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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 43/2025/EZ

In The Matter of:

ANKUR SHARMA

... Applicant

Versus

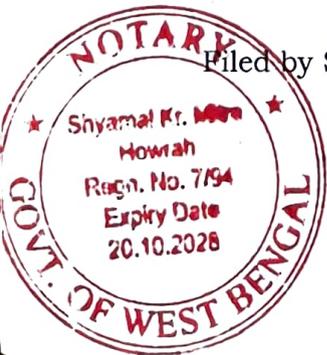
THE STATE OF WEST BENGAL & Ors.

... Respondents

**AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 4, THE
DISTRICT MAGISTRATE, HOWRAH**

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Filed by Sri Rajib Ray, Ld. State Advocate for the State of West Bengal.

Handwritten signature
14 MAY 2025

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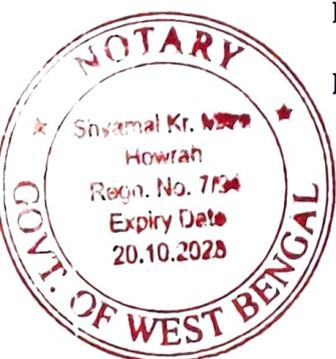
... Respondents

E-389/2025
SI NO

**AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 4, THE
DISTRICT MAGISTRATE, HOWRAH**

I, Dr. Deepap Priya P., D/o. Sri I. Palraj, working as the District Magistrate, Howrah at P.O. & P.S. Howrah, District Howrah PIN-711101 do hereby solemnly affirm and submit as follows: -

1. That I have been communicated with a copy of the order in O.A. No. 43/2025/EZ from the Learned Counsel for the State associated with the instant case.
2. That this affidavit is being filed in compliance to the Solemn Order dated 25.03.2025 passed by the Hon'ble Tribunal.
3. That in pursuance of the direction of the Hon'ble Tribunal, the Environmental Engineer, Howrah Regional Office, West Bengal Pollution Control Board was requested vide this office letter no. 101/Env. /Howrah dated 07-04-2025 to submit a factual report



14 MAY 2025

based on the allegations pertaining to pollution matter as contained in the instant Original Application.

The photocopy of the aforesaid letter is annexed herewith and marked as “A-1”.

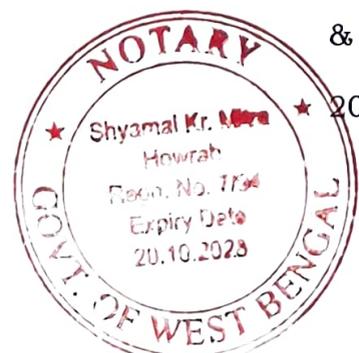
4. That the Deputy Commissioner of Police (Traffic), Howrah Police Commissionerate was also requested to look into the allegation of traffic congestion as contained in the instant Original Application.

The photocopy of the letter addressed to the Deputy Commissioner of Police (Traffic), Howrah Police Commissionerate has been annexed herewith and marked as “A-2”.

5. That the Environmental Engineer, Howrah Regional Office of West Bengal Pollution Control Board has submitted an inspection report regarding M/s R. K. Associates & Hoteliers Pvt. Ltd. located at 41/1, Dr. P.K. Banerjee Road, Howrah-711101 vide his letter no. 29/04-PCB-HOW-177-2015 (GEN) Part-II dated 28-04-2025 which reveals that the unit has already been closed now-a-days.

The photocopy of the inspection report as received from the Environmental Engineer, Howrah Regional Office of West Bengal Pollution Control Board has been annexed herewith and marked as “A-3”.

6. That the Deputy Commissioner of Police (Traffic) , Howrah Police Commissionerate has sent a report regarding M/s R. K. Associates & Hoteliers Pvt. Ltd. vide letter no. 198/DCP/TR/25 dated 02-05-2025 which reveals that the said office has been closed and is now



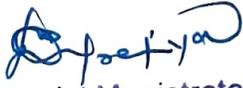
14 MAY 2025

operating from the Grand Foreshore Road and there is no traffic congestion on Dr. P. K. Banerjee Road in front of the said holding now.

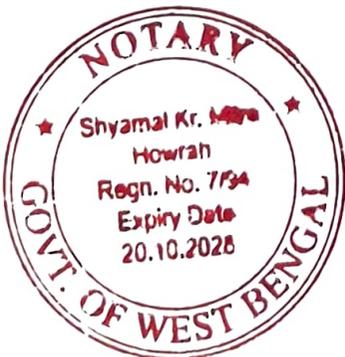
The photocopy of the inspection report as received from the Deputy Commissioner of Police (Traffic), Howrah Police Commissionerate has been annexed herewith and marked as “A-4”.

7. That the statements made in the above paragraphs are true to my knowledge are belief of the record as available in the office of the deponent and the rest are humble submissions before the Hon'ble Tribunal.
8. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary order / orders as is deemed fit for the ends of justice

Identified by me


District Magistrate
&
Collector, Howrah
Deponent

Advocate
State of West Bengal




14 MAY 2025

VERIFICATION:

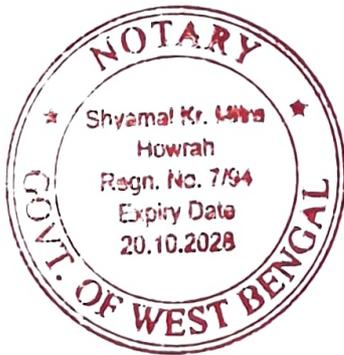
I, Dr. Deepap Priya P, the deponent above- named, do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

Verified at _____ on _____ day of May 2025.

Identified by me

Advocate
State of West Bengal


District Magistrate
&
Collector, Howrah
Deponent



SOLEMNLY AFFIRMED & DECLARED
BEFORE ME ON IDENTIFICATION


SHYAMAL KR. MITRA
NOTARY HOWRAH

14 MAY 2025



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE & DISTRICT COLLECTOR

HOWRAH

(ENVIRONMENT CELL)

Memo No.: 101/Env./Howrah

Date: 07/04/2025

To: The Environmental Engineer

Howrah Regional Office, WBPCB.

**Sub: Seeking report regarding M/s R.K.Associates & Hoteliers Private Limited
in connection with OA No. 43/2025/EZ.**

Please find enclosed the solemn order dated 25-03-2025 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in connection with OA No. 43/2025/EZ.

In view of above, you are requested to furnish a detailed report pertaining to the allegations related to pollution matters at an early date for compliance of the order of the Hon'ble Tribunal.

Encl: as stated.


District Magistrate

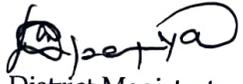
Howrah

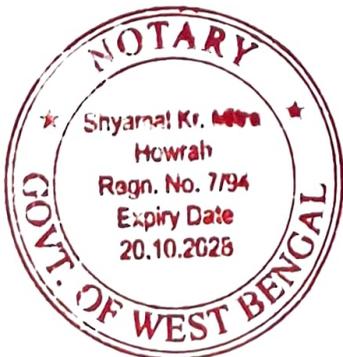
Memo No. 101/1(2)/Env./Howrah

Date: 07-04-2025

Copy forwarded for information and taking necessary action to:

- (1) The Deputy Commissioner of Police, Howrah Police Commissionerate with request to send a report regarding the allegation of traffic congestion as cited in the OA.
- (2) The Commissioner, Howrah Municipal Corporation with request to send a report regarding the dumping of refuse in the vicinity as cited in the OA.


District Magistrate
Howrah




14 MAY 2025



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE & DISTRICT COLLECTOR

HOWRAH

(ENVIRONMENT CELL)

Memo No.: 101/Env./Howrah

Date: 07/04/2025

To: The Environmental Engineer

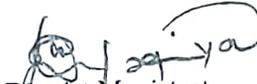
Howrah Regional Office, WBPCB.

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In view of above, you are requested to furnish a detailed report pertaining to the allegations related to pollution matters at an early date for compliance of the order of the Hon'ble Tribunal.

Encl: as stated.


District Magistrate

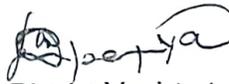
Howrah

Memo No. 101/1(2)/Env./Howrah

Date: 07-04-2025

Copy forwarded for information and taking necessary action to:

- (1) The Deputy Commissioner of Police, Howrah Police Commissionerate with request to send a report regarding the allegation of traffic congestion as cited in the OA.
- (2) The Commissioner, Howrah Municipal Corporation with request to send a report regarding the dumping of refuse in the vicinity as cited in the OA.


District Magistrate
Howrah



Received on 09.04.2025
Contents not Verified
C.M.S.J. Poddar
Time 03:40 P.M
Office of the Deputy Commissioner of Police
Howrah

14 MAY 2025



WEST BENGAL POLLUTION CONTROL BOARD
 DISTRICT HOWRAH
 02 MAY 2025
 911/A
 Docket No.....

Department of Environment, Govt. of West Bengal
Howrah Regional Office
 'Minority Bhawan', 5th Floor,
 12, Biplabi Kanailal Bhattacharya Sarani,
 Alipore, Kolkata - 700 027
 ☎: + 91 033 2202-3136
 Website: www.wbpcb.gov.in, Email: net.wbpcb-wb@bangla.gov.in

Memo No. 29/04 - PCB-HOW-177-2015 (GEN) Part-II

Date: 28/04/2025.

To
 The District Magistrate,
 Howrah, (Environment Cell)
 New Collectorate Building
 6, Rishi Bankim Chandra Road, Howrah- 711101

O/c Env

ADM (L.R.)
 District Magistrate
 Howrah

Sub: Inspection report of M/s. R.K. Associates & Hoteliers Pvt. Ltd. located at "41/1, Dr. P.K. Banerjee Road, P.O, P.S & Dist. Howrah-711101.

Ref. Your good office vide Memo No. 101/Env./Howrah dated 07/04/2025.

Madam,

With reference to the above, enclosed please find herewith the inspection report of M/s. R.K. Associates & Hoteliers Pvt. Ltd. located at 41/1, Dr. P.K. Banerjee Road, P.O, P.S & Dist. Howrah-711101 which was conducted by this office on 21/04/2025 for your kind perusal. and necessary action please.

With regards,

Yours faithfully,

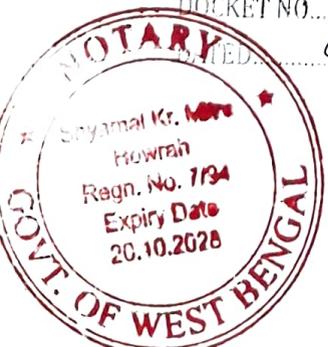
Bimalendu Mal
 Environmental Engineer & I/c
 Howrah R. O
 28/04/25

D. L. & L. R. O.
 HOWRAH
 RECEIVED
 - 5 MAY 2025
 contents not verified
 4632
 5/5/25

Enclose:- As stated.

Special Land Acquisition
 Office, (HIT) Howrah
 - 8 MAY 2025
 RECEIVED
 Contains without verified

DOCKET NO. 691 / I.A.O.(HIT)
 08/05/25



SPL. L.A.O.(HIT)
 HOWRAH

14 MAY 2025

- 65 -

INSPECTION REPORT

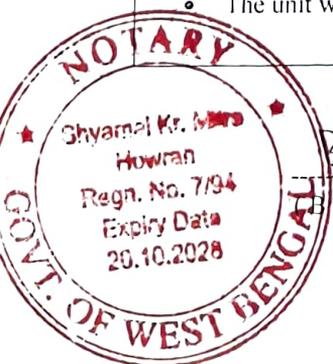
Inspection reference	Order dated 25.03.2025 of the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, in connection with OA No. 43/2025/EZ in the matter between Ankur Sharma vs State of West Bengal & Ors.
Name of the unit /site	M/s. R.K Associates & Hoteliers Pvt. Ltd.
Address	41/1, Dr. P.K. Banerjee Road,
P.O. & Pin Code	Howrah & 711101
P.S.	Howrah
Power supply agency	CESC
Local Body	HMC
Date & Time of inspection	21.04.2025, 15.30 to 15.45 hrs.
Date of previous inspection	19.09.2023
Inspecting officers	Sri Bhim Tikader, AEE, Howrah RO Smt. J. Mitra, AEE, Howrah RO
Persons met during inspection	i. The unit representatives were not present as the unit was closed. ii. Mr. Ankur Sharma, the Petitioner, was contacted over phone.
Industry category	Green category
Status of CFE/CFO	The unit obtained Consent to Establish from GM, DIC, Howrah on 25.09.2024.

Observation:

- The unit was found closed during inspection. The local people informed that the unit has been closed since last 2 months.
- Previously, the unit was situated in the ground floor of a G+6 storied residential building, located in a congested residential cum commercial area.
- Earlier, the unit was engaged in preparation of railway passenger's breakfast/snacks items. The unit possessed one kitchen on the ground floor. The kitchen had 07 nos. LPG-fired ovens for preparation of breakfast/snacks items.
- No kitchen equipment e.g. LPG fired ovens etc. were found inside the shed during inspection.
- Mr. Ankur Sharma, the Petitioner, was contacted over phone. He mentioned that the unit has been closed recently.

Remarks/recommendation:

- The unit was found closed during inspection.



Bhim
28/04/25
Tikader AEE)

J. Mitra
28/04/2025
(J. Mitra, AEE)

14 MAY 2025

- 66 -

A-4

O/c Ew
D.

Office of the
Deputy Commissioner of Police, Traffic
Howrah Police Commissionerate
HOWRAH
11.3 MAY 2025
Docket No. 918/A

Memo No. 198/DCP/TR/25

Date: 02/05/2025

To
The District Magistrate
Howrah

ADM (L.R.)

Sub: Report regarding M/S R.K. Associates and Hoteliers Private Limited in connection with OA No: 43/2025/EZ.

Ref: Your good office Memo No: 101/1(2)/Env/Howrah dated. 07.04.2025.

District Magistrate
Howrah

Sir,

In compliance with the above noted reference the memo has been received by the office of undersigned.

The matter has been enquired into and it has been found that M/S R.K. Associates and Hoteliers Private Limited was located on ground floor of Howrah Municipal Corporation, Holding No. 41/1, Dr. P.K. Banerjee Road, PS- Howrah, Dist-Howrah and now the said office has been closed since One (01) month before and shifted to near Ramkrishnapur Ghat, 142, Grand Foreshore Road, Howrah-711101. This information was collected from adjacent shop owner namely Rakesh Agarwal S/O Santosh Agarwal of 53/7/3, Bon Bihari Bose Road, Howrah Municipal Corporation. It has been found that the M/S R.K. Associates and Hoteliers Private Limited now working from Grand Foreshore Road. Now there is no any traffic congestion on Dr. P.K. Banerjee Road in front of the said holding number.

The enquiry report submitted by IC Howrah TG, HPC is attached herewith.

This is for your kind information.

NOTARY
Shyamal Kr. Mena
Howrah
Regn. No. 7764
Expiry Date
20.10.2028
GOVT. OF WEST BENGAL

D. L. & L.R. O.
HOWRAH
RECEIVED
- 5 MAY 2025
contents not verified
4639
5/5/25

Yours faithfully,

MV 02/05/25

Deputy Commissioner of Police, Traffic
Howrah Police Commissionerate

Memo No. 198/DCP/TR/25

Date. /05/2025

Copy to :-

1. The Ld. Commissioner of Police, HPC
2. The Joint Commissioner of Police, HPC

for kind information.
Special Land Acquisition
Office, (HIT) Howrah
- 5 MAY 2025
RECEIVED
Contains without verified

Deputy Commissioner of Police, Traffic
Howrah Police Commissionerate

DOCKET NO. 690 /L.A.O.(HIT)
DATED. 08/05/25

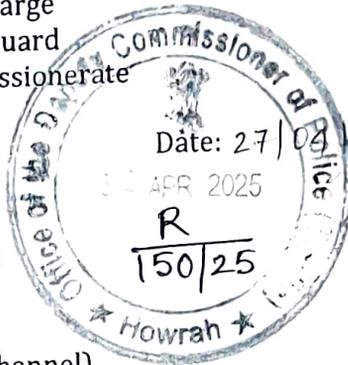
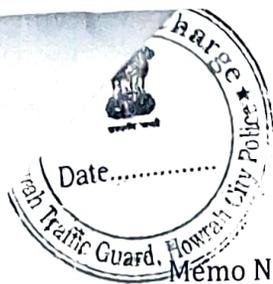
SPL L.A.O.(HIT)
HOWRAH

14 MAY 2025

— X —



Office of the
Inspector -in -Charge
Howrah Traffic Guard
Howrah Police Commissionerate



Memo No. 31 /HWHTG/25

To
The Deputy Commissioner of Police (Traffic)
Howrah Police Commissionerate

(Through Proper Channel)

Sub: Report regarding M/s R. K. Associates & Hoteliers Private limited in
c/w OA No. 43/2025/EZ.

Ref. Dr No. 718/DCP/TR/25, Dtd. 12.04.2025

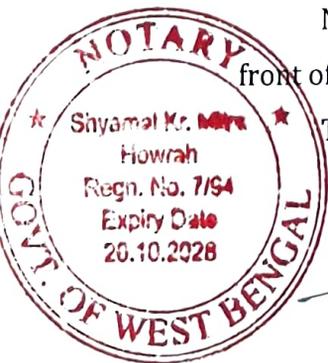
Madam,

This is inform to you that I have received a complaint letter from your
good office dtd. 12.04.2025 as above mention reference and endorsed to
SI (AB) Ashis Mondal of Howrah STG for enquiry and submitted report
regarding this matter.

After that SI (AB) Ashis Mondal of Howrah STG submitted report on
26.04.2025 regarding M/s R.K.Associates & Hoteliers Private limited was
located on ground floor of HMC holding no. 41/1 Dr. P.K.Banerjee Road, PS &
Dist - Howrah and now have been closed since one (01) month before and
shifted to near Ramkrishnapur Ghat, 142, Grand Foreshore Road, Howrah
711101. This information was collected from adjacent shop owner namely
Rakesh Agarwal S/o Santosh Agarwal of 53/7/3, Bon Bihari Bosr Road HMC-
Howrah. After physical verification it has found that the said office now
working from Grand foreshore Road.

Now there is no any traffic congestion on Dr. P.K.Banerjee Road in
front of the said holding no.

This is for your kind information.



Fommehals

Assistant Commissioner of Police
(Traffic-I)

Howrah Police Commissionerate

M/N O. 283/Acp Tr. I/25

dt. 28/04/25

Yours faithfully,

(Signature)
IC Howrah TG, HPC
Inspector - in - Charge
Howrah Traffic Guard
Howrah City Police

14 MAY 2025

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... Respondents

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Mr. Rajib Ray,
Ld. State Advocate
For the State of West Bengal