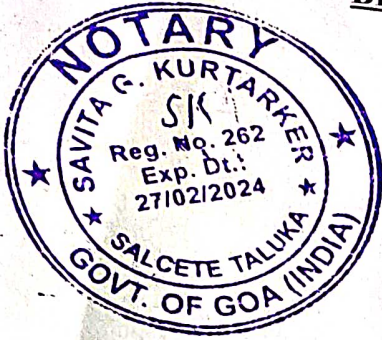


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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**  
**WESTERN ZONE BENCH AT PUNE**



**APPEAL NO. 51 OF 2022 [WZ]**

**BETWEEN:**

The Colva Civic and Consumer Forum

**....APPELLANT**

**AND**

The Goa Coastal Management  
Authority and Ors.

**.....RESPONDENTS**

**ADDITIONAL AFFIDAVIT OF THE APPELLANT DATED**  
**04.09.2023**

I, Judith Almeida, Indian national, President of the Appellant organization herein, do hereby solemnly affirm and state as under:

1. Documents issued to this Appellant on 07.07.2023 by the Goa State Pollution Control Board (GSPCB) has permitted the following ;
  - a) Consent Inspection Report dt 08.03.2023 issued to M/s Krishna Sea Coin Hotel & Spa with one restaurant of 80 numbers seating capacity.
2. Consent Inspection Report dt 09.02.2023 issued to M/s Rafael Bar and one restaurant of 32 numbers seating capacity. Annexed as Annexure A Colly.
3. Documents issued to this Appellant on 19.07.2023 by the Goa State Pollution Control Board (GSPCB) wherein the GSPCB has issued a Show Cause Notice dt 14.07.2023 to M/s 49ers Bar and restaurant

*JA*

for operating without a valid Consent. (shown as structure 'X' in sketch plan Exhibit 'R') Annexed as Annexure 'B'.

- 4. I state that the R 4 in its affidavit dt 06.06.2023 has produced trade tax for one Spa/beauty parlour, Bar & restaurant and guest house only (Annexure 1 Colly) from the R3 (VP Colva) whilst operating total of 3 restaurants in the property bearing Sy. No 24/1 Colva village.
- 5. The above approvals/permissions though not part of the challenge are relevant as they show the existence of two restaurants, Spa, Beauty Parlour in the Stilt of the main building, converted for purpose of carrying out illegal commercial activities in the NDZ of CRZ -III of Colva Village.
- 6. I state that the contents of paragraphs 1 -3 are correct and true to my own knowledge and official documents/ records, and that the contents of paras 4,5 are submissions which I believe to be true. No part of it is false and nothing material has been concealed therefrom, and the annexures enclosed are true and correct copies of their respective originals.



Verified on the 4<sup>th</sup> day of September, 2023,  
at Margao, Goa

*[Signature]*  
 DEPONENT  
 REGD. NO. 268/2009/GOA  
 GOA CIVIL & CONSUMER FORUM

Solemnly affirmed before me by  
Sudith Almeida  
 Who is identified to me by  
 Epic No. KNX3050465  
 to whom I personally know on  
 this 04 day of Sep 2023

Reg No 15473/2023  
KSQ1144  
 SAVITA G. KURTAŔKEP  
 NOTARY  
 MARGAO-GOA



12:09 AM

Gmail - Consent Inspection Report

249

 Gmail

Judith Almeida <judith.almeida1707@gmail.com>

## Consent Inspection Report

1 message

Goa PCB <mail.gspcb@gov.in>

Fri, Jul 7, 2023 at 4:23 PM

To: judith almeida1707 <judith.almeida1707@gmail.com>

Sir,

With respect to above cited subject matter please find the attached Inspection reports.

Regards

Member Secretary



GOA STATE POLLUTION CONTROL BOARD  
Near Pilerne Industrial Estate, Opp Saligao Seminary,  
Saligao - Goa - 403511  
[www.goaspcb.gov.in](http://www.goaspcb.gov.in)

  
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Azadi Ka  
Amrit Mahotsav


  
G20  
भारत 2023 INDIA

वसुधैव कुटुम्बकम्  
ONE EARTH - ONE FAMILY - ONE FUTURE

2 attachments

 Inspection Report (6) (3).pdf  
7K

 Inspection Report (6) (4).pdf  
7K

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Annexure A Copy 250

CONSENT INSPECTION REPORT

Date : 08/03/2023

1. Name & Address of Unit :

M/S KRISHNA SEA COIN  
HOTEL & SPAH.NO.432/2,  
Sy. No. 24/I(Part), 4th Ward,  
Colva Circle, Colva, Salcete,  
Goa.  
CCA (Renewal)

- 2. Purpose of inspection
- 3. Consent Status/ validity
- 4. Whether any previous complaint received, if yes, details
- 5. Whether any show cause notice/directions/letter for corrective if yes, provide details
- 6. Product manufactured Hotel
- 7. Quantity of production

Sno.	Product	Applied Quantity(Actual Production of Industry)	CCA Quantity(Quantity allowed as per consent or Installed capacity)	NOC/ Expansion(Production Quantity Asking for)	Inspection Remark
1.	Rooms	32	32		
2.	Restaurant	80	80		
3.	Spa	4	4		

8. Raw Material

Sno.	Name	Source	Capacity	Unit
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9. Machine/equipment installed

Sno.	Name	Quantity
------	------	----------

10. Approx production in last 2 months(based on receipts of purchase of Raw Materials orders and payments recieved) 15

11. Man power requirment In operation

12. Status of operation of unit Beach

13. Type of area/ land use/ land cover

14. Distance of nearest residence/school/hospital/any prominent structure

15. Distance of water body(Specify which if any)

16. Noise pollution control measures adopted

17. Water consumption

S.no	Source	Quantity
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18. Waste Water generation

Sno.	Source	Quantity
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19. Disposal method Sewage Treatment Plant

20. Capacity of septic tank/soak pit/sewage treatment plant/effluent treatment plant 17 KLD

21. Whether capacity sufficient Yes

22. Electrical consumption

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23. Solid waste generator

Sno.	Type	Quantity	Disposal
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24. Hazardous Waste

Sno.	Type	Quantity	Disposal	If Manifest submitted	If Annual returns submitted
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25. Permission from

Local body

26. Noise levels recorded at compound wall of unit

Sno.	Location	Distance from the unit	Noise Limit measured	Permissible limits
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27. DG set capacity/ Boiler capacity

Sno.	Stack Height	Fuel consumption	Used oil generation/Disposal of ash	If stack monitoring facility provided	If stack analysis report submitted
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28. Oven capacity

Sno.	Stack Height	Fuel consumption	If stack monitoring facility provided	If stack analysis report submitted
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29. Furnace capacity/Rotary Kiln

Sno.	Type	Stack Height	Fuel consumption	Air pollution control device	If stack monitoring facility provided	If stack analysis report submitted	Roof suction system provided	Separate energy meter connected
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30. Dust suppression Methods

Sno.	Sprinklers Provided	Whether sprinklers are in operation	Metalled Road provided	Plantation carried out
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31. In case of Induction furnace

Sno.	Quantity of slag generated	Storage area of slag	Whether proper benching is done for slag dumps	Toe wall is provided	Slag crusher installed
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32. In case of sponge iron units

Sno.	Quantity of fly ash generated	Is brick manufacturing units	Is it in operation	No of bricks manufactured	Is entire fly ash utilized	Where is the fly ash stored	Whether Log books are maintained	Is records submitted to the Board
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- 33. Is ambient monitoring carried out No
- 34. Are report submitted as per consent conditions No
- 35. Is environmental statement submitted No
- 36. Are all consent conditions compiled with No
- 37. Is Bank Guarantee submitted No
- 38. If Yes, has the unit complied give details

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39. Additional Observations

The Unit M/s. M/S KRISHNA SEA COIN HOTEL & SPA was inspected by the undersigned Mr. Vishwendra Naik (JEE) on 03/03/2023, located at H.NO.432/2, Sy. No. 24/1(Part), 4th Ward, Colva Circle, Colva, Salcete, Goa. The unit has applied for renewal of consent to operate under Water act and Air act. The unit was in operation at the time of inspection and Mr. John D'souza was present at the time of inspection. The unit is a Hotel with 32 Rooms and a Restaurant with 25 nos. Seating Capacity. The unit has employed 15 workers. The water consumption of the unit is 18.6 KLD and Waste Water Generation will be approx. 14.8 KLD. The source of water for the unit is PWD. The restaurant was in operation at the time of inspection. Oil and Grease Trap for the Kitchen waste water is provided. The waste water is treated in STP plant of 17 KLD capacity and final treated water is used for gardening. The final treated water sample was collected at the time of inspection and analysed in Board's Laboratory. Analysis report is awaited in the Board's laboratory. The unit has installed DG set of 82.5 KVA capacity. Unit has provided sampling port hole and stack height of 2 meter for the DG set and fuel consumption of 10 ltrs/hr of HSD. The dry waste generation is approx. 15 Kgs/day and wet waste generation is approx. 30 Kgs/day which is disposed through the Waste Collector. STP sludge of 0.05MT/month is used as manure. Hazardous waste generation is used/spent oil of 0.015 MT/Month and disposed through authorized recycler. May note that analysis report of STP water sample collected is awaited from Boards Laboratory.

40. Conclusion

41. Recommendations

Signature of inspecting official

*True Copy*  
*JA*

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### CONSENT INSPECTION REPORT

Date : 09/02/2022

- 1. Name & Address of Unit : M/s RAFAEL BAR & RESTAURANTSy. No. 24/1, 4th Ward, Colva Beach, Salcete, Goa.
- 2. Purpose of inspection CCA Renewal
- 3. Consent Status/ validity 15 yrs
- 4. Whether any previous complaint received, if yes, details No
- 5. Whether any show cause notice/directions/letter for corrective if yes, provide details No
- 6. Product manufactured NA
- 7. Quantity of production

Sno.	Product	Applied Quantity(Actual Production of Industry)	CCA Quantity(Quantity allowed as per consent or Installed capacity)	NOC/ Expansion(Production Quantity Asking for)	Inspection Remark
1.	Restaurant	32			

#### 8. Raw Material

Sno.	Name	Source	Capacity	Unit
------	------	--------	----------	------

#### 9. Machine/equipment installed

Sno.	Name	Quantity
------	------	----------

- 10. Approx production in last 2 months(based on receipts of purchase of Raw Materials orders and payments recieved) NA
- 11. Man power requirment 03
- 12. Status of operation of unit In operation
- 13. Type of area/ land use/ land cover
- 14. Distance of nearest residence/school/hospital/any prominent structure
- 15. Distance of water body(Specify which if any)
- 16. Noise pollution control measures adopted Nil
- 17. Water consumption

S.no	Source	Quantity
------	--------	----------

#### 18. Waste Water generation

Sno.	Source	Quantity
------	--------	----------

- 19. Disposal method Septic tank/ soak pit
- 20. Capacity of septic tank/soak pit/sewage treatment plant/effluent treatment plant -
- 21. Whether capacity sufficient Yes
- 22. Electrical consumption GED
- 23. Solid waste generator

Sno.	Type	Quantity	Disposal
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#### 24. Hazardous Waste

*June Copy JA*



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39. **Additional Observations**

As directed, the unit M/s. RAFAEL BAR & RESTAURANT located at Sy. No. 24/1, 4th Ward, Colva Beach, Salcete, Goa was inspected on 03/02/2022. Unit is a Restaurant with a seating capacity of 32. The application is for renewal of consent to operate under the Water Act and Air Act. Mr. Januario C. Rafael Rodrigues (applicant) was present during the course inspection and provided the details. As informed the staff strength of the unit is 03. Source of water is PWD. Unit has provided oil & grease trap to the kitchen effluents. Waste water generated is directed to the Septic tank/ soak pit. As per standard norms, water consumption is 2.24 KLD and waste water generation is approx. 1.8KLD. As informed, wet waste generated approx. 5kg/day is disposed through piggery and dry waste generated approx. 3Kg/day is disposed through the local Village Panchayat.

40. **Conclusion**

41. **Recommendations**

Signature of inspecting official

*True Copy*  
*RR*

Wed, 12:08 AM

Gmail - Show Cause Notice

256

**M** Gmail

Judith Almeida <judith.almeida1707@gmail.com>

**Show Cause Notice**

1 message

Goa PCB <mail.gspcb@gov.in>

To: judith almeida1707 <judith.almeida1707@gmail.com>

Wed, Jul 19, 2023 at 11:18 AM

With respect to above cited subject matter please find the attached Notice.

Regards  
Member Secretary



GOA STATE POLLUTION CONTROL BOARD  
Near Pilerne Industrial Estate, Opp Saligao Seminary,  
Saligao - Goa - 403511  
[www.goaspcb.gov.in](http://www.goaspcb.gov.in)

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Azadi Ka  
Amrit Mahotsav



वसुधैव कुटुम्बकम्  
ONE EARTH - ONE FAMILY - ONE FUTURE

8633-49-NERS BAR & RESTAURANT- SHOW CAUSE NOTICE.pdf

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# GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001:2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos : 0832- 2407700,  
2407701, 2407703



Email Ids:  
Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary, GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.in

No. 2023/PCB/Other/Tech/8633

14/07/2023

## SHOW CAUSE NOTICE

**WHEREAS**, the Goa State Pollution Control Board (hereinafter referred to as 'the Board' in short), grants Consent to Establish / Consent to Operate to various units/establishments in terms of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

**WHEREAS**, operation of a unit/Establishment without the valid Consent to Establish / Consent to Operate of the Board amounts to a violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

**WHEREAS**, perusal of the records available with the Board indicates that your unit namely **M/s. 49'ners Bar & Restaurant located at Colva Beach Rd, opposite Beach Circle, Colva, Goa 403708**, is operating without the valid Consent to Operate of the Board as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and under the Air (Prevention and Control of Pollution) Act, 1981; thereby amounting to a gross violation of the said Acts.

**NOW THEREFORE**, in light of the above and in exercise of the powers vested with this Board under section 33(A) read with section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, and under section 31(A) read with section 21 of the Air (Prevention and Control of Pollution) Act, 1981; the management of **M/s. 49'ners Bar & Restaurant located at Colva Beach Rd, opposite Beach Circle, Colva, Goa 403708**, is hereby directed to **SHOW CAUSE** within a period of **15 days from the date of receipt of this notice** as to why the operation of your unit should not be directed to be **CLOSED/SUSPENDED** for operating the same without the Consent to Operate of the Board as required under the provisions of the Water (Prevention and Control of Pollution) Act, 1974, and Air (Prevention and Control of Pollution) Act, 1981.

**TAKE NOTE**, that failure to satisfactorily comply with the aforesaid directions within the stipulated time period will compel the Board to initiate stringent legal action

*True copy*

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against you in terms of the provisions of the Water (Prevention and Control of Pollution) Act, 1974, and Air (Prevention and Control of Pollution) Act, 1981 without any further notice.

Issued on this 14 day of July, 2023.

(Dr. Shamila Monteiro)  
Member Secretary  
Goa State Pollution Control Board

To,  
M/s. 49'ners Bar & Restaurant  
Colva Beach Rd, Opposite Beach Circle,  
Colva, Goa 403708

Copy to:

1. Office file.
2. Guard file.
3. Legal Section file.

True Copy  
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