

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

Original Application No. 23 of 2025 (WZ)

Interim Application No. 65 of 2025 (WZ)

**IN THE MATTER OF:**

Shri Lalitkumar N. Chaudhary ... Applicant

Versus

State of Maharashtra & Ors. ... Respondents

**INDEX**

S.R No.	PARTICULARS	PAGE NO.
1.	Rejoinder on behalf of Respondents No. 9, District Collector Jalgaon	588 to 592
2.	Annexure R- 1 (Report of the Appointed Committee dated 02/06/2025)	593 to 597
6.	Annexure R- 2 (Report from the Sub-Regional Officer, Maharashtra Pollution Control Board, Jalgaon dated 08/07/2025) and (Report from the Executive Engineer, Rural Water Supply Department, Zilla Parishad Jalgaon dated 04/07/2025) COLLY	598 to 603

Pune

Dt-26/11/2025

Pune  
for Respondent No - 9

Pune

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

Original Application No. 23 of 2025 (WZ)

Interim Application No. 65 of 2025 (WZ)

Shri Lalitkumar N. Chaudhary ... Applicant

Versus

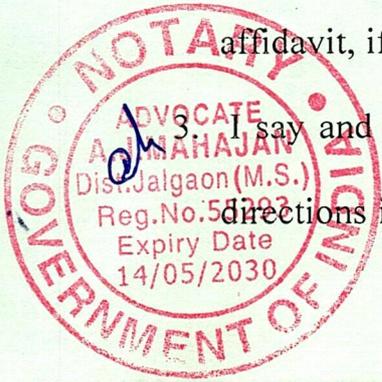
State of Maharashtra & Ors. ... Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 9 – DISTRICT  
COLLECTOR, JALGAON

I, Raju Sukhadeo Lokhande Jalgaon Age 51, years, occupation Project Director District Rural development agency, Jalgaon, having my office at Jalgaon, do hereby take oath and solemnly affirm as under:

1. That the respondent no. 9 i.e. Collector Jalgaon authorized to me to represent on behalf of him in the present matter.
2. I say and submit that, I have perused the contents of the Original Application and its annexure. Upon understanding the same and based on available official records, I am filing this affidavit in reply. I respectfully crave leave and liberty of this Hon'ble Tribunal to file an additional affidavit, if so required, at a later stage.

3. I say and submit that this affidavit is being filed in compliance with the directions issued by this Hon'ble Tribunal vide order dated 06.03.2025 and





03.06.2025 in Original Application No. 23/2025 and I.A. No. 65/2025.

Further, this Hon'ble Tribunal vide the order dated 27.10.2025 was pleased to direct the answering Respondent to file rejoinder to the Objections to the Joint Committee Report filed by the Applicant. The Answering Respondent is also complying with the said direction vide the present Affidavit.

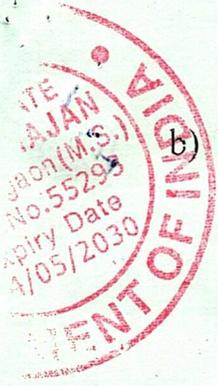
4. I say that, vide the Order dated 06.03.2025, this Hon'ble Tribunal was pleased to constitute a Joint Committee under Para 6 of the said order to inquire into and report upon the environmental aspects of the "Mouje Garkheda Tourism Development Project, Waghur Dam Island," Taluka Jamner, District Jalgaon.

5. I say that, in compliance of the directions passed by this Hon'ble Tribunal, this office, vide communication dated 02.04.2025, constituted a Committee comprising: (i) Sub-Divisional Officer, Jalgaon – as Nodal/Coordinating Officer, (ii) Sub-Regional Officer, MPCB, Jalgaon, and (iii) Executive Engineer, Tapi Irrigation Development Corporation, Jalgaon. The Committee conducted on-site inspections on 13.05.2025 and 20.05.2025 and submitted a factual report on 02.06.2025, Hereto annexed and marked as annexure R/1 is the English translated copy of the Report of the Appointed Committee.

6. PARA WISE REPLY TO THE OBJECTIONS (SUBMISSION OF REJOINDER IN DISTRICT CONSTITUTED COMMITTEE REPORT) TO THE JOINT COMMITTEE REPORT RAISED BY THE APPLICANT DATED 07.07.2025:

a) Para -1 of the objections is a matter of record and need no reply.

*Prate*



- b) Para -2- it is submitted that, the Solid Waste produced at the Project is being disposed of in accordance with law. The Answering Respondent enquired with the Village Development Officer of the Concerned Grampanchayat regarding the process which is being followed for the disposal of the Solid Waste. It has been informed that in the said project, 2 Compost Pits of 4' X 4' X 5 Feet i.e. of 80 Cubic Feet. Further, the other solid waste is being transported and is being disposed of by the Grampanchayat being the Local Body. Thus, the waste is being treated.
- c) Vide the letter dated 26.06.2025 addressed by this Respondent to the Ld. Registrar of this Hon'ble Tribunal (*at page 333 to 335 of the Records of the present OA*), it has been mentioned that the representations made by the Applicant dated 19.05.2025 and 22.05.2025 were considered and a report was sought accordingly.
- d) Para 4 -- It is submitted that the project has three 10 KLD STPs operating within its area. The valid Consent to Operate has been granted by MPCB to the said STPs on 19.08.2024. It was also observed that the STPs were found in operation during the visit.
- e) Para 5-- it is submitted that the Joint Committee observed that the project site is not an Ecologically Sensitive Zone as no notification has been issued by the Central Government in view of the same. Thus, no question arises of the same. It is submitted that the Water Resources Department has a Authority to develop the said project in accordance with the state laws.
- f) Para 6 to 9, -- The contents are repetitive in nature.
- g) Para -10, it is submitted that the approach road was constructed after the valid permission from the Forest Department.

File



h) Para 11, It is submitted that the project is being carried out without degrading the environment.

i) I say that, the Applicant submitted representations dated 19.05.2025 and 22.05.2025, which were duly examined. The Deputy CEO (Panchayat), Zilla Parishad, Jalgaon, confirmed the functionality of STPs and compost pits. The Executive Engineer, PWD, Jalgaon, confirmed that no road was built through dam water. The Regional Officer, MPCB, Jalgaon, found no non-compliance in effluent testing.

7. I say that, Supplementary Report from MPCB (02.07.2025) and Rural Water Supply Division (04.07.2025) confirm that the STPs are functional, treated water is reused for gardening, and no environmental harm is caused. **Hereto annexed and marked as annexure R/2 is the English translated copies of both Reports Colly.**

8. I say that, in view of the findings in the Committee Report (02.06.2025), Supplementary Reports (02.07.2025 and 04.07.2025), and field verifications, it has been found that no environmental degradation or violation has taken place at Mcuje Garkheda Tourism Development Project, Waghur Dam Island.

9. Therefore, it is respectfully prayed that this Hon'ble Tribunal may:

(i) Accept the said reports as compliance with the order dated 06.03.2025.

Pune

Dt- /11/2025

Pune  
FOE Respondent No - 9



VERIFICATION

I, Raju sukhadeo Lokhande Age 51, years, occupation Project Director District Rural development agency, on behalf of - respondent no.9 herein - do hereby take oath and state on solemn affirmation state that: the contents of above affidavit are facts true and correct derived from the official record and the same are also true and correct. Hence, verified, signed and sworn this today.

Pune

DATE: 26-11-2025

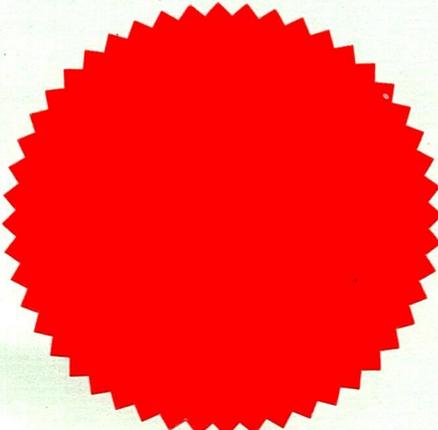
Identified by: Adv. D. R. Khewar

Raju

DEPONENT

Drafted and settled by:

NOTED AND REGISTERED  
Sr.No. 224  
Contains Pages No. 05  
Date: 26/11/2025



**AFFIDAVIT**  
Solemnly affirmed and signed before me by Shri Raju. S. Lokhande of Jalgaon who is identified by Shri Adv. Dhairaj Khewar whom I know personally.

Adv. Ashok J. Mahajan  
26/11/25.  
Adv. ASHOK J. MAHAJAN  
8, J.T. Chamber, 3rd Floor, -  
Opp. Dist. & Sessions Court  
Jalgaon-425001. (M.S.)

Marathi Translated copy of Letter about Report of the Appointed Committee dated 02/06/2025



Government of Maharashtra  
Revenue and Forest Department

**Office of the Sub-Divisional Officer, Jalgaon Division, Jalgaon**

Address: District Collector Office Premises, Akashwani Chowk, Jalgaon – 425001

Phone No.: 0257-2240566

E-mail – [jalgaonsdo@gmail.com](mailto:jalgaonsdo@gmail.com)

No.: SDO/Kavi/439/2025

Date: 02/06/2025

To,

The District Magistrate, Jalgaon  
(Home Branch)

**Subject:** Submission of the Committee Report of the Hon'ble National Green Tribunal, Pune Bench.

**Reference:** 1. Order dated 06/03/2025 of the Hon'ble National Green Tribunal, Pune Bench.

2. Your letter No. DandPra-04/E Comp. No.: 16630392, File No.: COLJG-2024(43)/32/2024-HOME, dated 02/04/2025.

Sir,

With reference to the subject mentioned above, I respectfully submit that, as per the orders referred to above, the report of the National Green Tribunal Committee constituted by you is hereby submitted along with this letter.

**Enclosure:** Report of the National Green Tribunal Committee

(Sd/-)

(Vinay Gonsavi)  
Sub-Divisional Officer  
Jalgaon Division, Jalgaon

BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE  
BENCH, PUNE

OA NO. 23/2025 (WZ) WITH OA NO. 23/2025 (WZ)

FACTUAL REPORT OF COMMITTEE

Lalitkumar N. Chaudhari

Applicant

**Versus**

The Chief Secretary, Maharashtra & Ors.

Respondent

• **Directions passed by Hon'ble NGT vide order dated 06.03.2025:**

"Para 6..... with a direction that the Committee shall visit the site in question informing the applicant the date and time of inspection and submit a report as to what are the violations alleged to have been committed by the respondents within one month and recommend the remedial measures."

- As per above order of Hon'ble NGT, Collector Jalgaon has issued order dated 02/04/2025 & formed committee regarding this issue. The order is annexed here with as Annexure - I
- On dated 13.05.2025 Sub-Divisional Officer Jalgaon, Sub-regional Officer, Maharashtra Pollution Control Board, Jalgaon, Executive Engineer Tapi Irrigation Development Corporation, Jalgaon Visited the spot at Gat no 121 of Shingayat Shivar (Garkheda). But at this time representative of Forest Department & Tourism were absent. So the above committee members studied the concerned document, seen the spot. The re-visit with presence of applicant rescheduled on dated 20.05.2025. Letter was issued in this regard & receipt has been taken.
- **Visit of Committee with applicant :-** on dated 20.05.2025, all committee members with applicant were present & spot visit of site was done. The attendance sheet is attached herewith as Annexure-II
- Findings of committee as per directions of Hon'ble NGT of issues raised by applicant :-

a) Ecologically sensitive Zone :-

The site is not ecologically sensitive zone. No such Notification issued by central Government in this regard.

**b) Construction :-**

The site has 9 huts, 3 Villas, 3 swimming tanks, 12 cottages, 12 suites, 3 house boats. Some construction like open ampi-theatre, stage, corridor is ongoing & not completed as on date of inspection by committee.

As the construction built up area is 13000 sq meters (less than 20000 sq metres) so as per EIA Notification Environmental Clearance may not be applicable. In addition, Executive Engineer Waghur Dam Division has obtained Environmental Clearance on dated 27.10.2006 by Ministry of Environment, Forest & Climate Change New Delhi for dam site. the copy of the said is attached herewith as Annexure - III

**c) Issue related to illegal construction of approach road in forest area:-**

As per the para no 2 of order of National Green Tribunal (NGT) Western Zone bench Pune dated 6 March 2025 the complainant raised the issue regarding the illegal construction of the approach road through forest land compartment number 494. In this matter it is submitted that as per the provision of Schedule tribes and other traditional forest dwellers (Recognition of forest rights) act 2006 section 3(2) upon the resolution passed by the gram panchayat Garkheda Bk. Taluka Jamner, Dist. Jalgaon on 12/08/2022 mentioning the requirement of the road passing through the forest compartment number 494 for the use of farmers and cattle grazers.

On the basis of Gram Sabha resolution and proposal for the construction of road by PWD sub division Jamner on 09/12/2022, The Tahsildar Jamner had given a certificate vide letter 1263/2022 dated 12/12/2022 that there is no availability of alternate land for the construction of road. On receipt of the all documents & upon confirmation of the same, range forest officer Muktainagar had recommended for the construction of the road having length 1200 mtrs and width 3.75 mtrs vide letter no. A/land/3633/2022-23 dated 30.01.2023 as requested by the Gram Sabha.

Based on this office of the Deputy Conservator of Forests, Jalgaon Forest Division has issued permission for the construction of the said approach road vide letter no. land/3304/2022-23 dated 13.02.2023. A total of 0.45 ha. area was given for this purpose which falls under Comp. No. 494, Kurha West Beat, Kurha Panache Round, Muktainagar Range in Jamner Taluka. The land was permitted for construction of the approach road, only under the condition that it

must not be used for any other purpose other than what it was permitted to. Also no trees to be felled, no wildlife (including birds) to be harmed, no material from forest to be used for the road work. And special care to be taken to ensure that no violation of Indian Forest Act 1927, Wildlife Protection Act 1972, Forest Conservation Act 1980 and other related forest acts/laws in place. The copy of the said is attached herewith as Annexure - IV

**d) Issue related to Sewage & Noise Pollution:-**

M/s The Backwoods Emerald Resorts has provided three (03) numbers of Sewage Treatment Plant (STP) of 10 KLD each capacity for the treatment of sewage generated from hotel, restaurant and resort activities and same was found in operation during the visit.

During the visit no any noise pollution was observed. M/s The Backwoods Emerald Resorts shall ensure to take appropriate measures to control noise pollution, if any in future and shall obtain necessary permissions from concerned departments for using public speaking systems as a remedial measure.

M/s The Backwoods Emerald Resorts have obtained the Consent to Establish and 1st consent to operate from Maharashtra Pollution Control Board vide dated 19.08.2024 with condition that this consent shall not to be constructed as exemption from obtaining necessary NOC/Permission from any other government authorities. The said consent letter dated 19.08.2024 attached herewith as Annexure - V

**e) Other NOCs:-**

**Sailing of Boats :-**

The site has obtained no objection certificate of sailing of boats issued by Water Resources Department, Mantralaya Mumbai dated 16.09.2024. The copy attached herewith as Annexure - VI

**Permission for Development work for Tourism :-** The site has obtained permission for development work tourism by Tapi Irrigation Development Corporation, Jalgaon (Waghur Dam Division) dated 12.05.2020 issued for Executive Engineer, PWD, Jalgaon The copy attached herewith as Annexure - VII

The resort & site has obtained no objection certificate from **Central Ground Water Authority (CGWA)** issued by Government of India, Ministry of Jal shakti, Department water resources, New Delhi dated 31/12/2024 which valid

up to 30/12/2029 for the ground water extraction. The copy attached herewith as Annexure - VIII

Considering facts mentioned points (d) & (e) as on today no question of pollution observed.

**f) Inspection in presence of applicant :-**

All above mentioned site, NOCs, sewage treatment plant, approach road, boat sailing etc. has been inspected & discussed in presence of applicant & committee members dated 20.05.2025 as joint visit between 4:30 pm to 6:15 pm.

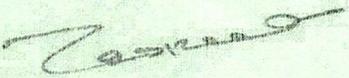
**g) Remedial Measures:-**

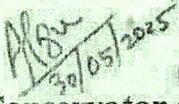
- i) Care should be taken by The Executive Engineer, PWD ensuring that no law (Both Central and State Government) should be violated while executing the project.
- ii) A report of action taken / compliance should be given by Executive Engineer, Public Works Department, Jalgaon on terms & conditions mentioned in obtained NOCs/Conditional permissions within 4 months to Hon'ble NGT, so that all terms & conditions shall be followed.

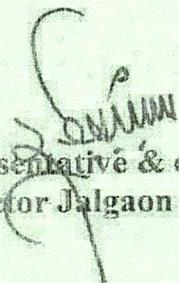
Hence the factual report with remedial measure respectfully submitted as above by committee to Hon'ble NGT.

  
Deputy Director,  
Tourism Development Corporation  
Nashik

  
Executive Engineer  
Tapi Irrigation Development  
Corporation, Jalgaon

  
Sub Regional officer  
Maharashtra Pollution Control Board  
Jalgaon

  
30/05/2025 (A. PRAVEEN)  
Deputy Conservator of Forests,  
Jalgaon Forest Division

  
Representative & co-ordinator by  
Collector Jalgaon (SDO Jalgaon)

**Maharashtra Pollution Control Board**

Phone No. (0257) 2233338 Visit us at: <a href="http://mpcb.gov.in">http://mpcb.gov.in</a> Email: srojлгаон1@mpcb.gov.in	<b>LiFE – Lifestyle for Environment</b> Sub-Regional Office, No. 11, Punyayi So. Market, Jalgaon – 425001
---	--

Ref. No.: MPCB/SROJalgaon/552,

Date: 08/07/2025

To,

The Hon'ble District Collector,  
District Collector Office, Jalgaon,  
Tal. & Dist. Jalgaon.

**Subject:** Regarding Interim Application No. 65/2025 (P.V. Pune) in reference to Original Application No. 23/2025 – Disposal of 10 KLD Sewage Treated Water to trees at the tourism site located on the island in the submerged area of Waghur Dam at Garkheda, Tal. Jamner (Old Shingayat Shivar).

**Reference:** Your letter No. Dandpra-04/E-Comp. No. 1630793, File No.: COLJG20014(23)/32/2025- Home dated 02/07/2025.

Sir,

As per the subject mentioned above, you had informed regarding disposal of treated water from the 10 KLD Sewage Treatment Plant to trees at the tourism site located on the island in the submerged area of Waghur Dam at Garkheda, Tal. Jamner (Old Shingayat Shivar).

This office visited the said site on 26/06/2025. During the visit, it was observed that three Sewage Treatment Plants (capacity 10 KLD each) were installed at the location, out of which two Sewage Treatment Plants were found operational and their water samples were collected for testing. One Sewage Treatment Plant was found to be non-operational due to maintenance and repair. The treated water from the Sewage Treatment Plants is being used for the trees in the garden/plantation area at the site.

The inspection report is hereby submitted for your kind information.

(Sd/-)

Yours faithfully,  
(Karasing A. Rajput)  
Sub-Regional Officer,

Maharashtra Pollution Control Board, Jalgaon.

**Copy submitted for information to:**

The Regional Officer, Regional Office, MPCB, Nashik.



## Maharashtra Pollution Control Board

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

### Visit Report

#### General Information

IMIS ID : MPCB-UNCONSENTED-0000030423

Industry Name : The Backwoods Emerald Resort

Address : Gat no 121, Shingayat Shivar, Waghur backwater island , Tal Jamner. Dist Jalgaon - 424206, Tal. Jamner, Dist. jalgaon

Pincode : 424206

Category : Orange (LSI)

Email : jalgaon.ee@mahapwd.gov.in

Phone : 888301186

Visit Scheduled On : 26/06/2025

Last date of visit : 26/06/2025

Visited by : Karanshingh Amarsingh Rajput(SRO-Jalgaon)

#### Visited On

Visited Industry on :26/06/2025

Email Address of Unit :jalgaon.ee@mahapwd.gov.in

Telephone Number of Unit :888301186

#### Siting Criteria

Siting Criteria : No

#### Location

Notified Industrial area : No

Detail : NA

Planning Authority : NA

#### Visit For

Visit For : Surprise

Applied For : Other

#### Previous Consent Detail

Consent UAN No.	Date	Validity	Capital Investment	Verified By
NA			0	NA

#### Environment Clearance

Is EC Applicable : No

**Production Details**

Product Name	Quantity(As consent)	Unit(As consent)	Quantity(Actual)	Unit(Actual)	Operational Issue
Hotel, Resort & Restaurant Activity	40	No.	40	No.	No

**Waste Water Management**

Source of water :  
 1) Ground : Bore Well  
 NOC Obtain : Yes  
 Details with validity : NA

**Deviation In:**

Water Consumption : No

Effluent : No

Sewage : No

**Whether Industrial effluent generated : No**

**Whether Domestic effluent generated : Yes**

		Industrial		Domestic		Gardening	
		Process	Cooling				
Generation in m3/day	As per consent			25		5	
	Actual			20		5	

**Treatment System**

	Industrial	Domestic
Primary :		
Secondary :		Sewage Treatment Plant MBBR
Tertiary :		
Advanced :		

**Domestic Purpose**

a) Generation (in CMD) : 25	STP Capacity : 30
b) Disposal : Partially Recycle / Partially Gardening	

~~600~~  
601

Recycle in CMD : 15

Gardening in CMD : 10

Land available in acres : 3

**JVS sample collection (Water)**

JVS sample collected for Water : No

Detail : Collected

**Previous JVS Records (Water)**

Sr. No.	Unique Id	Barcode Number	Sample Type	Sample Subtype	Payment Status	COA Generated
---------	-----------	----------------	-------------	----------------	----------------	---------------

**Air Pollution Aspect**

1) Details of emission : No

#	Source	Fuel Name	Fuel Quantity	Fuel Unit	Control Equipment Installed	Stack Height(mtrs)	Operational Issue
---	--------	-----------	---------------	-----------	-----------------------------	--------------------	-------------------

Record not found.

2) Differential in existing source of emission : No

**JVS sample collection (Air)**

JVS sample collected for Air : No

Detail : NA

**Previous JVS Records (AIR)**

Sr. No.	Unique Id	Barcode Number	Sample Type	Sample Subtype	Payment Status	COA Generated
---------	-----------	----------------	-------------	----------------	----------------	---------------

**Hazardous Waste Generation**

Difference in exiting waste generation : No

**Non Hazardous Waste Generation**

Difference in exiting waste generation : No

**Any specific Conditions**

	Condition	Compliance
Consent		
Directions		
Environment Clearance		
Any NGT / Court order		

**Bank Guarantee**

BG Imposed :

**Remark**

#	Statutory Submissions	Financial Year	Within Time	Whether any deviation waste generation & disposal (less/more)
---	-----------------------	----------------	-------------	---

Record not found.

**Penal Charges**

Penal Charges : No

**OCEMS**

Is Mandatory : Not Mandatory

Detail :

Connected to MPCB server : No

Detail : NA

**Green Coverage**

Green Coverage : No

Detail : 3.5

**Any Specific Observation**

Any Specific Observation : Hotel visited as per order received from Hon'ble collector Jalgaon, During visit Hotel found in operation, PP has provided three STP of 10 KLD each capacity for the treatment of Sewage generated from Hotel, Resort & Restaurant Activity, During visit STP-1 (near Restaurant) and STP-2 (Near Villa) found in operation sample for the Same is collected for analysis, STP-3 (Near Bamboo House) not in operation due to maintenance activity, currently PP handed over all solid waste to Garkheda grampanchayat for further disposal,

**Previous legal action detail**

Sr. No.	Legal Action Details	Legal Direction/Notice Details
1	MPCB-LEGAL_ACTIONS-160524001 Initiated By:Manish Mahajan(FO-jalgaon)	Closure Direction Outward No:MPCB/CD/2406120001 Issued By:Shri Limbaji Suresh Bhad(RO-Nashik) Issued On:12/06/2024
2	MPCB-LEGAL_ACTIONS-160524001 Initiated By:Manish Mahajan(FO-jalgaon)	Restart Request Outward No:MPCB/RESTART/2407250001 Issued By:Shri Limbaji Suresh Bhad(RO-Nashik) Issued On:25/07/2024

**Whether unit complied**

Whether unit complied : Yes

630

R-2 copy  
603

Marathi Translated copy of Report from the Executive Engineer, Rural Water Supply Department, Zilla Parishad  
Jalgaon dated 04/07/2025

**Executive Engineer,  
Rural Water Supply Department,  
Zilla Parishad, Jalgaon**

Zilla Parishad, New Building, Second Floor, Jalgaon – 425002  
E-mail: [eechpjalgaon@gmail.com](mailto:eechpjalgaon@gmail.com)

No. / RWSD / Tansha-3 / RR / 388 / 2025,

Date: 04/07/2025

To,

The Hon'ble District Collector,  
Jalgaon, District Jalgaon

**Subject:** Regarding discharge of water from the 10 KLD Sewage Treatment Plant to the trees at the tourist site located on the island in the submergence area of Waghur Dam at Garkheda, Tal. Jamner (Old Shivanagar Shivar).

**Reference:** Letter No. Public/Administration-2/3382/2025 dated 23/06/2015 from the Executive Engineer, Public Works Department, Jalgaon.

With reference to the above, it is submitted that a visit has been made to the ongoing project at "Mouje Garkheda Tourism Development Project, Waghur Dam Island". At the said location, three units of a 10 KLD Sewage Treatment Plant are installed. All three units are functional. During the inspection, it was observed that the water from the constructed septic tank of the project flows into the Sewage Treatment Plant, gets filtered, and the treated outlet water from the Sewage Treatment Plant is being supplied through a pipeline to the trees on the island, where it is being used as an organic nutrient supplement.

Submitted for information.

(Sd/-)

**Executive Engineer  
Rural Water Supply Department  
Zilla Parishad, Jalgaon**