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BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 43/2025/EZ

ANKUR SHARMA

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

..... RESPONDENT(S)

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

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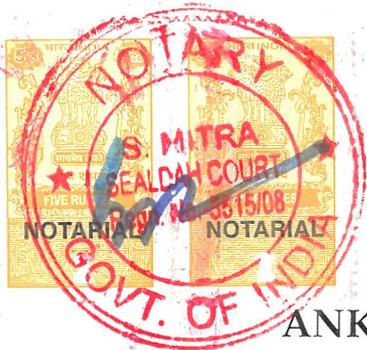
SL No	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		1-6
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Filed by

DIPANJAN GHOSH
ADVOCATE
HIGH COURT AT CALCUTTA

SL. NO. 69 Dt.- 23 MAY 2025

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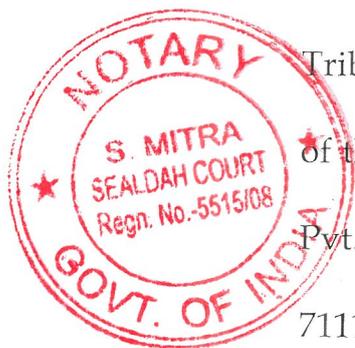
Most Respectfully Sheweth

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 56 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

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01. That, I am the Chief Engineer, West Bengal Pollution Control Board (hereinafter will be referred to as the 'State Board') and I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 3 to affirm this Affidavit on its behalf and as such, I am competent to do so.
02. That, this affidavit is being affirmed in pursuant to the order passed by this Hon'ble Tribunal dated 25.03.2025.
03. That, in compliance to the order of the Hon'ble National Green Tribunal dated 25.03.2025, the State Board caused an inspection of the alleged unit, namely, M/s. R.K. Associates and Hoteliers Pvt. Ltd., located at 41/1, Dr. P.K. Banerjee Road, Howrah, Pin-711101, on 21.04.2025 between 15.30 to 15.45 hrs.



04. That, the following observations were made from the said inspection:

(a) The unit was found closed during inspection. The local people informed that the unit has been closed since last two months.

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(b) Previously, the unit was situated in the ground floor of a G+6 storied residential building, located in a congested residential cum commercial area.

(c) 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 has 07 nos. LPG-fired ovens for preparation of breakfast/ snacks items.

(d) No kitchen equipment, e.g. LPG-fired ovens were found inside the shed during inspection.

(e) Mr. Ankur Sharma, on being contacted over phone, mentioned that the unit has been closed recently.

(f) The said unit falls under Green category. The unit obtained Consent to Establish from General Manager, District Industries Centre (DIC), Howrah on 25.09.2024.

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



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05. 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.

Swarup Kumar Maudel

DEPONENT



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VERIFICATION

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 56 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

1. That, I am the Chief Engineer, West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.
2. That, the statements made in paragraph 1 of this affidavit is true to my knowledge and belief.
3. That, the statements made in paragraphs 2 to 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.



Swarup Kumar Mandal

DEPONENT

Identified and corrected by me
Advocate *Dipankar Ghosh*
WBPCB

Solemnly Affirmed &
Declared Before Me
On Identification By.....
S. Mitra
SARBANI MITRA
NOTARY
Regd. No.- 5515/08

23 MAY 2025

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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.
<u>Observation:</u>	
<ul style="list-style-type: none"> 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. 	
<u>Remarks/recommendation:</u>	
<ul style="list-style-type: none"> The unit was found closed during inspection. 	

Bhim
28/04/25

(B Tikader AEE)

J. Mitra
28/04/2025

(J. Mitra, AEE)

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