

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

**Appeal No. 594 of 2025 (WZ)**

**IN THE MATTER OF:**

Rio-de-Goa Co- Operative Housing Society Ltd. ...Applicant

Versus

Goa State of Pollution Control Board & Ors. .... Respondents

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**Filed by :**



**Madhukar Jetley**

R/o Tower 12A, Apartment 801/804, Tata Housing  
And Development Company Rio -de-Goa  
Permanent Address -79, Mall Avenue,  
Lucknow, Uttar Pradesh

**Date: 27.03.2026**



उत्तर प्रदेश UTTAR PRADESH

38AE 425096

Before The National Green Tribunal,  
Western Zone Bench Pune.

Appeal no 594 of 2025 (WZ)

Reo de Goa. Co-operative Housing Society  
Ltd. — Appellant

v/s  
Goa State Pollution Control Board & others  
— Respondents.

Affidavit of Madhukar

Today enclosed.

*Kishore Kumar Jaiswal*

Kishore Kumar Jaiswal  
Adv & NOTARY  
Lucknow U.P. INDIA  
Regd. 31/42/2000

27/03/2026

*Madhukar*



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कन्स्टेंट कमिश्नर, लखनऊ

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**WESTERN ZONE BENCH, PUNE**

APPEAL NO.594 OF 2025 (WZ)

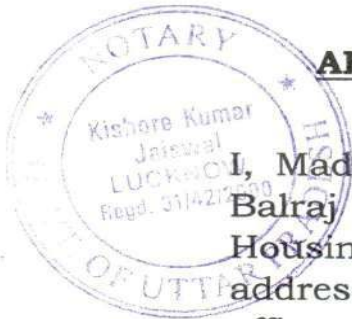
Rio-de-Goa Co-Operative Housing Society Ltd.

.....Appellant

Versus

Goa State Pollution Control Board & Ors.

....Respondents



**AFFIDAVIT IN REPLY ON BEHALF OF MADHUKAR**  
**JETELY, RESPONDENT NO. 4.**

I, Madhukar Jetley, aged about 65 years, son of Late Shri Balraj Jetley, R/o Tower 12 A, Apartment 801/804, Tata Housing and Development Company Rio-de-Goa permanent address – 79 Mall Avenue, Lucknow 1, do hereby solemnly affirmed and state herein as under:

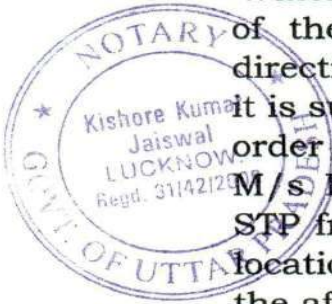
1. That the deponent is father of Mr. Aayush Jetley who is the allottee/purchaser of above referred apartment and the deponent is using the above apartment from time to time while he visits at Goa and the above referred property is the family property in the name of Mr. Aayush Jetley who is the son of the deponent.
2. That as the deponent respondent no. 4 is using the above referred premises, the deponent as the representative and power attorney holder of Aayush Jetley since the date of possession and registration of the above referred property in favour of his son, regularly the above referred property is not only being used but being an authorised representative has authority to raise the grievances in matter of violation of environmental norms which is causing the health of the residents of the related Tower 12 - A in view of the fact that below the apartments allotted to the residents of aforesaid tower, the builder Tata Housing and Development Company Limited has installed and established the Sewage Treatment Plant (here) contrary to the guidelines and the conditions contained in consent to establish orderdated 07/08/2015 issued by the Goa Pollution Control Board in the name of M/s Anand Chandra Bose.

Kishore Kumar Jaiswal  
Adv. & NOTARY  
Lucknow U.P. INDIA  
Regd. 31/42/2000

27/03/2026

*(Handwritten signature)*

3. That as is apparent from the conditions contained in the consent order which has been annexed as Exhibit A with the affidavit reply on behalf of Goa State Pollution Control Board, the respondent no. 1.
4. That although the Goa State Pollution Control Board while granting the consent to operate as alleged should not have granted consent to operate in view of the fact that the conditions of the consent to establish were not followed.
5. That the order dated 03/09/2025 under Section 33 A has been passed by the Goa State Pollution Control Board (herein after referred as 'GSPCB') issuing directions under Section 33 A of Water (Prevention and Control of Pollution) Act, 1974 (herein after referred as 'Water Act, 1974') on the complaint being filed on behalf of the deponent and the aforesaid order in form of directions has been filed as Annexure - A9 to the appeal, it is submitted that as is apparent from the perusal of the order the directions contained therein has been issued to M/s Rio-de-Goa (Tata Housing Project) for shifting the STP from the basement of Tower 12-A to an appropriate location to be approved by the GSPCB from the perusal of the aforesaid order dated 03/09/2025 it is apparent that due to STP and the STP being not properly functioning in view of its location below the residential apartment, it was not feasible for the residents of the Tower at all to use the residential apartments.
6. That in view of the fact that the directions under Section 33 A of the Water Act, 1974 has been issued in favour of M/s Rio-de-Goa the Tata Housing Project, the appellant society which is treated to be as society belonging to consisting of the members who are the residents or apartment owners cannot act against the welfare of the members of the society of concerned Tower 12 - A and the appellant has no locus to prefer an appeal challenging the order dated 03/09/2025 through which the directions have been issued to Tata Housing Project who is the developer of the project M/s Rio-de-Goa.
7. That it is pertinent to mention here that as is apparent from the letter dated 11/07/2025 which has been filed as Annexure A8 to the appeal filed by the appellant, from perusal of para 4 of the aforesaid letter it is apparent that 'the society has not been handed over the conveyance deed of the property as the builder used his unequal

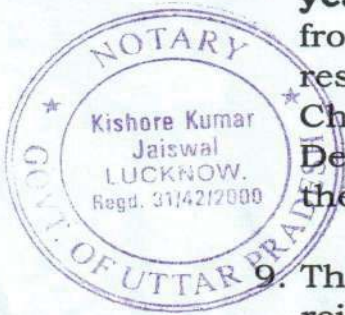


*Kishore Kumar Jaiswal*  
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*Handwritten signature*

position to try to force the society to accept all liabilities and defects that are in domain and purview of the builder. This includes the STP the location of which now under scrutiny which clarifies that the appellant society has no right to prefer the appeal as till 11/07/2025 the appellant has not been handed over the conveyance deed of the property by the builder.

8. That it will be further pertinent to mention here that the document contained in Annexure A4 annexed with the memorandum of appeal which is consent to operate dated 25/06/2019. The aforesaid CTO has been granted for 5 years and Clause XIV of general conditions specifically mentions that **The unit shall ensure that the sewage treatment plant is operated and maintained by the builder for minimum period of 5 years and ensure the working of the same.** As such from the aforesaid CTO it is apparent that the entire responsibility for maintaining the STP lies on M/s Anand Chandra Bose and with the builder Tata Housing and Development Company Limited. In view of aforesaid facts the appellant cannot maintain the present appeal.



9. That the appeal filed by the appellant is liable to be rejected being not maintainable in view of the lack of locus standi.

10. That it is submitted that due to interim order dated 26/09/2025 passed by the Hon'ble Tribunal the STP established below the Tower 12 - A of the Rio-de-Goa Project which has been established without following the conditions of the CTE as such in the interest of justice the ad interim order deserves to be vacated and the directions issued to the Management of M/s Rio-de-Goa (Tata Housing Project) is liable to be enforce by treating the issue as a public interest litigation.

11. The deponent says that, what is stated in the preceding paras are as per his personal knowledge which he believes to be true.

Dated: March 2026

27<sup>th</sup> March 2026

SL No 22

Sworn and Verified  
before me

Deponent

Kishore Kumar Jaiswal  
Adv. & NOTARY  
Lucknow U.P. INDIA  
Regd. 31/42/2000

27/03/2026