

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

Interlocutory Application No.77/2025 (WZ)

In

Original Application No.23/2025 (WZ)

Lalitkumar N. Chaudhari

... Applicant

v/s

The Chief Secretary,

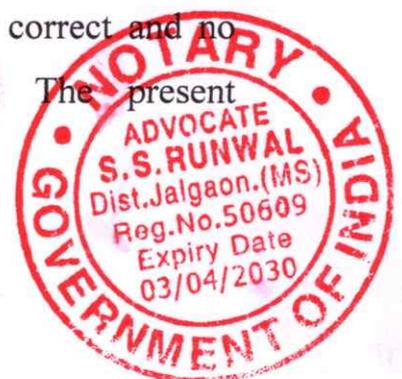
Government of Maharashtra & Ors.

... Respondents

**Affidavit on behalf of Maharashtra Pollution Control Board in
compliance Hon'ble NGT Order dated 3/6/2025**

I, Karansingh Amarsingh Rajput, Aged Adult, Occupation-Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Jalgaon, having my office address at Old B. J. Market, 3rd Floor, Hall No.A, Jalgaon-425 001, do hereby state on solemn affirmation, as under:-

- (1) I have perused the papers and proceedings of the above matter. I am thus conversant with the facts of the case and I am able to depose the same. I am filing the said Affidavit in Reply on behalf of Respondent -Maharashtra Pollution Control Board(MPCB).
- (2) I have read and understood the contents of the present Affidavit, the contents thereof are true and correct and no material has been concealed therefrom. The present



Respondent craves liberty to raise further required contentions during the course of the proceedings as required.

- (3) I say and submit that the Applicant has filed the present application regarding alleged illegal environmental destructive activities carried out in the Mauje Garkheda Tourism Development Project on Waghur Dam Island at Gat No.121, Old Shingayat Shivar, Tal: Jamner, Dist: Jalgaon. I say that the Applicant is seeking stay against the above activities on the Waghur Dam.
- (4) I am filing the present Affidavit in compliance of the Order dated 03/06/2025 passed by this Hon'ble Tribunal. I say that in the present Application, the Applicant has alleged that the Respondent Nos. 4 to 6 have not obtained any permission from the present Respondent.
- (5) I say and submit that the Respondent-MPCB has granted Consent to Establish and 1st Consent to Operate dated 19/08/2024 to M/s.The Backwoods Emerald Resorts, (Respondent No. 10 in the present OA) only for Hotel and Resort under 'Orange' Category situated at Gat No.121, Shingayat Shivar, Waghur Backwater Island, Tal: Jamner, Dist: Jalgaon, subject to certain terms and conditions, which is valid upto 31/07/2026 by imposing penal fees. A copy of the Consent to Establish and 1st Consent to Operate dated 19/08/2024 is attached as an **Annexure-1**



- (6) I say that there is no dereliction of duty as alleged by the present Applicant in the above OA as the present Respondent has granted consent by following due process of law.

Solemnly affirmed on this ..18.. day of June, 2025 at Jalgaon.

For and on behalf of the Maharashtra
Pollution Control Board



(Karansingh Amarsingh Rajput)
Sub-Regional Officer-Jalgaon



NOTED AND REGISTERED

Sr.No. 147

Contains Pages No.

Date: 18/6/2025

AFFIDAVIT

Solemnly affirmed and signed before me
by Shri Karansingh A Rajput
of Jalgaon who is identified by
Shri Self
whom I Know Personally.

SIGN BEFORE ME



ADV. SANJAY S. RUNWAL
NOTARY PUBLIC, GOVT. OF INDIA
(Reg.No. 50609)
Plot No.4, Tulsai Nagar, Near
Kaiika Mata Mandir, Jalgaon

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
Fax:
24044532/4024068/4023516
Website: <http://mpcb.gov.in>
Email: jdwater@mpcb.gov.in



Kalpataru Point, 2nd, 3rd
and 4th floor, Opp. Cine
Planet Cinema, Near Sion
Circle, Sion (E),
Mumbai-400022

ORANGE/M.S.I (O38)
No:- Format1.0/JD (WPC)/UAN
No.0000214110/CO/2408001749

Date: 19/08/2024

To,
M/s. The Backwoods Emerald Resorts.
Gat no 121, Shingayat Shivar,waghur backwater
Island, Tal- Jamner Dist- Jalgaon.



Sub: Consent to Establish and 1st Consent to Operate granted for Hotel & Resort granted under Orange category

Ref:

1. Consent application for Consent to Establish and 1st Consent to Operate for Resort project vide dt: 09/07/2024
2. Conditional Restart directions issued by MPC Board vide no: MPCB/Restart / 2407250001 dt: 25/07/2024

Your application No.MPCB-CONSENT-0000214110 Dated 27.06.2024

For: grant of Consent to Establish & 1st Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 and Rule 18(7) of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

1. **Consent to Establish and 1st Consent to Operate is granted for period valid up to 31/07/2026**
2. **The capital investment of the project is Rs.43.3694 Crs. (As per C.A Certificate submitted by industry)**
3. **Consent is valid for the manufacture of:**

Sr No	Product	Maximum Quantity	UOM
Products			
1	Hotel Restaurant & Resorts (Resorts having 03 nos of Villas, 03 Swimming Tanks, 09 nos of Huts, 12 nos of Cottage, 12 nos of Suits & 03 nos of House Boats (Having Total Plot Area: 89000 sq.mtrs and Total Construction BUA : 13000 sq.mtrs)	40	Rooms

4. **Conditions under Water (P&CP), 1974 Act for discharge of effluent:**

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	0	As per Schedule-I	Not Applicable



Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	75000.00	MPCB-DR-27846	09/07/2024	RTGS
2	150000.00	MPCB-DR-28025	12/08/2024	RTGS

project proponent has submitted consent fees of Rs. 150000.00 vide Transaction/DR.No. MPCB-DR-28025 vide dt: 12/08/2024 out of which of Rs, 75,000/- adjusted to towards penal fees and remaining consent fees of Rs. 75,000/- adjusted/ utilized towards for obtaining 1st Consent to Operate from MPC Board.

Copy to:

1. Regional Officer, MPCB, Nashik and Sub-Regional Officer, MPCB, Jalgaon
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai



SCHEDULE-I**Terms & conditions for compliance of Water Pollution Control:**

1. A] Generation - As per your application the treated effluent generation is Nil.
B] Treatment - NA
C] Disposal - NA
2. A] As per your application, you have provided Sewage Treatment Plant of designed capacity 30 CMD for the treatment of 25 CMD of sewage.
B] The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards.

Sr.No	Parameters	Standards (mg/l)	
1	pH	Not to exceed	6.5 to 9.0
2	Total Suspended Solids	Not to exceed	20
3	BOD 3 Days 27 degree C	Not to exceed	10
4	Chemical oxygen Demand (COD)	Not to exceed	50
5	NH4 N	Not to exceed	5
6	N Total	Not to exceed	10
7	Fecal Coliform MPN/100 MI	Not to exceed	100.0

- C] The treated sewage shall be recycled for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise after confirming above standards. In no case, sewage shall find its way for gardening / outside factory premises.
3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification there of & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
5. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	30.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	05

6. The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance/ CREP guidelines.



SCHEDULE-II**Terms & conditions for compliance of Air Pollution Control:**

Not Applicable

SCHEDULE-III**Details of Bank Guarantees:**

Sr. No	Consent (C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Establish and 1st Consent to Operate	5.0 Lakh	15 days	Towards Compliance of Consent conditions & O&M of Pollution Control Systems	31/07/2026	30/11/2026

The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days from the date of issue of Consent.

If the above Bank Guarantee is not submitted within stipulated period, then 12% interest will be levied as a penalty as per circular dtd 29/02/2024 No. BO/MPCB/AS(T)/Circular/B-240229FTS0122

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

BG Return details

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				

SCHEDULE-IV**General Conditions:**

1. The Energy source for lighting purpose shall preferably be LED based
2. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant
3. Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f) D.G. Set shall be operated only in case of power failure.
 - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
4. The applicant shall maintain good housekeeping.
5. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
6. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
7. The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding upon you.
8. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can be downloaded from MPCB official site).
9. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
10. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.
11. This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.

12. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
13. You shall operate OCEMS installed for source emission round 'O' clock and transmit data online to CPCB and MPCB server. You shall also monitor effluent quality, stack emissions and ambient air quality monthly/quarterly. You shall conduct Dioxin Furan monitoring by third party NABL Accredited agency once in year and submit report to Sub Regional Officer.
14. You shall ensure collection, and segregation of BMW regularly to treat and dispose Off within 48 hrs from generation.
15. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
16. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
17. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
18. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
19. You shall not Rent, Lend, Sell, Transfer or Close Down the facility or otherwise transport the Bio Medical waste for any other purpose without obtaining prior written permission of the MPC Board.
20. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
21. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
22. The industry should not cause any nuisance in surrounding area.
23. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
24. You shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the facility premises.

25. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
26. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto
27. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
28. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
29. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
30. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
31. You should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly. You shall conduct Dioxin Furan monitoring by third party NABL Accredited agency once in every year and submit report to Sub Regional Officer.
32. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
33. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
34. You shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
35. You shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website (www.mpcb.gov.in).
36. You shall create the Environmental Cell by appointing an Environmental Engineer and Chemist for looking after day-to-day activities related to compliance of CCA.

37. You should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 , Bio Medical Waste Management Rules,2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year in Form-IV by 30th June of every year

This certificate is digitally & electronically signed.

