

IN THE NATIONAL GREEN TRIBUNAL, NEW DELHI

INDEX

IN

RESPONSE AFFIDAVIT

ON BEHALF OF

UTTARAKHAND POLLUTION CONTROL BOARD

(In response to the order dated 04.12.2023 and 15.01.2024)

in

Original Application No. 463/2022

Vipin Nayyar

Applicant

Versus

State of Uttarakhand & Ors.

Respondents

Sl. No.	Particulars	Page No.
1.	Index	1 - 1
2.	Response Affidavit	2 - 8
3.	Annexure No. 1: Copy of CCA order dated 22.07.2023.	9 - 12
4.	Annexure No. 2: Copy of CCA order dated 13.02.2024.	13 - 16
5.	Annexure No. 3: Copy of letter dated 26.12.2023.	17 - 17
6.	Annexure No. 4: Copy of letter dated 31.01.2024 along with inspection report.	18 - 20

Dated: March, 2024

Advocate
(Counsel for the UKPCB)

IN THE NATIONAL GREEN TRIBUNAL, NEW DELHI

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Respondents



AFFIDAVIT of Dr. Raj Kumar Chaturvedi, aged about 51 years, S/o Shri Ramswaroop Chaturvedi Presently posted as Regional Officer, Uttarakhand Pollution Control Board, Regional Office, Dehradun.

R.K.
Deponent

I, the above-named deponent does hereby solemnly affirm and state on oath as under: -

- 1) That the deponent is presently posted as the Regional Officer, Uttarakhand Pollution Control Board, Regional Office, Dehradun

R.K.

and is duly authorized by the competent authority to sign and swear the instant affidavit.

- 2) That the Hon'ble National Green Tribunal vide order dated 04.12.2023 was *inter-alia* pleased to direct Uttarakhand Pollution Control Board as under: -

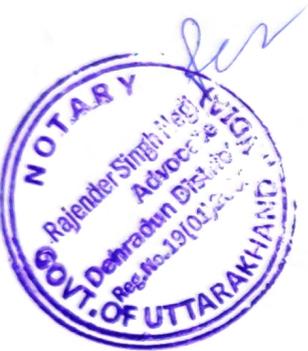
"...2. We have gone through the reply and we find that respondent no. 4 has not adverted to the environmental question raised in the application by the original applicant and even the status of the applications for consent submitted by the respondents no. 6 and 7 to UKPCB has not been mentioned. It may also be added here that despite expiry of more than 9 month subsequent to the filing of above said reply, no further reply/response has been filed by the respondent no. 4 to inform this Tribunal about the current status of the above said consent applications.

3. Additional reply with reference to the averments made in the applications and observations made in the report of the Joint Committee and current status of the consent applications be filed by UKPCB within two months through E-filing portal (not through E-mail) in the form of searchable PDF/OCR Support PDF (not in the form of Image PDF).

..."

- 3) That in compliance of the aforementioned direction, inspection of M/S Ganga Forest View, Veerbhadra Road, Rishikesh and M/S Hide Out Café, Barrage Colony, Koyal Ghati, Ganga Vihar

Rik



Colony, Rishikesh were carried out by officials of Regional Office, Dehradun on 05.01.2024. Unit wise observations are as follows:

A. Hide Out Café, Ganga Vihar Colony, Rishikesh:

- i. Café is having 45 seating capacity.
- ii. Wastewater generated from café is being disposed through sewer line.
- iii. The unit has obtained Consolidated Consent & Authorization from the Board with validity up to 31.03.2027. Copy of CCA order is being marked and filed as **Annexure No. 1** to this affidavit.



B. M/S Ganga Forest View, Veerbhadra Road, Rishikesh:

- i. Hotel is having 11 rooms and 1 restaurant.
- ii. Wastewater generated form hotel is being disposed through septic tank/soak pit. No wastewater is discharge outside the premise.
- iii. The occupier of hotel has submitted environment compensation of Rs. 43,500 to this office.
- iv. The unit has obtained Consolidated Consent & Authorization (CCA) from the Board with validity up to 30.09.2024. Copy of CCA order dated 13.02.2024 is being marked and filed as **Annexure No.2** to this affidavit.

File

Copies of letters dated 26.12.2023 & 31.01.2024 along with inspection reports are being marked and filed as **Annexure No. 3 & 4**, respectively, to this affidavit.

- 4) That further, the Hon'ble Tribunal vide order dated 04.12.2023 was *inter-alia* pleased to direct as under: -

“

4. Replies to and I.A No. 46/2023 & I.A. No. 47/2023 have not filed by respondents no. 3 and 5 and respondent no. 4.

7. Replies to I.A Nos. 46/2023 and 47/2023 be also filed by respondents no. 3 and 5 and respondent no. 4 within one month through E-filing portal (not through E-mail) in the form of searchable PDF/OCR Support PDF (not in the form of Image PDF).

.....”

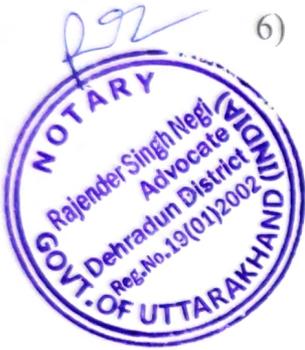
- 5) That in compliance to the above directions, reply to the I.A. No. 46 of 2023 is being filed by means of this instant response affidavit:

- i. That the contents of the paragraph no. 1 and 2 of the said I.A. are matter of record.
- ii. That the contents of the paragraph no. 3 to 5 of the said I.A. are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied.

Rik



- iii. That the contents of the paragraph no. 6 of the said I.A. do not pertain to the answering respondent and hence do not call for any reply from the answering respondent.
- iv. That the contents of the paragraph no. 7 of the said I.A. is not admitted and hence denied.
- v. That the contents of the paragraph no. 8 of the said I.A. do not pertain to the answering respondent and hence do not call for any reply from the answering respondent.

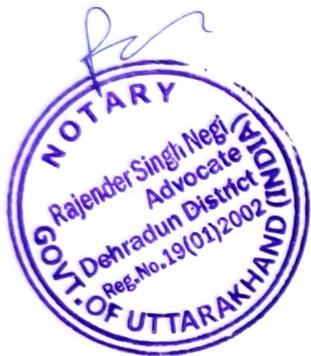


6) Further, in compliance to the above directions passed by the Hon'ble Tribunal, reply to the I.A. No. 47 of 2023 is being filed by means of this instant response affidavit:

- i. That the contents of the paragraph no. 1 and 2 of the said I.A. are matter of record.
- ii. That the contents of the paragraph no. 3 to 5 of the said I.A. are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied.
- iii. That the contents of the paragraph no. 6 of the said I.A. are matter of record.
- iv. That the contents of the paragraph no. 7 of the said I.A. are wrong, false and denied. Any insinuation directed against the answering respondent is vehemently denied.

RIS

- v. That the contents of the paragraph no. 8 of the said I.A. are denied. The applicant has failed to present the grounds on which the G.O. should be declared as invalid.
- vi. That the contents of the paragraph no. 9 of the said I.A. are denied. The Interlocutory Application may change/alter the nature of the case and at this stage, allowing the said I.A. is not tenable in the eyes of law. Hence, the said I.A. deserves to be dismissed.
- vii. That the contents of the paragraph no. 10 of the said I.A. is not admitted and hence denied.
- viii. That the contents of the paragraph no. 11 of the said I.A. are denied. It is reiterated that the I.A. may change/alter the nature of the case and at this stage, allowing the said I.A. is not tenable in the eyes of law. Hence, the said I.A. deserves to be dismissed.



- 7) The deponent is a responsible Government servant having the highest regards for the Hon'ble Tribunal and orders passed by them. The deponent has always made his sincerest efforts to carry out the orders passed by this Hon'ble Tribunal in its letter and spirit and shall continue to do so in the future.

Rik
Deponent

Verification: -

I, the deponent above named do hereby solemnly affirm and verify that the contents of the above response affidavit are true to my

Rik

knowledge. No part of it is false and nothing material has been concealed there from. The legal submissions are further true as per legal advice received and believed to be true and correct. So help me God.

Verified at..... on 15 of March, 2024.

PK
Deponent

Solemnly affirmed before me on this day of March, 2024 at Dehradun at about AM/PM by the deponent who has been identified by the aforesaid person.

I have satisfied myself by examining the deponent who understood the contents of this affidavit.

The person has signed in my presence on the affidavit.

This affidavit is sworn before me by
Shri.....
who is identified by Shri.....
at Dehradun on.....

PK
(Rajender Singh Negi)
Advocate & Notary, Dehradun



PK



Regional Office
Uttarakhand Pollution Control Board
E-115, Nehru Colony, Dehra Dun
E-mail : roueppcb@gmail.com,
Phone No.-0135-3593200

UKPCB/ROD/DDN./Con-1935

/2023-24/ 1474 - 654

Date: 22/07/23
REGD. POST

To,

M/s Café hide out Restaurant
232/4, Bairaj Road, Koyal Ghati
Ganga Vihar colony, Rishikesah
Distt. Dehradun

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Renewal) under Section-25 of the "Water (Prevention & Control of Pollution) Act, 1974" and under Section-21 of the "Air (Prevention & Control of Pollution) Act, 1981" and Authorization under "Rule-6(2) of the "Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016" notified under "Environment (Protection) Act, 1986" as applicable (to be referred hereinafter as Water Act, Air Act and HW Rules respectively).

Application No. 4052625

Dated : 17.05.2023

CCA is hereby granted to M/s Café hide out Restaurant at located 232/4, Bairaj Road, Koyal Ghati, Ganga Vihar colony, Rishikesah, Distt. Dehradun subject to the provisions of the Water Act, Air Act and the orders that may be made further and subject to following terms and conditions :-

1. This CCA is granted up to 30.09.2027 and valid for manufacturing of following products with Capital Investment / Net Assets Values 335.0 Lakhs:-

S. No.	Last CCA		Present CCA (Renewal)	
	Operation of		Operation of	
1	Restaurant having siting capacity	45 Nos.	Restaurant having siting capacity	45 Nos.

2. Specific Conditions under Water Act:

- (i) The daily quantity of effluent discharge (KLD) :-

	Last CCA	Present CCA (Renewal)
Trade Effluent	Nil	Nil
Sewage	0.2 KLD	0.2 KLD

- (ii) Trade Effluent Treatment and Disposal : Nil..

- (iii) Sewage Treatment and Disposal: The applicant shall provide comprehensive treatment through Sewer Line of domestic waste water as per norms and ensure disposal.

- (iv) The treated effluent shall be recycled to the maximum extent to achieve Zero Discharge and remaining treated effluent shall be sent to CETP/reuse in gardening/Land disposal and the same has to be maintained continuously so as to achieve the quality of the treated effluent to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

1	pH	Between	5.5 to 9.0
2	Suspended solids	Not to exceed	100mg/l
3	BOD (3 days 27°C)	Not to exceed	30 mg/l
4	COD	Not to exceed	250 mg/l
5	Oil & Grease	Not to exceed	10 mg/l

3. Conditions under Air Act :-

- (i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as is required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards.

S. No	Stack attached with	Stack height (Mt)	Type of Fuel	Fuel Quantity KLD/ MTD	Emission Control Equipment	Emission standards not to exceed
1.	D.G. Set (15 KVA)	1.0	Diesel	-	Stack	-

*In of stoppage of functioning of air pollution control equipment, production has to be **stopped immediately** and this **Board** has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.*

- (ii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day time	Night time	Day time	Night time	Day time	Night time	Day time	Night time
	75	70	65	55	55	45	50	40

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

4. Conditions under HW Rules :-

- (i) Number of authorization and date of issue : -----
- (ii) The **Factory Manager** of **M/s Café hide out Restaurant** is hereby granted an authorization to operate a facility for collection and storage of Hazardous wastes.
- (iii) The authorization is granted to operate a facility for generation, collection and storage of hazardous wastes within factory premises for following category of wastes.

S.No.	Category (Schedule-I & Schedule-II)	Quantity of Waste for which authorization is being issued (MTA)	Mode of Disposal
1	Schedule I - 5.1	1.00 MT	Store in MS Drum, Recyclable

- (iv) The authorization shall be in force for **30.09.2027**.
- (v) The authorization is subject to the conditions stated below and the such conditions as may be specified in the rules for the time being in force under Environment (Protection) Act, 1986.

Terms and conditions of authorization:

- (i) The authorization shall comply with the provisions of the **Environment (Protection) Act, 1986**, and the rules made thereunder.
- (ii) The authorization and its renewal shall be produced for inspection at the request of an officer authorized by the SPCB/PCC.
- (iii) The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous wastes without obtaining prior permission of the SPCB/PCC.
- (iv) Any unauthorized changes in personnel, equipment as working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorization.
- (v) It is the duty of the authorized person to take prior permission of the SPCB/PCC to close down the facility.
- (vi) An application for the renewal of an authorization shall be made as laid down under these rules.
- (vii) The unit shall comply with any other conditions specified in the guidelines issued by the MoEF or CPCB/SPCB from time to time.
5. This CCA is valid for **Operation of Restaurant only**.

6. **Compulsory documents to be submitted by the Industry/Unit :-**
- Annual return in **Form-4** and **Waste Disposal Manifest** in **Form-10** under **HW Rules** and **Third Party Audit Report**.
 - Environment Statement in **Form-V** of **Environment (Protection) Rules, 1986**.
 - Quarterly **compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area**.
7. Unit has to apply for renewal of CCA well in advance of 60 days of expiry of this CCA.
8. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.
9. Unit has to comply with the other general conditions as annexed herewith. Non compliance of any provision of this CCA and provisions of the **Water Act, Air Act** and **HW Rules** will result in legal action under the aforesaid **Acts and Rules**.

Rik
Regional Officer (I/c)

Copy to: **Member Secretary, Uttarakhand Pollution Control Board, Dehradun** for kind information please.

Rik
Regional Officer (I/c)
Annexure

Specific Conditions:

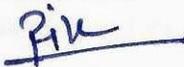
- The applicant shall submit audited balance sheet of the unit at the end of each financial year so that fee submitted by the applicant could be assessed.
- A solid waste generated from the hotel has to be disposed in manner so that contamination of surface water bodies/ground water/soil etc. does not take place.
- The hotel shall take adequate measures to control of noise from its own source so as to comply with the standards as may be applicable.
- The hotel shall develop green belt within the premises.
- Hotel will ensure that its kitchen waste/agro waste (biodegradable waste) will be disposed through composting.**
- The hotel shall strictly adhere with the specific and general conditions issued with CCA order. Any violation of stipulated conditions may attract legal action under the provisions of **Water Act, Air Act** and **Environment (Protection) Act** and **Rules** made thereunder.
- The hotel shall ensure **all safety measures** and shall undertake **periodical assessment** by the competent authority.
- Hotel shall not carryout processes which are restricted in Doon Valley.**
- This consent is valid for Operation of Restaurent having setting capacity 45 Nos. only. If any change in hotel unit, must be obtained CTE/COP as per rule.**
- The solid waste shall be disposed as per Solid Waste Management Rule-2016.**
- The waste water generated from the hotel should be treated and disposed as per norms applicable.**
- The time to time direction issued by Hon'ble Court, MoEF CC, State Government, CPCB, SPCB will be applicable on the hotel.**
- Land use of the hotel should be proper and valid as per the activity. In case any time if it is found that the hotel is not having the valid documents this consent may be revoked.**
- In case of any complaint received against hotel and found correct, this CCA order may be revoked.**

General Conditions:

- The applicant shall get analyse the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoE&F and shall report to the UEPPCB.
- The applicant shall however, not without the prior consent of the **Board** bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
- Treated waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
- The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If, at any point of time, it is found that the industry is not

complying with stipulated conditions or any further direction/instruction issued by the **Board**, legal action shall be initiated against the applicant.

5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof.
6. The industry shall provide uninterrupted entry to the STP's/ETP's inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control measures.
7. The industry shall provide "Inspection Book" at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point.
12. The **Board** reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.
13. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous waste without obtaining prior permission of the **Board**.
14. Any unauthorized change in personnel, equipment as working condition as mentioned in the application by the person authorized shall constitute a breach of his authorization.
15. It is the duty of the authorized person to take prior permission of the **Board** to close down the facility.
16. The authorization is valid for temporary storage of Hazardous Waste within premises only.
17. The authorized agency shall ensure that on-line data with regard to quantity and nature of hazardous chemicals being used in the plant as well as air emission and waste generated within premises is displayed on **Display Board of size 6x4 feet** out side the main factory gate within premises.
18. It is duty of the authorized person to take prior permission of this Board to close and cleanup the facility for treatment, storage and disposal of hazardous waste.
19. The applicant shall maintain record of hazardous waste in **Form-3** and shall submit annual return in **Form-4** on or before the 30th day of June following to the financial year to which that return relates.
20. In case of any accident, complete details in the light of **Form-14** of the Hazardous Rules shall be submitted to this Board at the earliest.
21. In no case any hazardous waste shall be disposed off on land, in any drain, or into any water stream. All spillage must also be safely collected and stored.
22. Before the hazardous waste is stored or dumped in the facility, applicant must conduct a detailed **physical and chemical analysis of hazardous waste sample** and report to the **Board**.
23. Dried hazardous sludge from the process in the plant shall be **stored in double lined HDPE pit constructed with R.C.C. or such material which does not react with the waste contained in it.**
24. The storage area should be fenced properly and Sign/Notice Board indicating 'Danger' and 'Hazardous' shall be displayed at appropriate position both in Hindi and English.
25. The industry shall store non-ferrous metal waste, used oil/spent oil waste in sealed drums placed on impervious floor under covered shed. Hazardous waste if required shall be **sold only to Registered Recyclers/Re-processors.**
26. In case of any transportation of hazardous waste, the details in **Form-10** of the **Hazardous Rules** shall be submitted to the **Board**.


Regional Officer (I/c)



Regional Office
Uttarakhand Pollution Control Board
E-115, Nehru Colony, Dehra Dun
E-mail : roueppcb@gmail.com,
Phone No. 0135-3593200

UKPCB/ROD/ Con/DDN.-2080 /2023-24/ 4727 - 1911

Date: 13/02/24
REGD. POST

To,

M/s Hotel Ganga Forest View
Virbhadra Marg, Rishikesh
Distt. Dehradun.

Consolidated Consent to Operate and Authorization hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the "Water (Prevention & Control of Pollution) Act, 1974" and under Section-21 of the "Air (Prevention & Control of Pollution) Act, 1981" and Authorization under "Rule-6(2) of the "Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016" notified under "Environment (Protection) Act, 1986" as applicable (to be referred hereinafter as Water Act, Air Act and HW Rules respectively).

Application No 3281035

Date 05.12.2022

CCA is hereby granted to M/s Hotel Ganga Forest View at located Virbhadra Marg, Rishikesh Distt. Dehradun subject to the provisions of the Water Act, Air Act and the orders that may be made further and subject to following terms and conditions: -

1. This CCA is granted up to 30.09.2024 and valid for manufacturing of following products with Capital Investment / Net Assets Values 82.0 Lakhs:-

S. No.	Last CTE		Present CCA (Fresh)	
	Operation of		Operation of	
1			Hotel Rooms	11 Nos.
2			Restaurant	01 No.

2. Specific Conditions under Water Act:

- (i) The daily quantity of effluent discharge (KLD) :-

	Last CTE	Present CCA (Fresh)
Trade Effluent	-	Nil
Sewage	-	3.8 KLD

- (ii) Trade Effluent Treatment and Disposal : NIL.

- (iii) Sewage Treatment and Disposal: The applicant shall provide septic tank and soak pit for comprehensive treatment and disposal of domestic waste water as per norms.

3. Conditions under Air Act :-

- (i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as is required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards :

S. No	Stack attached with	Stack height (Mt)	Type of Fuel	Fuel Quantity KLD/MT D	Emission Control Equipment	Emission standards not to exceed

In case of stoppage of functioning of air pollution control equipment, production has to be **stopped immediately** and this **Board** has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

- (ii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day time	Night time	Day time	Night time	Day time	Night time	Day time	Night time
	75	70	65	55	55	45	50	40

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

4. Conditions under HW Rules :-

- (i) Number of authorization and date of issue : -----
 (ii) The **Factory Manager** of ----- is hereby granted an authorization to operate a facility for collection and storage of Hazardous wastes.
 (iii) The authorization is granted to operate a facility for generation, collection and storage of hazardous wastes within factory premises for following category of wastes.

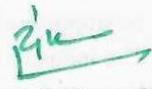
S.No.	Category (Schedule-I & Schedule-II)	Quantity of Waste for which authorization is being issued (MTA)	Mode of Disposal
	NIL	NIL	NIL

- (iv) The authorization shall be in force for
 (v) The authorization is subject to the conditions stated below and the such conditions as may be specified in the rules for the time being in force under Environment (Protection) Act, 1986.

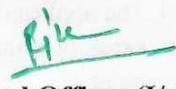
Terms and conditions of authorization:

- (i) The authorization shall comply with the provisions of the **Environment (Protection) Act, 1986**, and the rules made thereunder.
 (ii) The authorization and its renewal shall be produced for inspection at the request of an officer authorized by the SPCB/PCC.
 (iii) The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous wastes without obtaining prior permission of the SPCB/PCC.
 (iv) Any unauthorized changes in personnel, equipment as working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorization.
 (v) It is the duty of the authorized person to take prior permission of the SPCB/PCC to close down the facility.
 (vi) An application for the renewal of an authorization shall be made as laid down under these rules.
 (vii) The unit shall comply with any other conditions specified in the guidelines issued by the MoEF or CPCB/SPCB from time to time.
5. This CCA is valid for **Operation of Hotel & Restaurant only**.
6. **Compulsory documents to be submitted by the Industry/Unit :-**
 (i) Annual return in **Form-4** and **Waste Disposal Manifest** in **Form-10** under **HW Rules** and **Third Party Audit Report**.
 (ii) Environment Statement in **Form-V** of **Environment (Protection) Rules, 1986**.
 (iii) Quarterly **compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area**.
7. Unit has to apply for renewal of CCA well in advance of 60 days of expiry of this CCA.
 8. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.

9. Unit has to comply with the other general conditions as annexed herewith. Non compliance of any provision of this CCA and provisions of the **Water Act, Air Act and HW Rules** will results in legal action under the aforesaid **Acts and Rules**.


Regional Officer (I/c)

Copy to: **Member Secretary, Uttarakhand Pollution Control Board, Dehradun** for kind information please.


Regional Officer (I/c)
Annexure

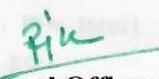
Specific Conditions:

1. The applicant shall submit audited balance sheet of the unit at the end of each financial year so that fee submitted by the applicant could be assessed.
2. A solid waste generated from the hotel has to be disposed in manner so that contamination of surface water bodies/ground water/soil etc. does not take place.
3. The hotel shall take adequate measures to control of noise from its own source so as to comply with the standards as may be applicable.
4. The hotel shall develop green belt within the premises.
5. **Hotel will ensure that its kitchen waste/agro waste (biodegradable waste) will be disposed through composting.**
6. The hotel shall strictly adhere with the specific and general conditions issued with CCA order. Any violation of stipulated conditions may attract legal action under the provisions of **Water Act, Air Act and Environment (Protection) Act and Rules** made thereunder.
7. The hotel shall ensure **all safety measures** and shall undertake **periodical assessment** by the competent authority.
8. **This consent is valid for Operation of 11 Nos. Hotel Rooms and 01 No. Restaurant only. If any change in hotel unit, must be obtained CTE/CTO as per rule.**
9. **The solid waste shall be disposed as per Solid Waste Management Rule-2016.**
10. **The waste water generated from the hotel should be treated and disposed as per norms applicable.**
11. **The time to time direction issued by Hon'ble Court, MoEF CC, State Government, CPCB, SPCB will be applicable on the hotel.**
12. **Land use of the hotel should be proper and valid as per the activity. In case any time if it is found that the hotel is not having the valid documents this consent may be revoked.**
13. **In case of any complaint received against hotel and found correct, this CCA order may be revoked.**
14. **This CCA shall be issued under the final decision of Hon'ble NGT in matter O.A. No. 463/2022.**

General Conditions:

1. The applicant shall get analyse the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoE&F and shall report to the UEPPCB.
2. The applicant shall however, not without the prior consent of the **Board** bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If, at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the **Board**, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof.
6. The industry shall provide uninterrupted entry to the STP's/ETP's inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control measures.
7. The industry shall provide "Inspection Book" at the time of inspection to the Board's officials.

8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point.
12. The **Board** reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.
13. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous waste without obtaining prior permission of the **Board**.
14. Any unauthorized change in personnel, equipment as working condition as mentioned in the application by the person authorized shall constitute a breach of his authorization.
15. details in the light of **Form-14** of the Hazardous Rules shall be submitted to this Board at the earliest.
16. In no case any hazardous waste shall be disposed off on land, in any drain, or into any water stream. All spillage must also be safely collected and stored.
17. Before the hazardous waste is stored or dumped in the facility, applicant must conduct a detailed **physical and chemical analysis of hazardous waste sample** and report to the **Board**.


Regional Officer (I/c)



क्षेत्रीय कार्यालय
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
ई-115, नेहरू कॉलोनी, देहरादून-248001
टेलीफोन नं.-0135-3593200.

पत्रांक स0-यूकेपीसीबी/आरओडी/NGT-55/2023-24/4236-1656

दिनांक: 26/12/23

सेवा में,

सदस्य सचिव महोदय,
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड,
"गौरा देवी पर्यावरण भवन"
46बी, आई.टी. पार्क, सहस्त्रधारा रोड,
देहरादून।

Uttarakhand Pollution Control Board
Diary No. 6931
Date 27/12/2023

विषय-मा0 एन0जी0टी0, नई दिल्ली में योजित मूल आवेदन संख्या-463/2022 (I.A No.-46/2023 & I.A. No.47/2023) Vipin Nayyar V.s Union of India & Ors के सम्बंध में।

महोदय,

कृपया उपरोक्त बोर्ड मुख्यालय के पत्रांक यूकेपीसीबी/एच.ओ./सा.-183-576/2023/1146, दिनांक 22.12.2023 के क्रम में मा0 एन0जी0टी0 द्वारा प्रकरण में आच्छादित होटल/रिसोर्ट की अद्यतन स्थिति एवं प्रकरण में I.A No.-46/2023 & I.A. No.47/2023 में reply/response दाखिल किये जाने हेतु प्रकरण से सम्बंधित होटल/रिसोर्ट के सहमति की अद्यतन स्थिति एवं I.A. में Parawise Narrative इस कार्यालय से उपलब्ध कराने हेतु निर्देशित किया गया है।

तत्कम में अवगत कराना है कि मूल आवेदन संख्या संख्या 463/2022 मै0 कैफै हाइड आउट रेस्टारेंट, 232/4, बैराज रोड, कोयल घाटी, गंगा विहार कालोनी, ऋषिकेश, देहरादून तथा मै0 होटल गंगा फॉरेस्ट व्यू, वीरभद्र मार्ग, ऋषिकेश, देहरादून के सम्बंध में हैं।

1. मै0 कैफै हाइड आउट रेस्टारेंट, 232/4, बैराज रोड, कोयल घाटी, गंगा विहार कालोनी, ऋषिकेश, देहरादून को दिनांक 30.09.2027 तक सहमति प्राप्त है। (छायाप्रति संलग्न)
2. मै0 होटल गंगा फॉरेस्ट व्यू, वीरभद्र मार्ग, ऋषिकेश, देहरादून पर बोर्ड मुख्यालय के पत्रांक यूकेपीसीबी/एच.ओ./सहमति जी-230/2023/1598 दिनांक 03.02.2023 के द्वारा रू. -43,500/-की पर्यावरणीय क्षतिपूर्ति आरोपित की गयी थी। होटल द्वारा उपरोक्त क्षतिपूर्ति राशि बोर्ड मुख्यालय में दिनांक 20.03.2023 को जमा करने की सूचना दी गयी है (छायाप्रति संलग्न) तथा होटल द्वारा जल-वायु सहमति हेतु एप्लीकेशन आई.डी. 3281035 द्वारा आवेदन किया गया था, (छायाप्रति संलग्न) जिसे इस कार्यालय द्वारा दिनांक 21.12.2022 को प्रपत्रों हेतु वापिस कर दिया गया था, जिसे होटल द्वारा वर्तमान तक जमा नहीं किया गया है।
3. प्रकरण से सम्बंधित I A 46 & 47 में दिये गये बिन्दु शासन स्तर से सम्बंधित है।

सूचनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित है।

संलग्नक-उपरोक्तानुसार।

भवदीय,

File

(डॉ आर.के. चतुर्वेदी)
क्षेत्रीय अधिकारी(प्र0)

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दू. एन.जी.टी.
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LIFE
Lifestyle For
Environment



क्षेत्रीय कार्यालय
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
ई-115, नेहरू कॉलोनी, देहरादून-248001
टेलीफोन नं.-0135-3593200

पत्रांक सं०-यूकेपीसीबी/आरओडी/NGT-55 /2023-24/4653 - 1882

दिनांक: 31/01/24

सेवा में,

सदस्य सचिव महोदय,
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड,
"गौरा देवी पर्यावरण भवन"
46बी, आई.टी. पार्क, सहस्रधारा रोड,
देहरादून।

Uttarakhand Pollution Control Board
Diary No. 7929
Date 01/2/24

विषय-मा० एन०जी०टी०, नई दिल्ली में योजित मूल आवेदन संख्या-463/2022 (I.A No.-46/2023 & I.A. No.47/2023) Vipin Nayyar V.s Union of India & Ors तथा मै० होटल गंगा फॉरेस्ट व्यू, वीरभद्र मार्ग, ऋषिकेश, के सम्बन्ध में।

महोदय,

कृपया उपरोक्त बोर्ड मुख्यालय के पत्रांक यूकेपीसीबी/एच.ओ./सा.-183-576/2023/1146, दिनांक 22.12.2023 के कम में मा० एन०जी०टी० में प्रकरण में I.A No.-46/2023 & I.A. No.47/2023 में reply/response दाखिल किये जाने हेतु प्रकरण से सम्बंधित होटल/रिसोर्ट के सहमति की अद्यतन स्थिति इस कार्यालय से उपलब्ध कराने हेतु निर्देशित किया गया था। तत्कम में इस कार्यालय द्वारा पत्रांक संख्या-यूकेपीसीबी/आरओडी/NGT-55 /2023-24/4236-1656 दिनांक 26.12.2023 द्वारा प्रतिउत्तर प्रेषित किया गया था। प्रकरण पर जिलाधिकारी महोदय द्वारा दिनांक 04.01.2024 में एक समिति का गठन किया गया। समिति द्वारा दिनांक 05.01.2024 को होटल का निरीक्षण किया गया था। (आख्या संलग्न)। निरीक्षण आख्यानुसार-

1. उक्त होटल में 11 कमरें, 01 स्टोर रूम तथा एक किचन है।
2. घरेलू उत्प्रेषण का निस्तारण सैप्टिक टैंक/सोकपिट के माध्यम से किया जा रहा है। बाहर कोई निस्तारण होता नहीं पाया गया।
3. पूर्व में उक्त होटल पर बोर्ड द्वारा पर्यावरणीय क्षतिपूर्ति रु.-43,500/-आरोपित की गयी थी, जिसको होटल स्वामी द्वारा बोर्ड में जमा करा दिया गया है।
4. होटल को प्रोविजनल जल/वायु सहमति निर्गत कर दी गयी है।

अतः होटल को निर्गत कारण बताओ निर्देशों को वापिस लिये जाने की संस्तुति सहित आख्या सादर प्रेषित।

संलग्नक-उपरोक्तानुसार।

भवदीय,

Signature

(डॉ आर.के. चतुर्वेदी)
क्षेत्रीय अधिकारी(प्र०)

Compliance monitoring cell
21/1/24
07/02

कार्यालय उपजिलाधिकारी, ऋषिकेश, जिला-देहरादून के पत्रांक संख्या 07/एस0पी0ए0-विविध पत्रा0 2024, दिनांक 04 जनवरी 2024 के अनुक्रम में मा0 राष्ट्रीय हरित अधिकरण में योजित मूल आवेदन संख्या 463/2022 विपिन नैथ्यर बनाम भारत व अन्य में दिनांक 04.12.2023 को परित आवेश के सम्बंध में संयुक्त निरीक्षण दिनांक 05.01.2024 को किया गया, निरीक्षण के समय निम्न बिन्दु प्रकाश में आये:-

- मै0 गंगा फॉरेस्ट व्यू, 86/86-1, स्टर्डिया कॉलोनी, गली नं.-04, वीरमद्र रोड ऋषिकेश, देहरादून।
 1. उक्त होटल में 11 कमरें, 01 स्टोर रूम तथा एक किचन है।
 2. घरेलू उत्प्रावह का निस्तारण सैप्टिक टैंक/सोकपिट के माध्यम से किया जा रहा है। बाहर कोई निस्तारण होता नहीं पाया गया।
 3. होटल द्वारा जल-वायु अधिनियम के अन्तर्गत बोर्ड से सहमति प्राप्त करने हेतु आवेदन किया गया था, जिसे वांछित दस्तावेजों हेतु वापस कर दिया गया था, अतिथि तक पुनः आवेदन जमा नहीं किया गया है।
 4. पूर्व में उक्त होटल पर बोर्ड द्वारा पर्यावरणीय क्षतिपूर्ति रू.-43,500/-आरोपित की गयी थी, जिसको होटल स्वामी द्वारा बोर्ड में जमा करा दिया गया है।
- मै0 हाइड आउट कैफे, 232/4, बैराज रोड, कोयल घाटी, गंगा विहार कालोनी, ऋषिकेश, देहरादून।
 1. उक्त कैफे 45 सीट क्षमता का (सीटिंग कैपेसिटी) रेस्टोरेंट है।
 2. घरेलू उत्प्रावह का निस्तारण सीवर लाईन के माध्यम से किया जा रहा है।
 3. कैफे को दिनांक 30.09.2027 तक बोर्ड से सहमति प्राप्त है।
 4. कैफे में 15 के.वी.ए. का डी.जी.सेट स्थापित है।

अतः आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत ।

(संजय डिमरी)
सहा0वैज्ञा0अधि0

क्षेत्रीय अधिकारी(प्र0)

Pvc

नेना में,

जिलाधिकारी
देहरादून।

संख्या- 8/एस0पी0ए0- एन0जी0टी0 पत्रा0-2024 दिनांक 11 जनवरी 2024
विषय- मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित मूल आवेदन
संख्या-463/2022 विपिन नैय्यर बनाम भारत संघ व अन्य में
दिनांक 04.12.2023 को पारित आदेश के सम्बन्ध में।

महोदय,

कृपया उपरोक्त अपने कार्यालय पत्र संख्या 468/एल0बी0सी0-2023 दिनांक 16 दिसम्बर 2023 का सन्दर्भ ग्रहण करने का कष्ट करे। जिसके द्वारा श्री राहुल वर्मा, अपर महा अधिवक्ता, मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली के ई-मेल पत्र दिनांक 08.12.2023 के साथ संलग्न मा0 मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित मूल आवेदन संख्या-463/2022 विपिन नैय्यर बनाम भारत संघ व अन्य में दिनांक 04.12.2023 को पारित आदेश का सन्दर्भ ग्रहण करते हुये अनुपालन आख्या/रिपोर्ट/रपोट उपलब्ध कराने के निर्देश दिए गये थे।

मा0 राष्ट्रीय हरित अधिकरण के उपरोक्त आदेश के क्रम में वादी विपिन नैय्यर द्वारा अधिकरण में दाखिल I.A Nos 46/2023 एवं 47/2023 के क्रम में आख्या निम्नवत् है-

1- I.A Nos 46/2023 सिविल प्रक्रिया संहिता के ORDER 01 RULE 10(2) R/W SECTION 151 से सम्बन्धित है। जिसमें वादी सचिव शहरी विकास, उत्तराखण्ड सरकार को प्रतिवादी संख्या-08 के तौर पर पक्षकार बनाना चाहता है। जिस सम्बन्ध में अद्योहस्ताक्षरियों के स्तर से टिप्पणी किए जाने की आवश्यकता नहीं है।

2- I.A Nos 47/2023 सिविल प्रक्रिया संहिता के ORDER 06 RULE 17 R/W SECTION 151 से सम्बन्धित है। जिसमें वादी द्वारा अभिवचनों में संशोधन के क्रम में उत्तराखण्ड शासन के शासनादेश संख्या 1743/V-2/58 (आ0) 14/2016 Dated 14-12-2016 एवं 1995/V-2-2017-58 (आ0) /2014 Dated 29.11.2017 को चुनौती दी है।

महोदय उक्त दोनों शासनादेशों के सम्बन्ध में टिप्पणी किए जाने की अद्योहस्ताक्षरियों के स्तर से आवश्यकता नहीं है। मा0 राष्ट्रीय हरित अधिकरण में प्रतिवादी संख्या-03 की ओर से प्रत्युत्तर प्रेषित किए जाने से पूर्व जिला शासकीय अधिवक्ता से विधिक राय लिया जाना भी उचित होगा।

Rik

क्षेत्रीय अधिकारी (प्र0)
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
देहरादून।

(LH)

नगर आयुक्त
नगर निगम ऋषिकेश।

उप जिलाधिकारी,
ऋषिकेश।
उप जिलाधिकारी
ऋषिकेश।