

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
(By Video Conferencing)  
Original Application No.100/2020(WZ)**

Udayasankara Samudrala ...Applicant

v/s

Union of India & Ors. ... Respondents

**Affidavit on behalf of Respondent No.8-MPCB**

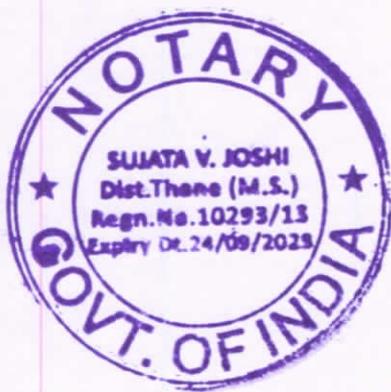
I, Satish Padwal, Aged-49, Adult, Occupation – Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Thane-II, having my office address at 5<sup>th</sup> Floor, Office Complex Building, Near Mulund Check Naka, Wagle Estate, Thane-400 604, do hereby state on solemn affirmation as under :-

1. I say and submit that the instant Application is filed by the applicant against the illegal construction of funicular ropeway project undertaken by Jivdani Temple Sanstha without requisite Environmental Clearance.
2. I say and submit that earlier the State Level Environment Impact Assessment Authority, Environment Department, Govt. of Maharashtra had granted Environmental Clearance dated 17/09/2009 to M/s.Damodar Ropeways and Construction Co(Pvt.)Ltd. for Jivdani Mata Temple Ropeway Project of Sri Jivdani Temple Trust at Jivdani Road, Virar(East), Tal: Vasai, Dist: Thane, subject to certain terms & conditions.





3. I say and submit that the Expert Appraisal Committee (Infra-2) in its 45<sup>th</sup> meeting held on 17-18<sup>th</sup> October, 2019, stated that the construction work had been started but due to change in technology of ropeway, the work had been stopped at the site. The project was then applied at SEAC(Maharashtra) for modernization of the ropeway project. The Aerial Ropeways Activity covered under the Category-B of Item 7(g) of the Schedule of EIA Notification, 2006 and it requires appraisal of SEIAA / SEAC. However, due to applicability of general conditions of EIA Notification,2006, the said project falls at 4.6 kms. from the ESZ of Notified Tungreshwar Wild Life Sanctuary. Therefore, the project is treated as Category- 'A' and require Environmental Clearance from Ministry of Environment, Forest and Climate Change, Govt. of India.



4. I say and submit that the Ministry of Environment, Forest and Climate Change, Government of India has accorded Terms of Reference (TOR) for the project for EIA/EMP studies for the constructions of Funicular Ropeway at Virar by M/s.Shree Jivdani Devi Sansthan, vide letter dated 03/12/2019 which was considered by the Expert Appraisal Committee (Infra-2) in its 45<sup>th</sup> Meeting held on 17-18<sup>th</sup> October, 2019, subject to condition to conduct public hearing and issues raised and commitments made by the project proponent. Accordingly, Public Hearing was conducted on 30/12/2020 for proposed Jivdani Passenger Funicular System (Ropeway) proposed by M/s.Shree Jivdani Devi Sansthan under the

Chairmanship of District Magistrate, Palghar and forwarded the minutes of the Meeting of Public Hearing to the Ministry of Environment, Forests & Climate Change, Govt of India on 22/1/2021. A copy of the letter dtd 22/1/2021 along with minutes of the Public Hearing is enclosed herewith and marked as an **Annexure-A**.

5. I say and submit that the Respondent -Board has granted Consent to Establish dated 08/07/2020 for construction and installation of Passenger Funicular Ropeway System Project in Red Category having Plot Area 19500 sq.mtrs. for number of terminals-2, subject to certain terms and conditions, wherein, one of the Condition is "Project Proponent shall not take any effective steps prior to obtaining Environmental Clearance". A copy of the Consent to Establish dated 08/07/2020 is enclosed herewith and marked as an **Annexure-B**.

6. I say and submit that the Project Proponent has taken trial run of funicular ropeway project without obtaining prior Environmental Clearance and Consent to Operate, therefore, the Respondent Board is in process to assess the Environment Compensation against the project proponent.

Solemnly affirmed on this 13<sup>th</sup> day of December, 2021 at

Thane.  
**NOTARISED**



**SUJATA V. JOSHI**  
ADVOCATE & NOTARY

101/102, Vishal Bldg., Station Road,  
Kalwa (W), Thane-400 605.

For and on behalf of Maharashtra  
Pollution Control Board,

( Satish Padwal )

Sub-Regional Officer-Thane-II **13 DEC 2021**

**NOTED & REGISTERED**

Sr. No. 7786/2021



**MAHARASHTRA POLLUTION CONTROL BOARD**

Tel : 25802272

Fax : 25805398

Visit us at:

Website : <http://mpcb.gov.in/>E-mail Id: [rothane@mpcb.gov.in](mailto:rothane@mpcb.gov.in)

No. MPCB/ROT/B- 684

Regional Office, Thane  
5<sup>th</sup> Floor, Office Complex Bldg.,  
Near Mulund Check Naka,  
Wagale Estate,  
Thane-400 604

Date:- 14 / 01 /2021

To,  
Joint Director (WPC),  
M. P. C. Board,  
Sion, Mumbai-22.

Sub:- Minutes of Public Hearing Conducted on 30.12.2020 in respect of Proposed Jivdani Passenger Funicular System (Ropeway) at proposed by M/s., Shree Jivdani Devi Sansthan, Virar Public Registration No. A/397, Shree Jivdani Marg Virar (East) Tal. Vasai, Dist- Palghar

Sir,

The Public hearing for proposed Jivdani Passenger Funicular System (Ropeway) at proposed by M/s., Shree Jivdani Devi Sansthan, Virar Public Registration No. A/397, Shree Jivdani Marg Virar (East), Tal.- Vasai, Dist- Palghar Maharashtra was conducted on 30.12.2020 via digital platform & public participation.

The Minutes of the Public Hearing proceeding through digital platform & Public participation (Marathi & English) along with video recording (CD), photographs (CD), list of participants & other documents are enclosed.

This is submitted for information and on word submission to MoEF & CC.

Yours faithfully,

(R. A. Rajput)

Regional Officer, Thane

Copy submitted for information to:

1. Member Secretary, M.P.C. Board, Sion, Mumbai-22
2. Sub-Regional Officer, M.P.C. Board, Thane-2.
3. Director, Environment department, Government of Maharashtra, Mantralaya Mumbai-32.

**MINUTES OF THE PUBLIC HEARING FOR PROPOSED JIVDANI PASSENGER FUNICULAR SYSTEM (ROPE WAY) PROPOSED BY PROJECT PROPONENT M/S SHREE JIVDANI DEVI SANSTHAN, VIRAR PUBLIC REGISTRATION NO. A/397, SHREE JIVDANI MARG, VIRAR (EAST), TAL-VASAI, DIST-PALGHAR-401305, MAHARASHTRA**

- Ref :**
- 1) Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi's Notification Dated 14-09-2006 and Amended Notification Dated 01-12-2009
  - 2) Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi's Notification Dated 06-01-2011 on Coastal Regulation Zone;
  - 3) Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi's Office Memorandum Dated 14-09-2020;
  - 4) Maharashtra Pollution Control Board's directives vide no. B-200917-FTS-0082, Dated 17-09-2020

-----

The public hearing for proposed Jivdani Passenger Funicular System (Rope Way) proposed by Project Proponent M/s Shree Jivdani Devi Sansthan, Virar Public Registration No. A/397, Shree Jivdani Marg, Virar (East), Tal-Vasai, Dist - Palghar - 401 305, Maharashtra was conducted on Wednesday, the 30<sup>th</sup> December, 2020 at 11.00 a.m. at the Shree Jivdani Devi Sansthan, Jivdani Devi Mangal Karyalaya, 3<sup>rd</sup> Floor, Jivdani Mandir Road, Virar (East), Virar, Tal - Vasai, Dist - Palghar-401 305.

As per the Notification dated 14-09-2006 issued by Ministry of Environment, Forest & Climate Change, Govt. of India, (MoEF & CC, GoI), New Delhi and subsequent amendment on 01-12-2019 & Dated 14-09-2020 (Ref. at Sr.No.1 & 3), Member Secretary, Maharashtra Pollution Control Board, Mumbai has constituted Public Hearing Panel vide Office Order No.E-73 of 2020 issued under letter no.BO/JD (WPC)/PH/B-201203-FTS-0131, Dated 03-12-2020 as below :-

- |   |   |                 |
|---|---|-----------------|
| 1) District Magistrate, Palghar   | - | <b>Chairman</b> |
| or his representative not below the rank of an Additional District Magistrate |   |                 |
| 2) Regional Officer, MPCB, Thane  | - | <b>Member</b>   |
| (Representative of Maharashtra Pollution Control Board)                       |   |                 |
| 3) Sub Regional Officer, Thane-2  | - | <b>Convener</b> |
| Maharashtra Pollution Control Board, Thane                                    |   |                 |

Shri Ishwar Thakare, Sub Regional Officer, Thane-2, MPCB, Thane and Convener of the Public Hearing Committee while welcoming all informed that as this Virtual Public Hearing is arranged in the background of Covid-19, we all have to follow the directives of the Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi dated 14-09-2020 [referred at sr. no. (2)] and subsequent Order as issued by Maharashtra Pollution Control Board dated 17-09-2020 [referred at sr. no. (3)] above. Hence, 100 persons are allowed in the meeting hall in a session. If the participants are more, subsequent sessions will continue until all the participants are given opportunities to attend the meeting.

As per the directives, it is requested all the participants to follow strictly guidelines of Covid-19 of Govt. of India. The thermal checking and use of sanitizer were kept at the entrance of the meeting hall and in the meeting hall, it is compulsory to wear mouth mask and follow the social distancing amongst the persons.

Convener of the Public Hearing Meeting welcomed Hon'ble Chairman of the Public Hearing Committee, Member of the Public Hearing Committee, Company Officials, Government Officials and Public who were present in large number and informed that as per the EIA Notification of Ministry of Environment, Forest & Climate Change, Govt. of India, (i.e. MoEF & CC, GoI) dated 14<sup>th</sup> September, 2006 as amended on 1<sup>st</sup> December, 2009, it is mandatory to conduct prior public consultation to certain projects which are covered in the schedule of the said Notification.

He informed that the Maharashtra Pollution Control Board was in receipt of application of Project Proponent M/s Shree Jivdani Devi Sansthan, Virar Public Registration No. A/397, Shree Jivdani Marg, Virar (East), Tal-Vasai, Dist – Palghar – 401 305, Maharashtra for their proposed Jivdani Passenger Funicular System (Rope Way).

The Convener further informed that the project is in operation outside of notified industrial area and as per EIA Notification, 2006 the category of project falls under Category A – 7 (g) and as per Wild Life Protection Notification, 1972, the project site is 4.4 kilometre (East) away from the Notified Tungareshwar Wild Life Sanctuary and 2.5 kilometre from the Notified Eco-Sensitive Zone of Tungareshwar Wild Life Sanctuary.

Convener of the Public Hearing Committee informed that the aim of conducting prior public consultation is to make aware, local people who can be

participant in the hearing and they should know the developmental activities and Environment Management Plan of the project.

Project Proponent had sought permission from MoEF & CC, Gol for sanction of Terms of Reference (ToR) and for preparation of Environment Impact Assessment and MoEF & CC, Gol in its 45<sup>th</sup> meeting kept the proposal and has sanctioned ToR on 03-12-2018.

Shri. Thakare, Convener of the Public Hearing Committee informed that as this public hearing was arranged on 30-12-2020, 30 days in advance public notice was published as per provisions in the Notification by District Collector- Palghar in local newspaper Daily Loksatta and in national newspaper Daily Indian Express on 26-11-2020.

Also a copy of EIA report and executive summary were made available at various notified offices of Government i.e. Ministry of Environment, Forest & Climate Change, West-East Division Office, New Secretariat Building, Ground Floor, East Wing, Civil Lines, Nagpur – 440 001; District Magistrate Office-Palghar; Additional District Magistrate Office- Palghar; Zilla Parishad Office- Palghar; District Industries Centre-Office, Palghar; Tahsildar, Tahsil Office- Vasai, Dist – Palghar; Sub Regional Office, Thane-2, MPCB, Thane; Regional Office, MPCB, Thane and at Head Office of MPCB at Mumbai; Environment & Climate Change Department, Govt. of Maharashtra, Mumbai and on the website of MPCB. The public were appealed to send any suggestion or objection regarding the expansion of above project.

Convener further informed that the local MPCB Thane Office received 01 written suggestions / objections and 26 written letters for supporting the project. They have been informed to attend this public hearing. He informed that an opportunity is given to all raise their suggestions / objections regarding the proposed project in environmental angle only.

Convener informed that first the Environment Consultant of the Project will give presentation. After presentation, the participants may raise their suggestions, doubts, objections regarding Environment Management Plan. While raising the suggestions, first name and place of residence be informed. He directed Environment Consultant to give presentation in Marathi, an official language of the Maharashtra State.

He appealed Chairman of the Committee to allow to start the proceedings.

With the permission of the Hon'ble Chairman of the meeting, the Environment Consultant appointed by the company has given the presentation.

Project Environment Consultant informed that in Maharashtra at Satara District, an accident due to stampede occurred at Mandhardevi Religious place. After the incidence, Maharashtra Government has issued certain Orders for all religious places which are located on high hill/mountain.

Project Environment Consultant informed that Jivdani Mandir is located on a hill top/mountain at Virar of Palghar District. The surroundings of the temple are beautiful and there is heavy rush of devotees on the holidays and on the day of the festivals. But to take darshan of the Jivdani Goddess, stiff and straight 900 steps have to be climbed. The journey to the temple is difficult. Hence, Jivdani Devi Trust has planned to make other options for devotees to go to temple for darshan and finalized Passenger Funicular Ropeway System. This project is convenient for the visitors and devotees. The details of the Rope Way is explained by the Consultant.

After the presentation, the participants are appealed to raise their views, suggestions or objections regarding Environment Management Plan.

**Followings have participated during the discussions and the Answers given by the Project Proponent / Project Consultant / Public Hearing Committee :-**

**1) Ms. Maya Chaudhari, Resident – Virar, Tal-Vasai, Dist-Palghar:-**

Ms. Maya Chaudhari remarked that she thanks officials of the Consulting Firm for giving the good presentation. We, the common people do not know various points and how the study is carried. Here the capacity of the land, present status water level is studied. She said that we stay here since long. This hill / mountainous area was deserted. But this Jivdani Trust has converted it totally and now the deserted mountainous area has become totally green. Here Afforestation is carried every year by spending nearly rupees 30-35 lakhs. We are watching the change. Our Saving Group do take part in afforestation programme every year. While afforesting, we carry it from upward to downside. We have observed that the rain water harvesting system is commissioned due to which saplings will grow fast.

She further informed that every year it is observed that many devotees are overwhelmed to take darshan of the Jivdani Devi/Goddesses. But due to tremendous rush of the devotees, the plastic wrappers and eatables are thrown on the hill/mountain. Due to commissioning of Funicular System (Rope Way), plastic pollution on the mountain will be avoided.

There are few people in society who have 'Height Fobia.' Due to installation of Rope Way, they will be able to take darshan of Jidani Devi.

Maya Chaudhari further informed that she is social worker. Hence, she knows that how the Trust has helped the needy people by providing them cooked food in the days of Covid-19. The Anna Dan/Donation of Food programme will be continued forever by the Trust. This project will be beneficial to all. Hence, we support the Funicular Ropeway.

**2) Shri Hardik Ravindra Raut, Resident-Virar, Tal-Vasai, Dist – Palghar:-**

My birth place is Virar. I am watching the various developments carried by the Trust since my childhood. Not a single tree was there on the Jivdani hill/mountain. Now the hill/mountain is converted into greenery. We are experiencing the development of this area by the Jivdani Devi Trust and Local Corporation. I am 35 years old and just as my age is increasing, the greenery is increasing. We have the Morning Walk Group. It gives mental strength when we come here, but there is always heavy rush. The devotees should get the good darshan.

Hence, by commissioning of Funicular System (Rope Way), the large people coming here will get the darshan as not only people from Virar is coming, but devotees from throughout the State of Maharashtra and our country are coming here. The time management of the devotees should be maintained.

Due to Jivdani Trust, the people residing the nearby areas have got various occupations/business opportunities. The tea, flower and garland vendors, rickshaw drivers have got the source of livelihood. The flower and horticulture farmers residing nearby areas have also got a platform to sale. There are local people who prepare and sale the prasad of coconut sweets (Nariyal Barfi).

It is experienced that Jivdani Trust is always ahead in extending help at the time of natural disaster e.g., in flood affected areas, earthquake. In the days of lock down due to pandemic Corana virus, the Trust had provided prepared foods to the needy people since 7-8 months. The coconut sweet (Nariual Barfi) vendors

are local people only. They have got the source of livelihood. Jivdani Trust is always ahead to help the people in natural disaster period. It may not have happened anywhere else.

As large number of people should get the darshan properly, the Funicular System (Rope Way) is necessary and we all support to commission the same.

All the participants supported by clapping the hands.

**3) Advocate Ramakant Waghtaude, Resident – Nalasopara, Dist – Palghar:-**

He congratulated Maharashtra Pollution Control Board for arranging public hearing. He informed that though he is from Satara district, he is staying here since many years and observing the social work of Jivdani Devi Trust. He said that he has seen many religious institutes, but the social work carried by Jivdani Devi Trust is remarkable and right and it has set an example to others. Though this Trust is religious, its active part for implementing various programmed for health, education and social is remarkable. The participation of this Trust in various other social welfare programmed is pioneering.

He said that the help and rehabilitating work carried during the natural disaster, flood by the Trust of Jivdani Devi is as per Government only. It has extended helping hand to millions of needy and poor people and gain the confidence of local people. We came here to support the project, we are supporters. This passenger funicular ropeway will be beneficial to many people. The physically and mentally challenged people, senior citizens, school children will be benefited by this passenger funicular ropeway.

Hence, on behalf of the people of Nalasopara and other citizens, I support the project. This is the way of development. Here also one or others may oppose the project due to some or other reasons. It is requested to District Collector and MPCB officials to look into the matter seriously and as construction of passenger funicular ropeway is towards development, it should be approved. He supported the project.

Project consultant thanked him for supporting the project.

**4) Advocate N. Jain, Resident – Virar, Tal – Vasai, Dist – Palghar:-**

He informed that all have come here to support the nice project of Rope Way. Those people who could not come here, they are also supporting the project. Our support is for the development of Virar.

This project is need of the Virar for the development. We were not imagining that we will get the Darshan of Jivdani Devi within three minutes. The presentation is given very nicely. Hence, I request Government to sanction the project. There will no ill-effects on the nature due to this project. The local people will get job opportunities and name of the Virar will be known at national and international level.

I request Pollution Control Board to think seriously about the project and the commissioning work should be started at the earliest. We support the project and many thousands will come to support the project.

Project Environment Consultant thanked for supporting the project.

**5) Ms. Swati Marathe, Resident-Virar, Tal-Vasai, Dist – Palghar:-**

Ms. Marathe informed that she is teacher and stays at Virar since her childhood. This project will help the development of Virar. We bring here school children for the trip. The small children and old persons will be benefited due to this passenger funicular ropeway.

Local people will get job opportunities. The saplings have been planted by the Jivdani Devi Trust. The devotees from Mumbai come every day for the darshan. Hence local people can get job opportunities. The suggestion is already made by the participant to installed the project at the earliest.

**6) Shri Sunil Bajaj, Resident-Virar, Tal-Vasai, Dist – Palghar:-**

Shri Sunil Bajaj informed that that as this project is to the benefit of all, though it is supported by me, I have certain reservations/objections in a manner it is approved and public hearing is called at the background of Covid-19.

He said that he has objected for it and written submission is already given.

**7) Shri Jay Desai, Resident – Virar, Tal-Vasai, Dist – Palghar:-**

He informed that his name is Jay Desai and he is MBA student. He is young and student and desires to raise views for Passenger Funicular Ropeway. If more than 100 devotees are able to go for darshan by Rope Way than the stairs, it will be beneficial to people.

We are aware that due to Covid-19, the tourism industry has come in trouble. Due to this passenger funicular ropeway, the number of tourists will increase. There are many sea shores at Vasai Virar area. Hence, local tourism and income of local people will increase. The trust has carried very dedicated work.

He informed that he is coming in the temple since childhood and his grandfather used to take darshan upto the age of 90 years. Many engineering students will like to come and study this project. Hence, this project should be commissioned at the earliest for the convenience of the public. We support the project.

**8) Shri Jagdish Tare, Village is from Saphale Station.**

Shri Jagdish Tare informed that Koli communities are habitants in our village. They have faith on the Jivdani Devi. He said that he is coming here since childhood. Without offering/breaking the coconut in the name of Goddess, the boats are not sent into the Sea. We see the temple while boating in the sea. We have faith on the Goddess.

Shri Tare further informed that the development work carried by the Jivdani Devi Trust is definitely praiseworthy.

We believe that the Goddess is blessing from the mountain. In the days of Corona, all the trustees were working very hard for the people. When the prepared food was not getting at most places, trustees used to visit and donated the prepared food. We Koli community salute Jivdani Devi Sanstha. At these critical days, each human being needs another human being. This Jivdani Devi Trust is preserving humanity. We support the project. Best Luck to project.

**9) Shri Naresh Jadhav, Resident – Nalasopara, Dist – Palghar:-**

Shri Naresh Jadhav said that he extends thanks to Maharashtra Pollution Control Board, due to which we gathered here for the cause of environment. He

informed that he stays in this area since last 35 years. The hill/mountains which are now green, the credit goes to Bhiwandi Nijampur Municipal Corporation and Vasai-Virar Municipal Corporation and Jivdani Devi Trust. The 1-2 crores of trees were planted in the area. The Goddesses Jivdani is archaic and not only just devotees from Vasai Virar and Nalasopara area, but from all over Maharashtra and whole country are coming to take darshan. The work carried by the trustees is so good, that the faith of devotees will not be disturbed. In the days of Covid-19, the Trust has served prepared food and vegetables to nearly 70 lakh needy people. This great humanitarian work will be appreciated in our country. Hence, considering the feelings of the people, the passenger funicular ropeway project should be sanctioned.

Project Consultant thanked for extending support.

**10) Shri Sandip Sakharam Nadkar, Sainath Nagar, Virar, Tal-Vasai, Dist-Palghar:-**

He said that now we are watching green mountains. The credits go to Jivdani Devi Trust for their dedicated hard work. Also, in the days of Covid-19, water and prepared food is served to all needy people. Today, the public hearing is arranged for the commissioning of the Rope Way project. It will be very useful to devotees. The local rickshawalls, flower and garland vendors will get job opportunities. Hence, my request is to sanction the project at the earliest.

Project Environment Consultant thanked for the support.

**11) Shri Dhanjay Zha, Resident -Virar, Tal – Vasai, Dist – Palghar :-**

I stay here since last 22 years. I am from Bihar and came here for livelihood. I observed the custom here that those who come to stay here, takes the darshan of Jivdani Mata. The mountains which I have seen 22 years back have been totally changed. It is not happened in one day, it is due to hard efforts taken since 20-25 years. I thanks to Jivdani Trust for it. Here 5-6 lakh people used to stay in small houses. Now they are staying in their flats. This is due to blessings of Jivdani Mata only. The social work of Jivdani Trust makes all of us to stay here. We all believe on the Jivdani Devi Trust.

He thanked to Project Consultant for giving informative presentation. He remarked that though this Trust and place is known in Maharashtra, after inception

of the project, it will be known throughout our country. Just as devotees throughout India go to Mata Vaishnavi Devi, they will come here for darshan.

He said that I extend my thanks to Jivdani Trustee for taking in hand the Rope way project. Due to this, the time for darshan of the devotees will be saved. He informed that many people left the staying place, as they did not get food in the days of Corona, but from Virar, nobody left as Trustees took tremendous efforts for providing cooked food in the days of Corona to people in the area. The Trust also donated cooked food, medicines and extended full security. I request Maharashtra Pollution Control Board to sanction the Rope way project.

Environment Consultant thanked for the support.

**12) Shri Shirish Krishna Raut, Resident – Virar, Tal – Vasai, Dist – Palghar:-**

I am staying here since last 60 years. Since childhood, I am watching this hill/mountain. It was totally desert. There were not a single tree on the road. There was a high road to the temple above. The devotees, people and other visitors used to slip. Now the hill / mountain is converted into lush green cover. It is due to tireless efforts of Jivdani Trust and Mahanagar Palika. This Rope way will be beneficial to all people residing in the area. The time, money and unnecessary trouble will be saved. There will not be any environment degradation due to this passenger funicular ropeway. There will not be any smoke. The speakers here already raised the suggestions. Hence, I request Public Hearing Committee to sanction the project.

Environment Consultant expressed thanks for the support.

**13) Mrs. Kanchan Zha, Social Worker, Resident-Virar, Tal – Vasai, Dist – Palghar:-**

Mrs. Zha informed that in Maharashtra the people are well connected by cultural relations. Many people do worship Goddess by Vrat / Vow. Just as Mumbaikars do worship Mumbadevi, here at Virar we worship Jivdani Devi. Due to Rope Way, all the sections of society will be benefitted. As expressed earlier, there are huge scope for tourism industries. The small children also can get darshan after following security. There will boost to our cultural heritages. We support the project.

Environment Consultant expressed thanks for the support.

**14) Shri Vivek Madan Patil, Resident-Sopara Gaon, Dist-Palghar:-**

I am local person. We came here since our childhood. In the young age, we used to come by walk. But as the age is increasing, we middle aged people require Rope Way.

Secondly, regarding Environment. It is understood that this project will run on solar energy. It will be operated on electricity. Hence, there will not be any smoke.

This project will be beneficial to the people. The people have to take rest at 2-3 places while going by stairs. After eating the biscuits, the people keep the plastic covers and plastic bottles there only. The plastic pollution on the hill/mountains will be avoided and the time will be saved. I personally appeal to other Trusts to imitate the Trust of Jivdani Devi for the activities in social, educational, medical and at emergency situation. It is observed by me that, there is increase in the numbers of monkey. It shows the nourishment of nature.

Environment consultant thanked for the support.

**15) Shri Chandrakant Shankar Katare, Resident-Virar, Tal – Vasai, Dist – Palghar:-**

I have retired in 2011. Now I am carrying the work at Jivdani Goddess Mountain. Since last year, I am extending the support to Jivdani Devi Trust as an Environmentalist.

Since last year, I am working near the Funicular Systems. The 60 meters green drive is carried at both sides. There will be fogging and drip system in two stages. This project will bring happiest moments to all. Due to this project, old persons, daughters and daughter-in-law, small children will get the darshan of the Mata.

He further informed that he is submitting written suggestions. He read the suggestions and objections which are as under:-

- a) The kitchen is used for preparation of Prasad for many thousand devotees. The domestic effluent/sewage is treated in Sewage Treatment Plant (STP), which is installed by the Trust and the treated domestic effluent/sewage is reused for toilet and green belt development;

- b) I have seen the workings of the Trust very closely during the Corona period. The Trust has donated cooked foods and vegetables to nearly 25 lakh needy people. The whole Taluka is indebted for this generous act.
- c) I am staying at the foot of the goddess since last 50 years. I have written a book on Jivdani Goddess as "Jivdani Gatha." It is in Marathi and in Hindi. At that time, my wishes were mentioned in the book that when there will be stoppage of sacrifice of animals, it will be golden day. Now, the Trust has already banned the method of sacrificing the animals.
- d) The Jivdani Hill/ Mountain is of black stone. It is difficult challenge to sow the tree. Now there are trees, which is of years. The trees have been kept alive. The Environment Consultant thanks for giving support.

**16) Shri Anupra singh, Resident – Virar, Tal – Vasai, Dist–Palghar-**

I am from Uttar Pradesh and staying at Virar since last 17 years. We go to take darshan of Jivdani Devi every Tuesday. Here in Public Hearing on Environment, I am telling 2-3 examples how the Trust is carrying good work:-

- a) For the protection and preservation of Environment, the green belt development, tree plantation is carried. The Trust protects all the planted trees and total forest area;
- b) The Trust has already banned the use of plastic on the Jivdani Devi Mountain.
- c) We support the project.

**17) Shri Parag Kamble, Resident – Nalasopara, Dist – Palghar:-**

I stay at Nalasopara. All the participants have expressed their suggestions. The Jivdani Devi Trust is implementing various social welfare projects. My family deity Renuka Devi is at Karnataka. But now I believe Jivdani as Family Deity and take darshan at every year.

Last year my age-old mother and father cannot taken darshan.

Hence, I request to complete the project at the earliest, so that my father and mother can be brought to take the darshan. On behalf of Nalasopara, I request to complete the project at the earliest.

**18) Shri Gajendra Kayekar, Resident – Virar, Tal – Vasai, Dist – Palghar:-**

I request Maharashtra Pollution Control Board to sanction this project at the earliest. There is no word how the Jivdani Devi Trust has helped the needy and poor people donated cooked food & medicines in the days of Corona. Due to this project, local people will get the job opportunities. Hence, the Government should give sanction at the earliest.

**19) Shri Amol Chaudhari, Resident-Virar, Tal-Vasai, Dist – Palghar:-**

I am from Bihar, but staying here since last 19 years. I have become devotee of Jivdani Mata. In the days of lockdown, the Trust has provided cooked food to more than 50-60 thousand. Also the doctors and ambulance are also provided. Needy students have been provided books. Hence, those who want to oppose, may think first the social work of the Trust and then support. We support the project.

Environment Consultant thanked for the support.

**20) Shri L.N.Gosavi, Resident – Nalasopara, Dist – Palghar:-**

It is understood by me that 90% work of Funicular System is completed and only 10% is remained. The Jivdani Devi Trust do implement various social programmed at various villages. The free medication is provided. I am from Khandesh Region and came here in 1973. My whole life is spent at Vasai, Virar and Nallasopara. I was Head Master at Secondary School. I here desires to inform the participants that with blessings of Jivdani Mandir, this project will be completed.

**21) Shri Balkrishna Shttety, Ranga Senior Citizen Sanstha, Virar, Tal-Vasai, Dist – Palghar:-**

We are senior citizens and we have 360 members. It is very difficult to seniors to climb by the stairs. Hence, we are not able to take darshan. Hence, MPCB should sanction the project at the earliest.

**22) Shri Prafulla Sane, Resident – Virar, Tal – Vasai, Dist – Palghar:-**

When I was one year old, my parents came to Virar. I am watching the Mandir since my childhood. Previously, there was very small temple. Afterwards stairs were built. Then the rope way was prepared. Few last years back, the population and devotees has increased tremendously. As per the need of the time, the Trust has given various facilities. The facility of drinking water system is definitely good.

The Trust is carrying various social welfare schemes. The medical help is provided at rural areas by the Trust. This place is developed as pilgrim place. Now the school is started and there are 3,000 students studying in the school. As Mumbai and Thane districts are near, this area should be developed as Tourist Spots. Hence, Rope Way is essential.

Hence, all members of Jivdani Trusts who have attended the meeting are thanked and MPCB is requested to sanction the project.

Project Environment Consultant thanked for supporting the project.

Here Project Environment Consultant informed that in the meeting, all have supported for the project. One objection is received for the technical reason.

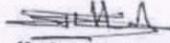
Environment Public Hearing Committee here appealed all to raise any views, suggestions or objections. There was no response in the meeting. At this moment, Convener of the Public Hearing Committee informed that the suggestions, objections raised during the meeting are noted and it will be included in the minutes of the meeting. The writing suggestions, objections, Final Environment Impact Assessment Report and minutes of the meeting will be submitted to an Expert Committee, Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi. An Expert Committee will take further decision accordingly.

Convener, Environment Public Hearing Committee thanked all local people for attending the meeting and raising their views, suggestions, objections, project officials and government officials and on behalf of Chairman of the Public Hearing Committee declared that the meeting is completed.

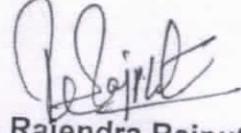
The meeting ended extending thanks to the Chair.

In the meeting 27 suggestions have been received.

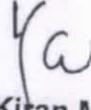
Total 26 suggestions are received for supporting the project. One objection is received for the technical reason. All the letters are enclosed herewith for consideration.



**(Ishwar Thakare)**  
Convener,  
Environment Public Hearing  
Committee  
And  
Sub Regional Officer, Thane-2,  
MPCB, Thane



**(Dr. Rajendra Rajput)**  
Member,  
Environment Public Hearing  
Committee  
And  
Regional Officer, MPCB, Thane



**(Dr. Kiran Mahajan),**  
Chairman,  
Environment Public Hearing Committee  
And  
Additional District Magistrate, Palghar,  
District - Palghar

**MAHARASHTRA POLLUTION CONTROL BOARD**

Phone : 4010437/4020781  
/4037124/4035273  
Fax : 24044532/4024068 /4023516  
Email : rohq@mpcb.gov.in  
Visit At : <http://mpcb.gov.in>



Kalpataru Point, 3rd & 4th floor, Sion- Matunga  
Scheme Road No. 8, Opp. Cine Planet Cinema, Near  
Sion Circle, Sion (E),  
Mumbai - 400022

Infrastructure /Red /LSI

Consent order No: Format1.0/BO/JD (WPC)/UAN-0000083713/CE/CC

Date 08/06/2020

To,

M/s. Shree Jivdani Devi Sansthan

2007000612

Public Registration No. A/397, Shree Jivdani Marg , Village-Virar,  
Tal- Vasai, District-Palghar, Maharashtra-401305

Subject: Consent to Establish for Construction and installation of Passenger Funicular Ropeway System Project in Red category.

Ref : Minutes of Consent Committee meeting held on 20/03/2020  
Your application MPCB-CONSENT- 0000083713 Dated: 27/11/2019

For: Consent to Establish for Construction and installation of Passenger Funicular Ropeway System Project in Red category, under Section 25 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 5 of the Hazardous and Other Wastes (M & TM) 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. The consent is granted for a period up to Commissioning of unit or 5 years whichever is earlier.
2. The capital investment of the project is Rs. 32.50 Crs. (As per undertaking submitted by project proponent)

Consent to Establish is valid for Construction and installation of Passenger Funicular Ropeway System Project named as M/s. Shree Jivdani Devi Sansthan Public Registration No. A/397, Shree Jivdani Marg , Village-Virar, Tal- Vasai, District-Palghar, Maharashtra-401305 having Total plot area of 19,500 Sq.mtrs Sq.mtrs, (having project details: Number of Terminals -2, Carrying capacity 1200 per Direction, Hours of Operation-12 hours, Length of ropeway-400 m, Number of Cabins-4, Travel Time- 3 minute.) including utilities and services as per construction commencement certificate issued by local body.

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

Sr. No.	Description	Permitted quantity of discharge (CMD)	Standards to be achieved	Disposal
1.	Trade effluent	NIL	NA	NA
2.	Domestic effluent	137.00	As per Schedule -I	60% should be reused & recycled and remaining should be discharged in municipal sewer.

4. Conditions under Air (P&CP) Act, 1981 for air emissions:

Sr. No.	Description of stack/ source	Capacity	Number Of Stack	Standards to be achieved
1.	DG Set	500 KVA	1	As Per Schedule -II

5. **Conditions under Solid Waste Management Rules, 2016:**

Sr. no.	Type Of Waste	Quantity & UOM	Treatment	Disposal
1	Wet garbage	1400.00 Kg/Day	OWC	Used as Manure
2	Dry garbage	600.00 Kg/Day	--	Segregate and Hand over to Local Body for recycling

6. Conditions under Hazardous and Other Wastes (M & TM) Rules, 2016 for treatment and disposal of hazardous waste; NIL.
7. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same should be binding on the industry.
8. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.
9. Project Proponent shall comply the Construction and Demolition Waste Management Rules, 2016 which is notified by Ministry of Environment, Forest and Climate Change dtd.29/03/2016.
10. PP shall not take any effective steps prior to obtaining EC and submit BG of Rs. 10 Lakhs towards compliance of the same.
11. Project Proponent shall install online monitoring systems to the O/L of STP for monitoring for BOD, SS and flow at the outlet of STP.
12. The treated domestic effluent shall be 60% recycled for secondary purpose such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening & connected to the sewerage system provided by local body.
13. Project Proponent shall submit an affidavit in Board's prescribed format within 15 days regarding the compliance of conditions of EC/CRZ clearance and C to E.

For and on behalf of the  
Maharashtra Pollution Control Board

(E. Ravendran, IAS)  
Member Secretary

Received Consent fee of -

Sr. No.	Amount (Rs.)	Transaction . No.	Date	Drawn On
1	150000.00	RHMP8261672206	20/12/2019	Online E payment

Copy to:

1. Regional Officer, MPCB, Thane and Sub-Regional Officer, MPCB, Thane-II -- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Mumbai.
3. CC/CAC desk- for record & website updating purposes.

**Schedule-I**

**Terms & conditions for compliance of Water Pollution Control:**

1) A] As per your application, you have proposed to install of Sewage Treatment Plants (STP) with the design capacity of 165.00 CMD

B] The Applicant shall operate the effluent treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

1.	pH	Between	6.5 to 9.0
2.	Total Suspended Solids	Not more than	20 mg/l.
3.	BOD 3 Days 27 degree C	Not more than	10 mg/l.
4.	Chemical oxygen Demand (COD)	Not to more than	50 mg/l.
5.	NH <sub>4</sub> N	Not more than	5 mg/l.
6.	N Total	Not more than	10 mg/l.
7.	Fecal Coliform MPN/100 MI	Less than	100.0

C) The treated domestic effluent shall be 60% recycled for secondary purpose such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening & connected to the sewerage system provided by local body.

D] Project proponent shall operate STP for five years from the date of obtaining occupation certificate.

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 should obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or and extension or addition thereto

- 2) The industry should 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.
- 3) 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.	Domestic purpose	160.00

4) 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.

Schedule-II

Terms & conditions for compliance of Air Pollution Control:

1. As per your application, you have proposed to install the Air pollution control (APC) system and also proposed to erect following stack (s) and to observe the following fuel pattern-

S r. N o.	Stack Attached To	APC System	Heig ht in Mtrs.	Type Of Fuel	Quantity	UOM	S %	SO <sub>2</sub>
1.	DG Set (500 KVA)	Acoustic enclosure	5.00	HSD	80.00	Kg/Hr	-	-

\* Above roof of the building in which it is installed.

2. The applicant should operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards.

Particulate matter	Not to exceed	150 mg/Nm <sup>3</sup>
--------------------	---------------	------------------------

3. The Applicant should obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement alteration well before its life come to an end or erection of new pollution control equipment.

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).

Schedule-III  
Details of Bank Guarantees

Sr. No.	Consent (C to E/O/R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Establish	Rs. 10 lakh	15 Days	Towards Consent to Establish conditions	Up to Commissioning of the project	Five years

*Maharashtra Pollution Control Board*

Schedule-IVGeneral Conditions:

The following general conditions shall apply as per the type of the industry.

1. The applicant shall provide facility for collection of samples of 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.
2. The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and environmental protection Act 1986 and Solid Waste Management Rules, 2016 and E-Waste (Management) Rules, 2016.
3. Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.
4. Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
5. **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. The industry shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 55 dB(A) during day time and 45 dB(A) during the night time. Day time is reckoned between 6 a.m. to 10 p.m and night time is reckoned between 10 p.m to 6 a.m.
  - d. 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.
  - e. Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
  - f. 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.
  - g. D.G. Set shall be operated only in case of power failure.
  - h. The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
    - i. The applicant shall comply with the notification of MOEF dated 17.05.2002 regarding noise limit for generator sets run with diesel.
6. **Solid Waste** – The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rules, 2016 & E-Waste (M) Rules, 2016.
7. Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
8. The treated sewage shall be disinfected using suitable disinfection method.
9. 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 provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
10. **The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.**