta
N Sengupta

B. Mal
04/10/24
B. Mal



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