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BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 215/2025/EZ

PRABIR ROY CHOWDHURY

.....APPLICANT(S)

VERSUS

THE WEST BENGAL POLLUTION CONTROL BOARD &  
ORS.

.....RESPONDENT(S)

REPORT ON AFFIDAVIT FILED BY THE RESPONDENT No. 1,  
WEST BENGAL POLLUTION CONTROL BOARD.

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Filed by

DIPANJAN GHOSH  
ADVOCATE  
HIGH COURT AT CALCUTTA

SL. NO. 30

~~DL.~~ 05 MAR 2026

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WEST BENGAL POLLUTION CONTROL BOARD.

**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. 1 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 15.01.2026.



03. That, in compliance to the order of the Hon'ble Tribunal dated 15.01.2026, the officials of the State Board visited the alleged site of M/s Craft Coffee, located at Ground floor, 16/4/1, Hemanta Mukhopadhyay Sarani, Sarat Bose Road, P.S.- Gariahat, Kolkata-700029, on 06.02.2026 between 01.15 PM to 02.10 PM.

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

- (a) The sources of generation of liquid waste are from Floor, utensil and hand washing.
- (b) The facilities available for treatment is from Waste water discharged to KMC Drain via settling chamber.

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- (c) The Sources of generation of gaseous emission are Four (04) LPG-fired ovens and one (01) pizza oven, which is capable of operating on both wood and LPG.
- (d) The facility available for treatment of gaseous emission is a common fume extraction system is connected to a single duct which opens at the eastern side of the kitchen. No stack has been installed.
- (e) Information regarding solid waste generation and disposal/ storing facility is Wastage food & Packaging Material disposed of through KMC arrangement.
- (f) The unit previously obtained a Consent to Establish (CTE No.: WBPCB/7563745/2025) dated 14/10/2025 and a Consent to Operate (CTO No.: WBPCB/7598258/2025) dated 29/10/2025 from the State Board under the Orange Category. The aforesaid Consent to Operate certificate is valid until 31/10/2035. However, under the State Board's current categorization policy, the unit now falls under the Green Category.
- (g) The unit is a cafeteria situated in the ground floor of a G+1 storied building. The total seating capacity of the cafeteria is



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approx. 45 numbers. During inspection, the unit was in operation. The total area of the unit is about 1500 sq-ft. The unit comprises two sections: the reception area and the Kitchen. The area is mixed in nature.

(h) Reception Area: This area is primarily used for the sale of various bakery items and cookies. A multi-boiler espresso machine was observed in this section for the preparation of different types of coffee. The seating arrangements are also situated in this portion, which covers a total area of approximately 1,000 sq. ft.

(i) Kitchen Area: The kitchen is situated in the southern portion of the unit's reception area and covers approximately 500 sq. ft. It comprises of four (04) LPG-fired ovens and one (01) pizza oven. The pizza oven is capable of operating on both wood and LPG. All ovens are equipped with a common fume extraction system connected to a single duct that opens on the eastern side of the kitchen; however, no stack was observed at the time of the visit.

Liquid effluent generated from kitchen activities is discharged into the KMC drain via a settling chamber. On the

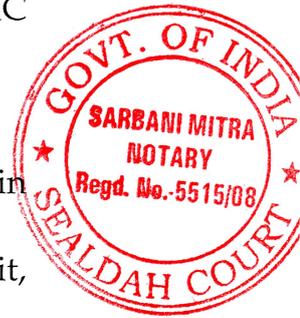


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western side of the kitchen, three (03) tubular structures (one large and two small) were observed connected to one another; these appear to be components of an Effluent Treatment Plant (ETP) and were found in a defunct condition. Solid waste generated from the kitchen is primarily stored in four (04) HDPE bins and is eventually disposed of through KMC arrangements.

- (j) The said G+1 storied building is situated beside the main road on Hemanta Mukhopadhyay Sarani. During the visit, State Board officials measured a noise level of 53.25 dB(A) inside the unit, while the ambient noise level was 80.41 dB(A). Similar activities were also observed in and around the unit premises.

05. That, previously the complainant lodged a complaint against the unit regarding a similar issue. Accordingly, an inspection was conducted by the Public Grievance Cell of the State Board on 25/06/2025, subsequently a hearing was conducted on 09/07/2025. Based on that hearing, the PG Cell of the State Board issued a Record of Proceedings vide Memo No. 1018-5L/WPB-2025/C-6714, dated 16/07/2025. During Consent to



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Establish applications the unit representative submitted a compliance report in reply to directions given in the aforesaid Record of Proceedings.



06. That, the current statuses of such compliances are as follows:

Compliance status regarding the directions issued by the Public Grievance Cell of the State Board (RoP dated 16/07/2025)	Current Status (as of 06/02/2026)	Compliance/ Non-Compliance
1. Obtain all statutory licenses including consent to establish and consent to operate under "Orange" category of the State Board within 31 August 2025 and on complying the condition enumerated in the that certificate of consent to operate of the Board and do not operate thereafter, if failed to obtained such CTO.	The unit has already obtained a Consent to Establish (CTE No.: WBPCB/7563745/2025) dated 14/10/2025 and a Consent to Operate (CTO No.: WBPCB/7598258/2025) dated 29/10/2025 from the State Board under the Orange Category. The aforesaid Consent to Operate certificate is valid until 31/10/2035.	Partially Complied. While the unit has obtained the Consent to Establish/ Consent to Operate certificate, it has been unable to comply with the directions specified therein.
2. Install appropriate air pollution control system (APCD) for controlling emissions or use a cleaner fuel, so that the people living in the neighbourhood may not be inconvenienced due to emissions generated from its operation and ventilate emissions through a stack of adequate height (as per Emission Regulations Part III of CPCB). Fugitive emission shall be avoided.	A common fume extraction system is connected to a single duct which opens at the eastern side of the kitchen. No stack has been installed.	Partially Complied. No stack has been installed to regulate emissions.
3. Install effluent treatment plant (ETP) immediately for the effluent generated from	No Effluent Treatment Plant (ETP) was found to	Partially Complied. Liquid effluent

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their respective unit.	be installed at the unit.	generated from kitchen activities is discharged into the KMC drain via a settling chamber.
4. Dispose of solid wastes properly as per the Solid Waste Management Rules, 2016.	Solid waste disposed of through KMC arrangements.	Complied

07. That, the following remarks were made by the Inspecting Officials from the said inspection:

1. The unit must fully comply with the directions given in the Record of Proceedings issued by the PG Cell of the State Board Vide Memo No. 1018-5L/WPB-2025/C-6714, dated 16/07/2025.

2. The unit shall not use solid fuel for any activity.

3. Effective steps must be taken to ensure that unit activities do not affect neighboring residents in any way.

Copy of the Inspection Report of the State Board is attached herewith and marked as **Annexure "R"**.

08. That, the said unit has been called for hearing on 27.02.2026 by the State Board, however, neither the unit nor the Complainant appeared before the State Board.



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08.. 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 Mandal*  
DEPONENT



05 MAR 2026



## 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 7 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*  
WBPCB

05 MAR 2026

Solemnly Affirmed &  
Declared Before Me  
On Identification by.....

*[Signature]*  
SARBANI MITRA  
NOTARY  
Regd. No.- 5515/08  
Mob.- 8777303277



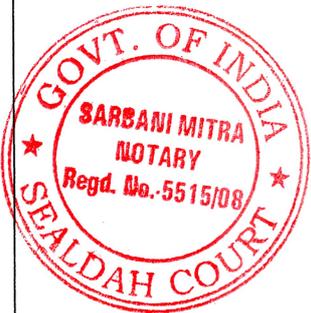
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Annexure- 'R' 89

INSPECTION REPORT

Inspection reference	Order issued by the Honourable National Green Tribunal, Eastern Zone Bench, Kolkata, vide Original Application No. 215/2025/EZ, dated 15/01/2026
	Letter issued by Senior Scientific Officer & In-Charge, PG Cell vide memo no. 59-5L/WPB-2025/C-6714 dated 19/01/2026
Name of the Industry	M/s Craft Coffee
Address	Ground floor, 16/4/1, Hemanta Mukhopadhyay Sarani
PO & Pin Code	Sarat Bose Road, 700029
P.S.	Gariahat
District	Kolkata
Local Body/Authority	KMC
Power Supply agency	CESC
Category of Industry	Green [Hotels Up to 20 rooms, standalone Ceremonial Houses/ club houses/ banquet hall with minimum floor area of 100 sq.m., restaurant with minimum seating capacity of 36 numbers]
Date of Previous Inspection	25/06/2025
Date & Time of Inspection	06/02/2026, 01:15 PM to 02:10 PM
Inspecting officers	Sri. Shouvik Ganguly, AEE, Kolkata RO Sk Abdul Rohit, JEE, Kolkata RO
Persons met during inspection	Smt. Puja Bhattacharya, Manager of the alleged unit Contact No: 8697450840
	The complainant, Mr. Prabir Roy Chowdhury, could not be contacted either telephonically or physically at the time of the visit.
<b>Observation</b>	
(A) Sources of generation of liquid waste	Floor, utensil and hand washing.
(B) Facility available for treatment	Waste water discharged to KMC Drain via settling chamber.
(C) Generation of sewage and its treatment/ disposal	--
(D) Observation & comments on performance of treatment facility of liquid waste	--
(E) Sources of generation of gaseous emission	Four (04) LPG-fired ovens and one (01) pizza oven, which is capable of operating on both wood and LPG.

(F) Facility available for treatment of gaseous emission	A common fume extraction system is connected to a single duct which opens at the eastern side of the kitchen. <b>No stack has been installed.</b>
(G) Observation & comments on performance of treatment facility for gaseous emission	--
(H) Observation on noise pollution generated from industrial process along with measured levels (if measurement required)	--
(I) Information regarding solid waste generation and disposal/ storing facility	Wastage food & Packaging Material disposed off through KMC arrangement.
(J) Information regarding hazardous waste generation and on-site storing facility	--
(K) Status of hazardous waste (M & H) authorization	--
(L) Storing of hazardous chemicals under MS & I (HC) Rules	--
(M) Status of Consent to Establish	Possesses valid CTE: Yes/ <del>No</del> At present whether CTE required: Yes/ No
(N) Status of Consent to Operate	Possesses valid CTO: Yes/ <del>No</del> At present whether CTO required: Yes/ No  The unit previously obtained a Consent to Establish (CTE No.: WBPCB/7563745/2025) dated 14/10/2025 (enclosed as <b>Annexure A</b> ) and a Consent to Operate (CTO No.: WBPCB/7598258/2025) dated 29/10/2025 (enclosed as <b>Annexure B</b> ) from the State Board under the Orange Category. The aforesaid Consent to Operate certificate is valid until 31/10/2035. However, under the State Board's current categorization policy, the unit now falls under the Green Category.
<p>(O) Any other relevant information:</p> <p>This is a cafeteria situated in the ground floor of a G+1 storied building. The total seating capacity of the cafeteria is approx. 45 numbers. During inspection the unit was in operation. The total area of the unit is about 1500 sq-ft. The unit comprises two sections: the Reception area and the Kitchen. The area is mixed in nature.</p> <p><b>Reception Area:</b></p> <p>This area is primarily used for the sale of various bakery items and cookies. A multi-boiler espresso machine was observed in this section for the preparation of different types of coffee. The seating arrangements are also situated in this portion, which covers a total area of approximately 1,000 sq. ft.</p>	



**Kitchen Area:**

The kitchen is situated in the southern portion of the unit's reception area and covers approximately 500 sq. ft. It comprises of four (04) LPG-fired ovens and one (01) pizza oven. The pizza oven is capable of operating on both wood and LPG. All ovens are equipped with a common fume extraction system connected to a single duct that opens on the eastern side of the kitchen; however, no stack was observed at the time of the visit.

Liquid effluent generated from kitchen activities is discharged into the KMC drain via a settling chamber. On the western side of the kitchen, three (03) tubular structures (one large and two small) were observed connected to one another; **these appear to be components of an Effluent Treatment Plant (ETP) and were found in a defunct condition.** Solid waste generated from the kitchen is primarily stored in four (04) HDPE bins and is eventually disposed of through KMC arrangements.

The complainant, Mr. Prabir Roy Chowdhury, resides on the first floor of the same G+1 storied building. Mr. Prabir Roy Chowdhury could not be contacted telephonically as his contact number was missing from the complaint letter. Although State Board officials visited the residence, the entrance was found to be locked from the inside. Despite several attempts to reach him, including ringing the doorbell, no response was received. The said G+1 storied building is situated beside the main road on Hemanta Mukhopadhyay Sarani. During the visit, State Board officials measured a noise level of 53.25 dB(A) inside the unit, while the ambient noise level was 80.41 dB(A). Similar activities were also observed in and around the unit premises.

Previously, the complainant lodged a complaint against the unit regarding a similar issue. Accordingly, an inspection was conducted by the Public Grievance Cell of the State Board on 25/06/2025, subsequently a hearing was conducted on 09/07/2025. Based on that hearing, the PG Cell of the State Board issued a Record of Proceedings vide Memo No. 1018-5L/WPB-2025/C-6714, dated 16/07/2025. During Consent to Establish applications the unit representative submitted a compliance report in reply to directions given in the aforesaid Record of Proceedings. The current statuses of such compliances are tabulated below: -

<b>Compliance status regarding the directions issued by the Public Grievance Cell of the State Board (RoP dated 16/07/2025)</b>	<b>Current Status (as of 06/02/2026)</b>	<b>Compliance/Non-Compliance</b>
<p>1. Obtain all statutory licenses including consent to establish and consent to operate under "Orange" category of the State Board within 31 August 2025 and on complying the condition enumerated in the that certificate of consent to operate of the Board and do not operate thereafter, if failed to obtained such CTO.</p> 	<p>The unit has already obtained a Consent to Establish (CTE No.: WBPCB/7563745/2025) dated 14/10/2025 (enclosed as <b>Annexure A</b>) and a Consent to Operate (CTO No.: WBPCB/7598258/2025) dated 29/10/2025 (enclosed as <b>Annexure B</b>) from the State Board under the Orange Category. The aforesaid Consent to Operate certificate is valid until 31/10/2035.</p>	<p>Partially Complied. While the unit has obtained the Consent to Establish/ Consent to Operate certificate, <b>it has been unable to comply with the directions specified therein.</b></p>

Compliance status regarding the directions issued by the Public Grievance Cell of the State Board (RoP dated 16/07/2025)	Current Status (as of 06/02/2026)	Compliance/Non-Compliance
2. Install appropriate air pollution control system (APCD) for controlling emissions or use a cleaner fuel, so that the people living in the neighbourhood may not be inconvenienced due to emissions generated from its operation and ventilate emissions through a stack of adequate height (as per Emission Regulations Part III of CPCB). Fugitive emission shall be avoided.	A common fume extraction system is connected to a single duct which opens at the eastern side of the kitchen. No stack has been installed.	Partially Complied. <b>No stack has been installed to regulate emissions.</b>
3. Install effluent treatment plant (ETP) immediately for the effluent generated from their respective unit.	<b>No Effluent Treatment Plant (ETP) was found to be installed at the unit.</b>	Partially Complied. Liquid effluent generated from kitchen activities is discharged into the KMC drain via a settling chamber.
4. Dispose of solid wastes properly as per the Solid Waste Management Rules, 2016.	Solid waste disposed of through KMC arrangements.	Complied

(P) Remarks:

1. The unit must fully comply with the directions given in the Record of Proceedings issued by the PG Cell of the State Board (Vide Memo No. 1018-5L/WPB-2025/C-6714, dated 16/07/2025).
2. The unit shall not use solid fuel for any activity.
3. Effective steps must be taken to ensure that unit activities do not affect neighboring residents in any way.

*Reliy 10/02/2026*

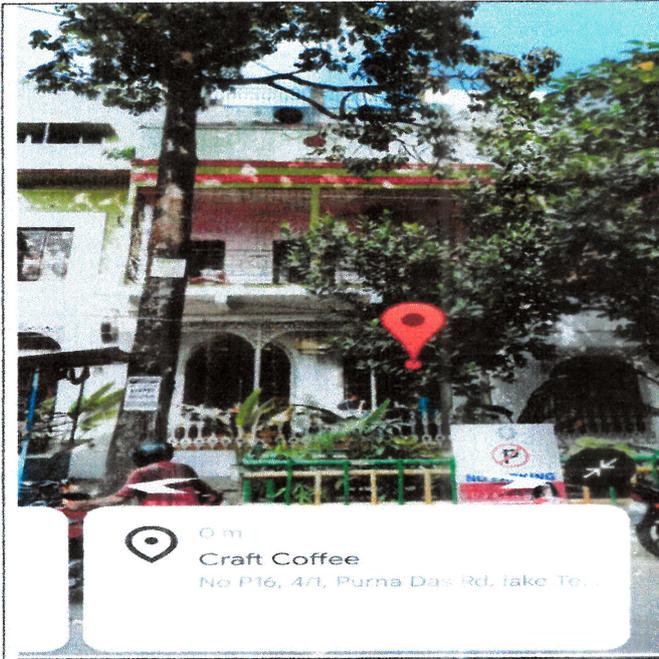
Signature of Visiting Officer

*GS 10/02/2026*

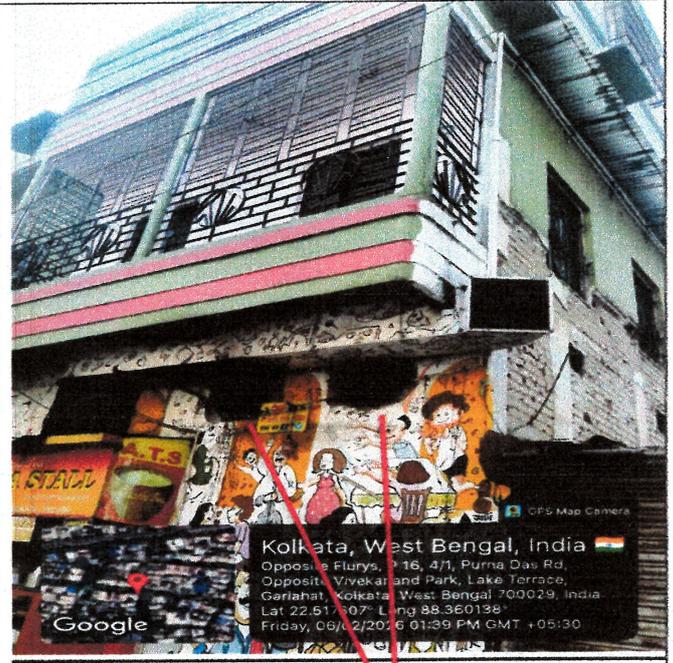
Signature of Visiting Officer



Photographs were taken during the inspection conducted on 06/02/2026



Alleged unit situated at the ground floor of the G+1 storied building



Kitchen exhausts are not connected to the designated stack



Effluent Treatment Plant (ETP) components were observed to be non-functional and defunct



View of HDPE bins used for solid waste storage inside the kitchen



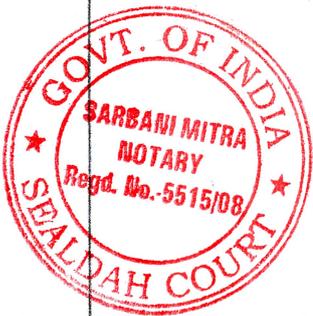
Photographs were taken during the inspection conducted on 06/02/2026



View of the fume extraction system within the kitchen area



View of the pizza oven inside the unit premises



Main entrance gate of complainant Mr. Prabir Roy Chowdhury was found under lock and key from inside.

*Rohit* 10/02/2026

Signature of Visiting Officer

*[Signature]* 10/02/2026

Signature of Visiting Officer

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