

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION No. 200 OF 2024 (WZ)

Mr. Laxman Thombre & Ors

.... Applicant

Versus

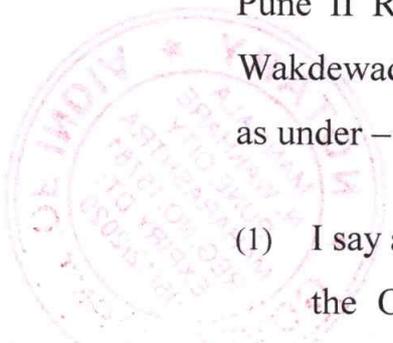
Jalaparsh Riverside Resort & Ors.

.... Respondents

AFFIDAVIT IN REPLY ON BEHALF OF MAHARASHTRA
POLLUTION CONTROL BOARD i.e. RESPONDENT NO. 2.

I, Babasaheb Kukade, aged adult, occupation – Service, the Sub Regional Officer of the Maharashtra Pollution Control Board at Pune II Region, having office address at 2rd Floor, Jog Centre, Wakdewadi, Pune – 411003, do hereby state on solemn affirmation as under –

- (1) I say and submit that I am filing this Affidavit in compliance of the Order dated 18/03/2025 passed by this Hon'ble NGT, wherein, the Hon'ble NGT directed the Respondent No.2 – MPCB to bring the details about the Consent to Establish and Consent to Operate issued to the Respondent No.1.
- (2) I say and submit that the Respondent-MPCB had granted a Consent to Establish and Operate under Orange Category to M/s. Jal Sparsh River Shack Resort dated 17/03/2025, subject to certain terms and conditions. The Consent to Operate is



granted for a period upto 30/06/2028. A copy of the Consent to Establish and Operate dated 17/03/2025 is enclosed herewith and marked as an **Annexure -I**.

(3) Hence this Affidavit.

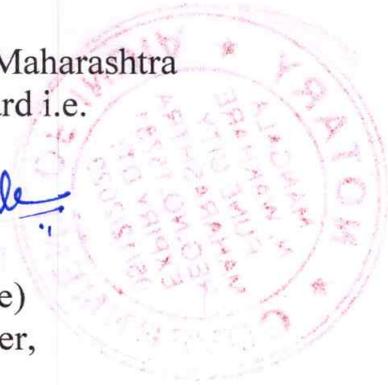
Solemnly affirmed on this 14th day of May, 2025 at Pune.

I know the affiant

For and on behalf of Maharashtra Pollution Control Board i.e. Respondent No. 2.

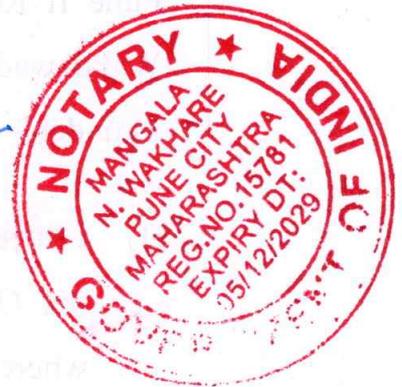
ADVOCATE

Babasaheb Kukade
(Babasaheb Kukade)
Sub-Regional Officer,
MPCB, Pune-II



BEFORE ME

Mangala N. Wakhare
MANGALA N. WAKHARE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA



14 MAY 2025



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 020 - 25811627
 Fax: 020 -25811029
 Website: <http://mpcb.gov.in>
 Email: ropune@mpcb.gov.in



Jog Center, 3rd floor,
 Mumbai Pune Road,
 Wakdevadi, Pune - 411003.

ORANGE/S.S.I (O38)
No:- Format1.0/RO/UAN
No.0000236376/CO/2503002597

Date: 17/03/2025

To,
M/s. JAL SPARSH RIVER SHACK RESORT
S NO 251, 694, 695,,AT POST- JAMGAON, SHERE
TAL. MULSHI, DIST. PUNE



Sub: Grant of Consent to Establish and Operate under Orange Category.

Your application No.MPCB-CONSENT-0000236376 Dated 11.02.2025

For: Grant of Consent to 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:

- The consent to operate is granted for a period up to 30/06/2028**
- The capital investment of the project is Rs.2.67 Crs. (As per C.A Certificate submitted by industry)**
- Consent is valid for the manufacture of:**

Sr No	Product	Maximum Quantity	UOM
Products			
1	HOTEL AND RESTAURANT, AGRO TOURISM WITH ROOMS (WITH SWIMMING POOL)	24	Rooms

(Hotels < 3 star)

- 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
2.	Domestic effluent	30	As per Schedule-I	On land for gardening

- Conditions under Air (P& CP) Act, 1981 for air emissions:**

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	S-1	DG SET-82.5 KVA	1	As per Schedule -II

- Non-Hazardous Wastes:**

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	FOOD WASTE	25	Kg/Day	Composting	Used as manure

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for Collection, Segregation, Storage, Transportation, Treatment and Disposal of hazardous waste:**

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
NA					

8. The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
10. This Consent is issued subject to an order passed or may be passed by Hon'able National Green Tribunal in application no. 200 of 2024 in the matter of Laxman Thombre & Ors (Applicants) Versus Jalaparsh Riverside Resort & Ors. (Respondents).
11. This consent is issued prejudice to the matter of Hon'ble National Green Tribunal in an Original Application (OA) No. 200/2024
12. The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent. (Operate/Renewal)
13. The applicant shall strictly comply with the Mechanism/Guidelines for Control of Pollution and Enforcement of Environment Norms at Individual Establishments and the Area/ Cluster of Restaurants/ Hotels/ Motels/Banquets etc in Hon'ble NGT O.A.No. 400/2017 titled as Westend Green Farms Society Vs Union of India.
14. The applicant shall obtain NOC form Central Ground Water Authority if they are using ground water for industrial purpose within 3 month and or not use ground water without permission of CGWA/Competent Authority.
15. The applicant shall not cause nuisance to the surrounding area, if such condition occurs industry shall voluntarily stop the production activity.

This consent is issued on the basis of information/documents submitted by the Applicant/Project Proponent, if it has been observed that the information submitted by the Applicant/Project Proponent is false, misleading or fraudulent, the Board reserves its right to revoke the consent & further legal action will be initiated against the Applicant/Project Proponent.



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Signed by: **Jagannath Salunkhe**
Regional Officer
For and on behalf of,
Maharashtra Pollution Control Board
ropune@mpcb.gov.in
2025-03-17 17:48:51 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	30000.00	TXN2502003907	18/02/2025	Online Payment
2	30000.00	MPCB-DR-32214	18/02/2025	NEFT
3	147994.00	TXN2503003654	16/03/2025	Online Payment

Copy to:

1. Sub-Regional Officer, MPCB, Pune II
 - 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 30 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	1.00
2.	Domestic purpose	32.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	0

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:

1. As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) to observe the following fuel pattern:

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
S1	DG SET	Acoustic Enclosure Stack	4.50	DIESEL 0.5 Ltr/Hr	-	SO2	4 Kg/Day

3. Gensets and Fuel a) Units to use approved fuel (e.g. LPG, PNG, Charcoal for tandoor, boiler, etc.). Preference should be given to cleaner fuels in such cases b) The units shall properly channelize the fugitive emissions including emissions from cooking & kitchen operations by providing proper ducting / hood arrangement and proper exhaust system and emissions c) Only Gensets having necessary Type Approval for emissions/ Noise level from the concerned agencies to be installed at the premises d) The unit shall provide stack for the emissions from the generator as well as acoustic enclosure for Gensets as per the specified norms

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 Operate	Rs. 1 Lakh /-	Existing BG as per directions Dtd. 12/03/2025	Towards compliance of the consent conditions and O & M of the Pollution Control Systems	Continues	30/12/2028

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 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.
