

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, WESTERN  
ZONE BENCH PUNE AT PUNE.

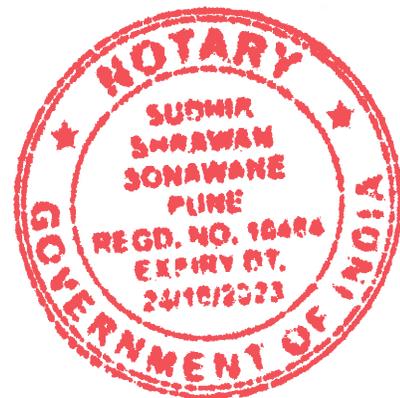
ORIGINAL APPLICATION NO. 93/ 2019.

Bombay Environment Action Group ... APPLICANT

v/s

Union of India &Ors ...

RESPONDENT



**ACTION TAKEN REPORT BEHALF OF RESPONDENT NO.5 :-**

I, Jaganath Shankar Salunkhe Age 51 Years, Occupation Service, Regional officer of the Maharashtra Pollution Control Board at Raigad, having my office at Raigad Bhavan, 6th Floor, CBD Belapur, Navi Mumbai, filing this Action Taken Report in Reply on behalf of answering Respondent No.5 as I am authorized to file the same.

1. I say and submit that in compliance of this Hon'ble Tribunal order dated 14.7.2020, the Board has taken various action which are summarized as under :-

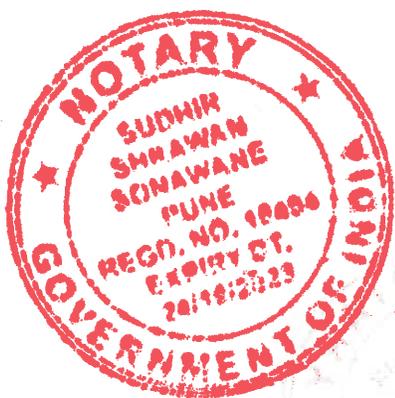
- a) The Respondent Board has issued Prosecution Notice under section 43, r.w. Section 24, 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 to Matheran Municipal Council (Eco Sensitive Zone) vide letter dtd. 21.09.2020 on the ground that Matheran Municipal Council has failed to take effective steps to provide underground sewerage system and treatment facility for sewage generated from Municipal area directing as to why prosecution

shall not be initiated against the said council and imposed Environment Cost for said violation vide letter dated 21.9.2020 which is enclosed and marked as **Annexure I**.

b) The Respondent Board has issued Environmental Compensation Notice under Section 33 A of the Water (Prevention and Control of Pollution) Act, 1974 to Matheran Municipal Council (Eco Sensitive Zone) directing to Matheran Municipal Corporation to deposit Rs.30 lakhs towards EC on the ground of non compliance as per the Guidelines issued by CPCB as well as **order passed by Hon'ble Tribunal** in OA No 606 of 2018 . A said Environmental Compensation Notice dated 11.10.2020 is enclosed and marked as an **Annexure II**.

c) It is submitted that the Respondent Board had carried out extensive survey on 4.3.2020 and initiated action & in order to give logical end to the earlier action the Officials have verified compliance made by hotels & reported as follows :-

i) At present 29 nos. of Hotels are still non-complied. These hotels have failed obtain consent from the Respondent Board as well as failed to provide sewage treatment system for domestic effluent generated from their hotel activity. Therefore, Respondent Board has issued Prosecution Notice to 16 nos. of Hotels vide letter





dtd. 21.09.2020, directing them to as to why prosecution shall not be filed against them as well as Environment Cost shall not be imposed for the said violations. A sample copy of said prosecution notice dated 21.9.2020 along with list is enclosed and marked as an **Annexure III.**



ii) The Respondent Board had issued Proposed Direction u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention and Control of Pollution) Act, 1981 on the ground that the STP is not operating and access towards STP was not proper. Therefore, The Board has issued Proposed Directions to 06 nos. of Hotels vide letter dtd. 23.09.2020, directing them as to why their hotel activity shall not be closed down as well as Environment Cost shall not be imposed on them for said non-compliances. A sample copy of said Proposed Direction dated 23.09.2020 along with list is enclosed and marked as an **Annexure IV.**

iii) The Respondent Board had already issued Closure Directions u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention and Control of Pollution) Act, 1981 to 07 nos. of Hotels vide letter dtd. 19.03.2020. A sample Copy of said Closure Direction along with list is enclosed and marked as **Annexure V.**

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2. I say and submit that Action Taken Report in compliance of order passed by this Hon'ble Tribunal dtd. 14.07.2020 is enclosed and marked as Annexure VI.

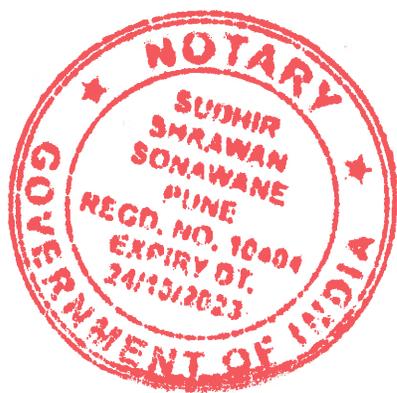
It is submitted that in compliance of order dated 14.7.2020, the Respondent Board is monitoring and taking appropriate action against the non-complied hotels in Matheran area as well as persuading with Matheran Municipal Council for necessary compliance.

For and On behalf of Maharashtra  
Pollution Control Board



(Salunkhe J. S.)

Regional Officer- Raigad



Advocate for Respondent No. 5

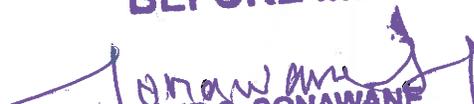


(Vilas A Jadhav)

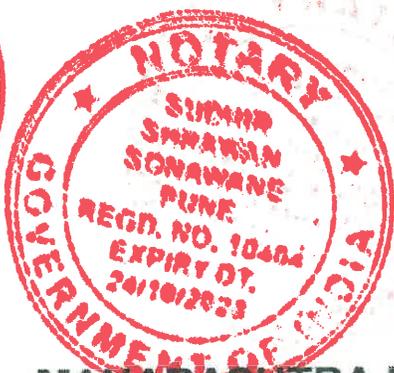


NOTED AND REGISTERED  
AT SR. NO. 384/2020  
DATE, 11 2 OCT 2020

BEFORE ME

  
SUDHIR S. SONAWANE  
NOTARY, GOVT. OF INDIA  
PUNE

11 2 OCT 2020



Annex - I

5

**MAHARASHTRA POLLUTION CONTROL BOARD**  
REGIONAL OFFICE-RAIGAD

Tel. No. 2757 2620  
Fax No. 2756 2132



Raigad Bhavan, 6th Floor,  
Sec-11, C.B.D. Belapur,  
Navi Mumbai 400 614.  
[roraigad@mpcb.gov.in](mailto:roraigad@mpcb.gov.in)  
<http://mpcb.gov.in>

Email:  
Visit us at:

No. MPCB/ROR/TB/ PN/200921-FTS-0173

Dated: 21.09.2020

To,  
The Chief Officer,  
Matheran Municipal  
Council, Tal-Karjat,  
Dist-Raigad

**Sub:-** Prosecution Notice under section 43, r.w. Section 24, 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974.

**Ref:-** 1) MoEF Govt's Notification dtd. 04.02.2003 for notifying Matheran and surrounding region as an Eco-sensitive Zone.

- 2) Order passed by Hon'ble NGT, dtd. 13.02.2020 in the OA 93/2019.
- 3) Survey carried out by the Board on 04.03.2020 to 06.03.2020.
- 4) Direction issued by the Board dtd. 18.03.2020.
- 5) Order passed by Hon'ble NGT, dtd. 14.07.2020 in the OA 93/2019 (WZ).

**WHEREAS**, the Ministry of Environment and Forest, Govt. of India vide Notification bearing S. O. 133 (E) dtd. 04.02.2002, has notified Matheran and surrounding region as an Eco-sensitive Zone and imposing restriction on industries, operations, processes and other developmental activities in the region which have detrimental effect on the environment. The said Eco-sensitive Zone covers an area of 214.73 sq. kms. and a 200 mts. buffer zone and it shall consist of the area of the Matheran Municipal Council and its environs.

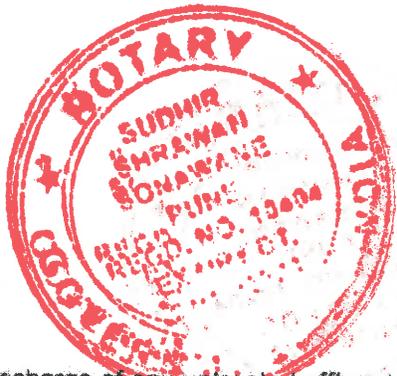
**AND WHEREAS**, it was obligatory on your part to obtain consent of the Board u/s 25/26 Water (Prevention & Control of Pollution) Act, 1974 & u/s 21 of Air (Prevention & Control of Pollution) Act, 1981 **AND WHEREAS**, it is also obligatory on the part of Municipal Authority to provide necessary sewage collection system and sewage treatment facilities in your jurisdiction.

**AND WHEREAS**, it is observed that you have failed to obtain Consent till date and operating without valid consent of the Board. You have also failed to provide STP and proper sewer line, thereby discharging untreated domestic effluent in the Eco-Sensitive Zone.

**AND WHEREAS**, the Bombay Environmental Action Group has filed an Application bearing No. 45/2016 and OA 93/2019 against the Union of India & Ors. before the Hon'ble NGT, WZ, Pune on the ground that the damage being caused to the ecologically sensitive area of Matheran & its surrounding region due to inaction by the Competent Authority in preparing Master Plan as well as Zonal Master Plan & thereby violating the conditions, regulation under the Notification dtd. 04.03.2003.

**AND WHEREAS**, the officials of the Board at Raigad have carried out the extensive survey of the Hotel and other activities in Matheran and nearby area on 04.03.2020 to 07.03.2020 & also initiated action against said establishment. However, during survey following non-compliances were observed :-

E



1. You have failed to prohibit discharge of any untreated effluent within the Eco-Sensitive Zone as per Notification bearing S. O. 103(E), dtd. 04.02.2003, i.e Notification of Matheran and surrounding region in the State of Maharashtra as the Matheran Eco-Sensitive Zone as per the Notification issued by Ministry of Environment and Forest, Govt. India.
2. You have failed to provide underground sewerage collection system and treatment facility for sewage generated in Municipal area.

**AND WHEREAS,** in compliance of order passed by Hon'ble NGT, Pune dated 13.2.2020, the Board has issued direction directing you to take appropriate steps and ensure compliance vide letter dated 18/03/2020. However, it is observed that you have failed to take effective steps till date. (incorporate any reply received from corporation)

**AND WHEREAS,** in pursuance of the Judgment dtd. 14.07.2020 passed by the Hon'ble NGT in Application bearing No. 45/2016 and OA 93/2019 filed by Bombay Environmental Action Group against the Union of India & Ors, the Board had issued a comprehensive direction for effective and expeditious implementation of domestic effluent treatment as per Matheran Eco-sensitive Zone Notification, 2003 vide letter dated... which is also not complied by you till date.

**AND WHEREAS,** despite of various directions issued by the Board from time to time, you have not taken effective steps to provide underground sewerage collection system and treatment facility for sewage generated in Municipal area.

**AND WHEREAS,** the Board has already given you sufficient & reasonable opportunity to provide underground sewerage collection system and treatment facility for sewage generated in Municipal area and it is observed that till date you have failed to provide STP and proper sewer line, thereby discharging untreated domestic effluent in the Eco-Sensitive Zone.

**NOW THEREFORE,** you are, hereby called upon to show cause as to

- i) why prosecution u/s 15 of the Environment (Protection) Act, 1986 read with 43,44 read with section 24, 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 shall not be filed against you as well as person who are responsible for day to day affairs of the corporation?
- ii) Why environment compensation shall not be imposed on you as per CPCB Guidelines for the above non compliances?

Your reply to the said notice shall reach this office within a period of 7 days from the date of receipt of this notice, failing which legal action shall be initiated against you without giving you further opportunity, which may please note.

This is issued with the approval of competent authority of the Board.

  
**(J. S. Salunkhe)**  
 Regional Officer, Raigad

- Copy submitted for favor of information to: -**
1. Member Secretary, MPC Board, Sion, Mumbai.
  2. RO (HQ), MPC Board, Sion, Mumbai
  2. Law Officer, (P & L Div.) MPC Board, Sion Mumbai.

- Copy to-**
1. Sub Regional Officer-Raigad-II, MPCB, Raigad Bhavan For information and needful action



Annex - II (F)

## MAHARASHTRA POLLUTION CONTROL BOARD REGIONAL OFFICE RAIGA

Tel. No. 2757 2620  
Fax No. 2756 2132



Raigad Bhavan, 6th Floor,  
Sec-11, C.B.D. Belapur,  
Navi Mumbai 400 614.

Email: roraigad@mpcb.gov.in  
Visit us at: http://mpcb.gov.in

No. MPCB/ROR/

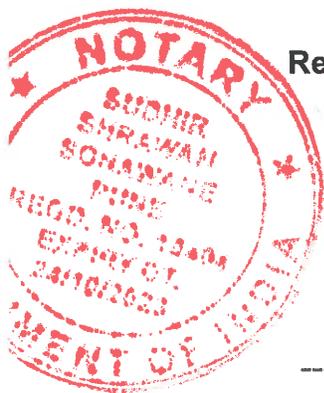
Date: - 11/10/2020

To,  
Chief Officer,  
Matheran Municipal, Council,  
Tal- Karjat, Dist. Raigad.

201011-FTS-0001

**Sub:-** Directions under section 33A of Water (Prevention & Control of Pollution) Act, 1974 for Environmental Compensation

- Ref:-**
1. MoEF Gol's Notification dtd. 04.02.2003 for notifying Matheran and surrounding region as an Eco-sensitive Zone.
  2. Order passed by Hon'ble NGT, dtd. 13.02.2020 in the OA 93/2019.
  3. Order passed by Hon'ble NGT, dtd. 14.07.2020 in the OA 93/2019 (WZ).
  4. Proposed Direction issued by the Board vide letter dtd:-18.03.2020.
  5. Prosecution Notice dtd. 21.09.2020.
  6. Approved note received from HQ. dtd:-11.10.2020



**WHEREAS**, the Ministry of Environment and Forest, Govt. of India vide Notification bearing S. O. 133 (E) dtd. 04.02.2002, has notified Matheran and surrounding region as an Eco-sensitive Zone and imposing restriction on industries, operations, processes and other developmental activities in the region which have detrimental effect on the environment. The said Eco-sensitive Zone covers an area of 214.73 sq. kms. and a 200 mts. buffer zone and it shall consist of the area of the Matheran Municipal Council and its environs.

**AND WHARES**, it was obligatory on your part to obtain valid consent of the Board u/s 25/26 Water (Prevention & Control of Pollution) Act, 1974 & u/s 21 of Air (Prevention & Control of Pollution) Act, 1981 **AND WHEAREAS**, it is also obligatory on the part to provide necessary sewage collection system and sewage treatment facilities for sewage generated from Municipal area.

**AND WHEREAS**, the Hon'ble NGT in its O.A. NO. 93/2019 directed "SPCB to furnish action taken report on or before 14.10.2020 along with Non-compliance of the directions, will result in punitive action not only for the prosecution but also the recovery of the environment compensation for which State PCB is directed to calculate the EC in accordance by the directions issued in Original Application No. 606/2018.

**AND WHEREAS**, you are well aware that, Matheran Municipal Council is one of the major contributor for pollution in Eco Sensitive Zone area. It is mandatory on your to take effective measures for implementation of pollution control system. **AND WHEREAS**, Board has already issued various



①

Annex - III

**MAHARASHTRA POLLUTION CONTROL BOARD**  
REGIONAL OFFICE-RAIGAD

Tel. No. 2757 2620  
Fax No. 2756 2132



Raigad Bhavan, 6th Floor,  
Sec-11, C.B.D. Belapur,  
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roraigad@mpcb.gov.in  
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Email:  
Visit us at:

No. MPCB/ROR/TB/PNI 200921 - FTS - 0184

Dated: 21/09/2020

To,  
M/s. Hotel Ashok,  
Near Paymaster Park,  
Chinmay Road, Matheran,  
Tal. Karjat, Dist-Raigad

**Sub:-** Prosecution Notice under section 43, r.w. Section 24, 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974.

- Ref:-**
- 1) MoEF Govt's Notification dtd. 04.02.2003 for notifying Matheran and surrounding region as an Eco-sensitive Zone.
  - 2) Board's consent which was valid upto 31.03.2016.
  - 3) Order passed by Hon'ble NGT, dtd. 13.02.2020 in the OA 93/2019.
  - 4) Survey carried out by the Board on 04.03.2020 to 06.03.2020.
  - 5) Proposed Direction issued by the Board vide letter dtd. 18.03.2020.
  - 6) Order passed by Hon'ble NGT, dtd. 14.07.2020 in the OA 93/2019 (WZ).
  - 7) Approval received from HQ dtd. 18.09.2020.

WHEREAS, the Ministry of Environment and Forest, Govt. of India vide Notification bearing S. O. 133 (E) dtd. 04.02.2002, has notified Matheran and surrounding region as an Eco-sensitive Zone and imposing restriction on industries, operations, processes and other developmental activities in the region which have detrimental effect on the environment. The said Eco-sensitive Zone covers an area of 214.73 sq. kms. and a 200 mts. buffer zone and it shall consist of the area of the Matheran Municipal Council and its environs.

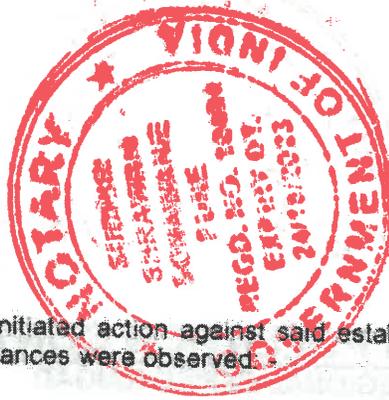
AND WHEREAS, it was obligatory on your part to obtain consent of the Board u/s 25/26 Water (Prevention & Control of Pollution) Act, 1974 & u/s 21 of Air (Prevention & Control of Pollution) Act, 1981 AND WHEREAS, it is also obligatory on the part to provide necessary sewage collection system and sewage treatment facilities for sewage generated from your hotel activity.

AND WHEREAS, it is observed that you have failed to renew the consent to operate till date and operating the hotel without valid consent of the Board. You have also failed to provide sewage treatment system for domestic effluent generated from hotel activity and proper sewer line, thereby discharging substandard/untreated domestic effluent in the Eco-Sensitive Zone.

AND WHEREAS, the Bombay Environmental Action Group has filed an Application bearing No. 45/2016 and OA 93/2019 against the Union of India & Ors. before the Hon'ble NGT, WZ, Pune on the ground that the damage being caused to the ecologically sensitive area of Matheran & its surrounding region due to inaction by the Competent Authority in preparing Master Plan as well as Zonal Master Plan & thereby violating the conditions, regulation under the Notification dtd. 04.03.2003.

AND WHEREAS, the officials of the Board at Raigad have carried out the extensive survey of the Hotel and other activities in Matheran and nearby area on 04.03.2020 to

J.P.



06.03.2020 & also initiated action against said establishment. However, during survey following non-compliances were observed:

1. You are operating the hotel activity without obtaining valid consent from the Board and also failed to apply for renewal of consent.
2. You have failed to provide STP and failed to prohibit discharge of any untreated/substandard effluent within the Eco-Sensitive Zone as per Notification bearing S. O. 133(E), dtd. 04.02.2003, i.e. Notification of Matheran and surrounding region in the State of Maharashtra as the Matheran Eco-Sensitive Zone as per the Notification issued by Ministry of Environment and Forest, Govt. India.

AND WHEREAS, in compliance of order passed by Hon'ble NGT, Pune dated 13.02.2020, the Board had issued proposed direction to take appropriate steps and ensure compliance vide letter dated 18/03/2020. However, it is observed that you have failed to take effective steps till date.

AND WHEREAS, despite of various directions issued by the Board from time to time, you have not taken effective steps to obtain valid consent from the Board and also failed to provide sewage treatment system for domestic effluent generated from hotel activity thereby discharging substandard/untreated domestic effluent in the Eco-Sensitive Zone.

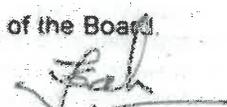
AND WHEREAS, the Board has already given you sufficient & reasonable opportunity to obtain valid consent to operate from the Board and also provide proper treatment system for sewage generated from your hotel activity and it is observed that till date you have failed to comply the same, thereby operating the hotel without valid consent and discharging substandard/untreated domestic effluent in the Eco-Sensitive Zone.

NOW THEREFORE, you are, hereby called upon to show cause as to

- i) Why prosecution u/s 15 of the Environment (Protection) Act, 1986 read with 43,44 read with section 24, 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 shall not be filed against you as well as person who are responsible for day to day affairs of the Hotel activity?
- ii) Why environment compensation shall not be imposed on you as per CPCB Guidelines for the above non compliances?

Your reply to the said notice shall reach this office within a period of 7 days from the date of receipt of this notice, failing which legal action shall be initiated against you without giving you further opportunity, which may please note.

This is issued with the approval of competent authority of the Board.

  
(J. S. Salunkhe)  
Regional Officer, Raigad

Copy submitted for favor of information to: -

1. Member Secretary, MPC Board, Sion, Mumbai.
2. RO (HQ), MPC Board, Sion, Mumbai
3. Law Officer, (P & L Div.) MPC Board, Sion Mumbai.

Copy to-

2. Sub Regional Officer-Raigad-II- MPCB, Raigad Bhavan For information and needful action



(11)

**Annexure-III with one copy**

Sr. No.	Name & address of Hotels in Matheran to whom Prosecution Notice issued
1	Hotel Rangoli Retreat (Formerly known as Oriental Estate & Properties Pvt. Ltd.) M.P. 187, M.G.Road, Matheran
2	Hotel Kumar Plaza, Plot No-149, M.G. Road, Opp. Telephone Exchange, Matheran
3	Hotel Ashok, Near Paymaster Park, Chimay Road, Matheran
4	Hotel Wood Land, M.G.Road, Matheran
5	Hotel Bombay View, Sunset Road, Matheran
6	Hotel Preeti, Kasturba Road, Matheran
7	Royal Hotel, Matheran
8	Hotel West End, Acharya Atre Road, Near to Police Station, Matheran
9	Hotel Usha Ascot, M.G. Road, Matheran
10	Hotel CECIL, S.No. 40, Chinmay Road, Matheran
11	The Byke Brightland Resort., Plot No. 54 (A-1, A-2, A-3) Maulana Azad Road, Matheran, Tal. Karjat, Dist. Raigad.
12	Hotel Wood Side, Mahatma Gandhi Road, Matheran
13	Hotel Vanshree, M.G.Road, Matheran
14	Hotel Rugby(Thackers Holding Private Limited) Paradise, Katwal Road, Matheran
15	Laxmi Hotel, Plot No-B.P.4, M.G.Road, Matheran
16	Rucha Heritage, M.G.Road, Opp. Shivaji Udyan, Matheran.





Annex - IV (12)

**MAHARASHTRA POLLUTION CONTROL BOARD**  
Regional Office, Raigad

Phone: - (022) - 2757 6034  
Fax: - (022) - 2756 2132  
E-mail: - [rorraigad@mpcb.gov.in](mailto:rorraigad@mpcb.gov.in)  
Website: - <http://mpcb.gov.in>



Raigad Bhavan, 6th Floor,  
Sec-11, C.B.D. Belapur,  
Navi Mumbai 400 614.

**By R.P.A.D/Fax/Hand Delivery**

No. MPCB/ROR/PD/200923-FTS-0061

Date: 23.09.2020

To,  
Gurjarat Bhavan Hotel,  
MP-75, Maulana Azad Road,  
Matheran, Tal- Karjat,  
Dist. Raigad.

**Sub:** Proposed Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 & u/s. 31A of Air (Prevention & Control of Pollution) Act, 1981.

- Ref:** - 1. MoEF, Govt's Notification dtd. 04.02.2003.  
2. Order passed by Hon'ble National Green Tribunal, Pune in the Application No. 45/2016 Dtd. 30/05/2016 and OA 93/2019.  
3. Survey carried out on 04.03.2020 to 06.03.2020.  
4. SCN issued by the Board dtd. 18.03.2020.  
5. Approval received from HQ dtd. 18.09.2020

**WHEREAS**, Board has granted consent to operate under section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & u/s. 21 of Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under rule 5 of the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 which was expired on 31.03.2016.

**AND WHEREAS**, it was obligatory on your part to provide adequate pollution control system for air and water & disposal arrangement to your domestic effluent to meet the consented standards prescribed by the Board. You were under obligation to provide STP/ETP and operate and maintain the same effectively, so as to achieve standards prescribed by the Board.

**AND WHEREAS**, the Ministry of Environment & Forest, Govt. of India vide Notification bearing S.O. 133(E), dtd. 4/2/2003, Notification of Matheran and surrounding region in the State of Maharashtra as the Matheran Eco-Sensitive Zone.

**AND WHEREAS**, the Bombay Environmental Action Group has filed an Application bearing No. 45/2016 and OA 93/2019 against the Union of India & Ors. before the Hon'ble National Green Tribunal, WZ, Pune in respect of damage being caused to the ecologically sensitive area of Matheran & its surrounding region due to inaction by the Competent Authority in preparing Master Plan as well as Zonal Mater Plan & violating the conditions, regulations under the Notification dtd. 4/2/2003 & most of the hotels are operating without valid consent to establish/operate & without sewage treatment plant with no solid waste management facility.

*[Handwritten Signature]*



AND WHEREAS, the officials of the Board, at Raigad have carried out the extensive survey of the Hotel and other activities in Matheran and nearby area on 04.03.2020 to 06.03.2020 & observed the following non-compliances.

1. You have failed to provide/operate regularly Sewage treatment plant thereby discharging untreated domestic effluent in the Eco-Sensitive Zone.
2. You have failed to submit the Bank Guarantee of Rs.1,00,000/- as per consent conditions.
3. You have not provided disinfection system to treated domestic effluent.

AND WHEREAS, you have failed to submit the reply of the Show Cause Notice dtd. 18.03.2020.

AND WHEREAS, after examining the record of your case, the records of the officials of the Board & after necessary inquiry, I am satisfied that you are operating your Hotel activity without valid consent of the Board and adequate pollution control devices, thereby causing grave & sudden injury to the Environment & Human being.

NOW THEREFORE, in exercise of the powers conferred upon me by the Board u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 & u/s. 31A of Air (Prevention & Control of Pollution) Act, 1981, I, J. S. Salunkhe, the Regional Officer of the Board at Raigad, hereby directed to show cause as to:

1. Why your Hotel activities shall not be directed to close down?
2. Why environmental compensation shall not imposed on you as per CPCB Guidelines for the above non compliances?

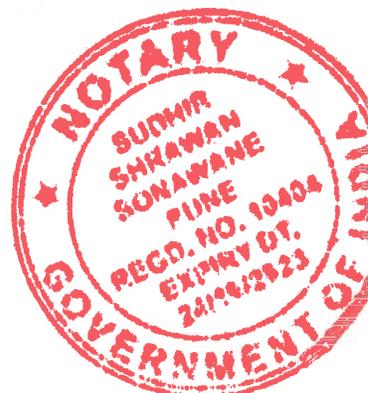
Your reply to these proposed directions shall be submitted within 7 days after the receipt of these directions failing which, the Board will have no option than to initiate appropriate legal action against you, which may please be noted.

For and on behalf of  
Maharashtra Pollution Control Board

(J.S. Salunkhe)  
Regional Officer,

Copy for necessary action to-

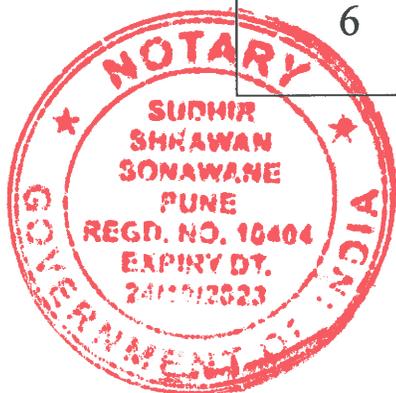
1. Member Secretary, MPC Board, Sion, Mumbai.
2. RO (HQ), MPCB Sion Mumbai.
3. Law Officer (P & L Divn.) MPC Board Sion, Mumbai.
4. Sub Regional Officer, Raigad-II, MPCB Raigad — He is directed to ensure that PD to be served to the Industry and submit compliance in time.



(14)

**Annexure-IV with one copy**

Sr. No.	Name & address of Hotels in Matheran to whom PD issued
1	Spring Wood Heritage, Kasturbha Road, Matheran
2	Gujarat Bhavan Hotel, M/p-75, Maulana Azad Road, Matheran.
3	Hotel Point View, M.G.Road, Matheran
4	Hotel SUN N Shade, MP-184, Matheran
5	Regal Hotel, Kasturba Road, Matheran
6	Hotel Premdeep, MP-63, Matheran.



Annex <sup>(LS)</sup> V

**MAHARASHTRA POLLUTION CONTROL BOARD**  
REGIONAL OFFICE-RAIGAD

Tel. No. 2757 2620  
Fax No. 2756 2132

Email:  
Visit us at:



Raigad Bhavan, 6th Floor,  
Sec-11, C.B.D. Belapur,  
Navi Mumbai 400 614.  
[rorraigad@mpcb.gov.in](mailto:rorraigad@mpcb.gov.in)  
<http://mpcb.gov.in>

No. MPCB/ROR/CD/ 2003/9-FTS-0246

Date: 19/03/2020.

To,  
Shalimar Hotel Lodging & Boarding,  
S. No. 188A, 188B, Chinoy Road, Matheran  
Tal. Karjat, Dist. Raiagd.

Sub: Direction of Closure u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31 A of the Air (Prevention & Control of Pollution) Act, 1981

- Ref: - 1. MoEF, Gol's Notification dtd. 04.02.2003.  
2. Order passed by Hon'ble National Green Tribunal, Pune in the Application No. 45/2016 Dtd. 30/05/2016 and OA 93/2019.  
3. Survey carried out on 04.03.2020 to 06.03.2020.  
4. Action proposal submitted by the SRO through legal module dated. 17.03.2020  
5. Approved note received from HQ through legal module dt.19.03.2019.

WHEREAS, it is obligatory on your part to obtain consent to operate from the Maharashtra Pollution Control Board under section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & u/s. 21 of Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under rule 5 of the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016.

AND WHEREAS, it was obligatory on your part to provide adequate pollution control system for air and water & disposal arrangement to your domestic effluent to meet the consented standards prescribed by the Board. You were under obligation to provide STP/ETP and operate and maintain the same effectively, so as to achieve standards prescribed by the Board.

AND WHEREAS, the Ministry of Environment & Forest, Govt. of India vide Notification bearing S.O. 133(E), dtd. 4/2/2003, Notification of Matheran and surrounding region in the State of Maharashtra as the Matheran Eco-Sensitive Zone.

AND WHEREAS, the Bombay Environmental Action Group has filed an Application bearing No. 45/2016 and OA 93/2019 against the Union of India & Ors. before the Hon'ble National Green Tribunal, WZ, Pune in respect of damage being caused to the ecologically sensitive area of Matheran & its surrounding region due to inaction by the Competent Authority in preparing Master Plan as well as Zonal Mater Plan & violating the conditions, regulations under the Notification dtd. 4/2/2003 & most of the hotels are operating without

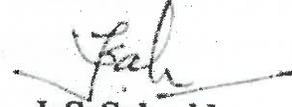
*[Handwritten signature]*

valid consent to establish/operate & without sewage treatment plant with no solid waste management facility.

AND WHEREAS, the officials of the Board, at Raigad have carried out the extensive survey of the Hotel and other activities in Matheran and nearby area on 04.03.2020 to 07.03.2020 & observed that "You are operating the hotel without consent."

AND WHEREAS, after going through the record of your case, reports, information of the Board officials and making necessary enquiries, I came to the conclusion that, you are operating the hotel without consent from the Board, thereby causing grave injury to the Environment and violated various environmental enactments.

NOW, THEREFORE, in exercise of powers conferred upon me by the Board u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31 A of the Air (Prevention & Control of Pollution) Act, 1981, I the undersigned hereby direct you to stop the manufacturing activity within 72 hours after receipt of this direction.



**J. S. Salunkhe**  
Regional Officer, Raigad

Copy submitted for favour of information to:-

1. The Member Secretary, MPCB, Mumbai
2. The Chief Officer, Matheran Municipal Council, Matheran

Copy forwarded for necessary action :-

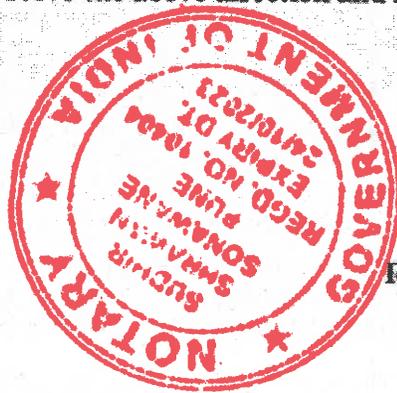
1. The Executive Engineer, MSEDCL, Tal. Panvel, dist. Raigad.
  - He is directed to disconnect electricity supply of the said unit within 72 hours, after receipt of this letter.
2. The Executive Engineer, Maharashtra Jeevan Pradhikaran Water Management, Sub-division Karjat, Dist. Raigad.
  - He is directed to disconnect water supply of the said unit within 72 hours, after receipt of this letter

Copy forwarded to:-

- 1 Sr. Law Officer (P & L Div.-ID), MPCB, Mumbai
- 2 Regional Officer (HQ) MPCB, Mumbai.

Copy to Sub Regional Officer, MPCB, Raigad-II

- He is directed to get serve the above direction and report the compliance accordingly.




**J. S. Salunkhe**  
Regional Officer, Raigad

(17)

**Annexure- V with one copy**

Sr. No	Name & address of Hotels in Matheran whom CD issued
1	Madhu Malti, St. Gadge Maharaj Road, Near Railway Station, Matheran
2	Hotel Anand Ritz/Hill View Resort Pvt. Ltd., Next to Police Station, Matheran,
3	Hotel Lords Central, MP-144, 145 & BP-13, Matheran
4	Maharashtra Tourism Development Corporation (MTDC), Matheran
5	Lucky Cottage, Plot No. 170, Katruba Road, Matheran, Tal. Karjat, Dist. Raiagd.
6	Sayeban Hotel, MP No-171, Matheran
7	Shalimar Hotel Lodging & Boarding, S. No. 188A, 188B, Chinoy Road, Matheran

