

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Appeal No. 07/2025

IN THE MATTER OF:

M/s. Hotel Minerva

Applicant

Versus

Uttarakhand Pollution Control Board

Respondent

Sl. No.	Particulars	Pg. No.
	Response Affidavit	2-14
	<u>Annexure No. R/1</u> Copy Show Cause Notice dated 09.05.2023	15-19
	<u>Annexure No. R/2</u> Copy of minutes of meeting dated 15.10.2024 along with the chart of reassessment of environmental compensation against hotels.	20-25



Dated: April, 2025



Advocate
(Counsel for Respondent)

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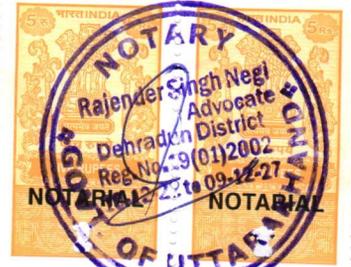
Response Affidavit of Dr. Parag Madhukar Dhakate, aged about 47 years
S/o Shr. M.B Dhakate presently posted as Member Secretary, Uttarakhand
Pollution Control Board, Uttarakhand.

Deponent

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

A. That the deponent is presently posted as the Member Secretary, Uttarakhand Pollution Control Borad and is competent to sign and file the instant affidavit on behalf of respondent and as such he is well acquainted with the facts and circumstances of the case.

B. That the deponent has gone through the contents of the above-noted Appeal (hereinafter referred to as 'the said appeal') along with the annexures and affidavit filed by the appellant and has fully understood the contents thereof and is in a position to reply to the same.

Applicant



- C. That before giving para-wise reply it is necessary to bring certain facts before this Hon'ble Tribunal.

BRIEF FACTS

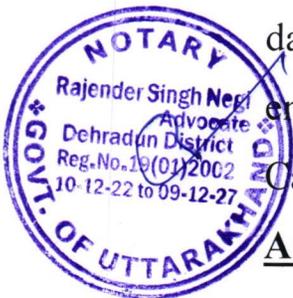
- D. That this Hon'ble Tribunal vide order dated 26.07.2023 passed in Original Application No. 353/2022, Kartik Sharma vs. State of Uttarakhand was pleased to direct the respondent as under: -

“

3. The State PCB has not taken action against units/hotels which are in operation without any consent and further State PCB has not taken any steps against the past violation.

4. Accordingly, we direct the State PCB to take necessary action against the units/hotels which have no valid consent and further to take action against the past violation.....”

- E. In this connection, it is pertinent to clarify that Show Cause Notice dated 09.05.2023 was already issued to 106 hotels and thereafter the environmental compensation was also imposed. Copy of Show Cause Directions dated 9.5.2023 being marked and filed as **Annexure No. 1** to this affidavit.



- F. That the matter Original Application No. 353/2022, Kartik Sharma vs. State of Uttarakhand was again listed on 29.07.2024 and on the said date, this Hon'ble Tribunal was pleased to direct as under: -

“

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4. The Member Secretary, UKPCB present in person has submitted that the hotels which were violating the norms have been imposed the EC from the date of issuance of show cause notice. These violations also cover the non-existing dual piping system and operation without CTO. Hence, action of imposition of EC was required to be taken with effect from the date of violation. Member Secretary, UKPCB has assured that in respect of each violator, now, the date of violation will be ascertained and the action will be taken.

.....”

- G. That in compliance with the order dated 29.07.2024, passed by this Hon'ble Tribunal in Original Application No. 353/2022, Kartik Sharma vs. State of Uttarakhand, a meeting was conducted on 09.10.2024 to reassess the environmental compensation previously imposed on hotels in Mussoorie. In the said meeting, it came to light that a decision of imposing environmental compensation w.e.f. 21.12.2019 has already been taken by the Uttarakhand Pollution Control Board, in its 23rd meeting and therefore, it was decided that the first day of violation shall be considered from 21.12.2019 for those hotels which were operating without consent as on 21.12.2019. Apart from this, in the said meeting it was also decided that the environmental compensation shall be imposed on such hotels from 21.12.2019 or from the date of their operation, whichever is higher. In this connection, copy of minutes of meeting dated 15.10.2024 along with the chart of reassessment of environmental



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compensation against hotels are collectively being marked and filed as Annexure No. 2 to this affidavit.

- H. Earlier the environmental compensation Rs. 1,05,750/- was imposed from date of show cause direction (i.e. 09.05.2023) to date of compliance (i.e. 25.06.2023) for 47 days which is deposited by proponent. That since the date of start of appellant hotel is 17.05.1986 (date of start considered as 21.12.2019) and date of compliance is 25.06.2023, therefore, environmental compensation has been imposed for 1282 days and reassessed as under: -

Total no. of day of violation: 1282

EC rate: 2250

Total EC: $1282 \times 2250 = 28,84,500/-$

Previously imposed EC = 1,05,750/-

EC after reassessment = 27,78,750/-

PARA WISE REPLY:

That the contents of Paragraph No. 1 of the said appeal are wrong and hence denied. It is pertinent to mention that the demand notice no. UKPCB/HO/C&M-191(Temp File)/2024/1219, dated 08.11.2024 was issued in strict compliance with the directions issued by this Hon'ble Tribunal vide order dated 29.07.2024 passed in OA No. 353/2022, Kartik Sharma vs. State of Uttarakhand. As per the order of this Hon'ble Tribunal, the UKPCB reassessed and imposed environmental compensation from the date of actual



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5

violation rather than from the date of show cause notice. Furthermore, earlier Show Cause Notice dated 09.05.2023 was issued to the Appellant under Section 33A of the Water (Prevention & Control of Pollution) Act and Section 31A of the Air (Prevention & Control of Pollution) Act which covered the underlying violations - operation without valid consent and non-compliance with the environmental norm. The reassessment merely involves recalculating the quantum of compensation for the same violations based on revised parameters as directed by this Hon'ble Tribunal. The essential nature of violations remained unchanged. Section 33A of the Water Act empowers the Board to issue directions in exercising its powers and performing its functions.

2. That the contents of Paragraph No. 2 of the said appeal are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied.
3. That the contents of Paragraph No. 3 of the said appeal do not call for any reply.

That the contents of Paragraph No. 4 of the said appeal are admitted.

That the contents of Paragraph No. 5 of the said appeal are denied.

It is pertinent to mention that the recovery order dated 08.11.2024 was issued in compliance of the directions issued by this Hon'ble Tribunal vide order dated 29.07.2024 passed in OA No. 353/2022, Kartik Sharma vs. State of Uttarakhand.




6. That the contents of Paragraph No. 6 of the said appeal are wrong and hence denied. True facts have already been stated in the preceding paragraphs and are not being repeated for the sake of brevity.
- 7-9. That the contents of Paragraph No. 7 to 9 of the said appeal are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied.
10. That the contents of Paragraph No. 10 of the said appeal are admitted only in so far as they are a matter of record. However, it is pertinent to mention that environmental compensation has been imposed for past violations on the part of the appellant hotel.
- 11-13. That the contents of Paragraph No. 11 to 13 of the said appeal are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied. However, it is reiterated that environmental compensation has been imposed for past violations on the part of the appellant hotel.
14. That in reply to the contents of Paragraph No. 14 of the said appeal it is stated that it is stated that the Appellant has acknowledged its liability for the underlying violations by paying the initially assessed environmental compensation on 06.03.2024. Having accepted liability by paying the initial compensation, the Appellant cannot now challenge the reassessment on procedural grounds. The principle of estoppel prevents the Appellant from denying liability when only the quantum is being reassessed. The Tribunal's order dated 26.07.2023 explicitly directed UKPCB to recalculate EC for past violations. This was not a new allegation but a recalibration of



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7

penalties for already established violations. Furthermore, in compliance with the order dated 29.07.2024, passed by this Hon'ble Tribunal in Original Application No. 353/2022, Kartik Sharma vs. State of Uttarakhand, a meeting was conducted on 09.10.2024 to reassess the environmental compensation previously imposed on hotels in Mussoorie. In the said meeting, it came to light that a decision of imposing environmental compensation w.e.f. 21.12.2019 has already been taken by the Uttarakhand Pollution Control Board, in its 23rd meeting and therefore, it was decided that the first day of violation shall be considered 21.12.2019 for those hotels which were operating without consent as on 21.12.2019. Apart from this, in the said meeting it was also decided that the environmental compensation shall be imposed on such hotels from 21.12.2019 or from the date of their operation, whichever is higher.

15-16. That in reply to the contents of Paragraph No. 15 and 16 of the said appeal it is stated that initial Show Cause Notice dated 09.05.2023 provided the Appellant an opportunity to present its case. The subsequent reassessment of environmental compensation was done pursuant to the specific directions of this Hon'ble Tribunal, which had been deliberating this matter with the full participation of all stakeholders since May 2022. The requirements of natural justice are contextual and flexible. When a violation is persistent and clearly established, and when a statutory authority reassesses, compensation based on the tribunal's directions, the rigors of natural justice stand satisfied with the initial notice and opportunity to respond.



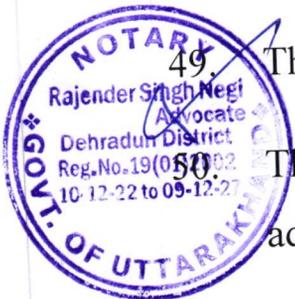
A handwritten signature in blue ink, appearing to be "Kartik Sharma".

- 17-26. That the contents of Paragraph No. 17 to 26 of the said appeal are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied.
- 27-28. That the contents of Paragraph No. 27 and 28 of the said appeal are admitted only in so far as they are a matter of record. Rest of the contents are denied. It is pertinent to mention that as per the Polluter Pay Principle as directed by the Hon'ble NGT in O.A. No. 593/ 2017, Paryavaran Suraksha Samiti and Ors v Union of India, UKPCB has adopted environmental compensation regime of PPP in 23rd Board meeting with certain modifications on 21.12.2019. Based on pollution Index, hotels are divided into orange, white and red categories. EC regime is applicable on all the entities who are causing pollution to the environment.
- 29-32. That the contents of Paragraph No. 29 to 32 of the said appeal are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied.
33. That in reply to the contents of Paragraph No. 33 of the said appeal it is stated that the as per the record of Regional Office, UKPCB, Dehradun 106 Hotels are operating without valid Consent to Operate from the State Pollution Control Board and the appellants hotel is one of the 106 hotels. Therefore, the contention of the appellants is baseless.
- 34-43. That the contents of Paragraph No. 34 to 43 of the said appeal are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied.



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44. That the contents of Paragraph No. 44 of the said appeal are denied. The grounds are not legally tenable and the appeal deserves to be dismissed.
45. That the contents of Paragraph No. 45 of the said appeal are wrong and hence denied. As per section 16 of NGT Act, 2010, the appeal should be preferred within a period of 30 days from the date on which the order or decision or direction or determination is communicated to him whereas, appellant has filed the present appeal after a delay of approx. one month.
46. That the contents of Paragraph No. 46 of the said appeal are not admitted as stated. True facts have already been stated in the preceding paragraphs and are not being repeated for the sake of brevity.
47. That the contents of Paragraph No. 47 of the said appeal do not call for any reply.
48. That the contents of Paragraph No. 48 of the said appeal are denied for want of knowledge. The appellant is put to strict proof thereof.
49. That the contents of Paragraph No. 49 of the said appeal denied.
50. That the contents of Paragraph No. 50 of the said appeal are admitted only in so far as they are a matter of record.
51. That the contents of Paragraph No. 51 of the said appeal are denied. In view of the above facts and circumstances the present appeal is liable to be dismissed.



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REPLY TO GROUNDS:

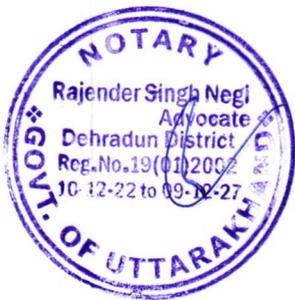
A. That the grounds taken by the appellant from para no. A to W are not legally tenable. The appellant is not entitled for claiming any relief, therefore, in view of the above facts and circumstances the present appeal is liable to be dismissed. The Respondent herein opposes the Appeal of the Appellant, inter alia, on the following grounds:

- I. The Demand Notice dated 08.11.2024 was issued in strict compliance with the order of the Hon'ble Tribunal dated 29.07.2024, which specifically directed the reassessment of environmental compensation for all hotels from the date of actual violation rather than from the date of show cause notice.
- II. The Appellant's contention that principles of natural justice were violated is baseless. The initial Show Cause Notice dated 09.05.2023 provided the Appellant an opportunity to present its case. The subsequent reassessment of environmental compensation was done pursuant to specific directions of this Hon'ble Tribunal, which had been deliberating this matter with the full participation of all stakeholders since May 2022. The requirements of natural justice are contextual and flexible. When a violation is persistent and clearly established, and when a statutory authority reassesses, compensation based on the tribunal's directions, the rigours of natural justice stand satisfied with the initial notice and opportunity to respond.
- III. These parameters were applied uniformly to all violating hotels in Mussoorie after considering factors such as the



period of violation, severity of the violation, water consumption patterns, and environmental impact. The Appellant's contention that the demand notice does not explain the basis of calculation is not tenable. The calculation methodology was developed in compliance with this Hon'ble Tribunal's orders and was applied uniformly to all violating establishments.

- IV. The original Show Cause Notice dated 09.05.2023 issued to the Appellant under Section 33A of the Water (Prevention & Control of Pollution) Act and Section 31A of the Air (Prevention & Control of Pollution) Act already covered the underlying violations - operation without valid consent and non-compliance with the environmental norm. The reassessment merely involves recalculating the quantum of compensation for the same violations based on revised parameters as directed by this Hon'ble Tribunal. The essential nature of violations remained unchanged. Section 33A of the Water Act empowers the Board to issue directions in exercising its powers and performing its functions. This provision requires that reasonable opportunity be given before issuing directions, which was fulfilled through the original show cause notice.



- V. The Polluter Pays Principle justifies the summary procedure for the assessment of compensation.
- VI. When a subsequent order is passed as a continuation of an earlier order, the earlier order merges with the later order. Applying the doctrine of merger as a

 12

continuous process, the reassessment merged with the initial assessment, and no further notice was required. A fresh notice is required only when there is a substantial alteration in the nature of proceedings or charges.

VII. In the present case, there was no alteration in the nature of violations. The reassessment only recalibrated the compensation amount.

VIII. The Appellant has acknowledged its liability for the underlying violations by paying the initially assessed environmental compensation. Having accepted liability by paying the initial compensation, the Appellant cannot now challenge the reassessment on procedural grounds. The principle of estoppel prevents the Appellant from denying liability when only the quantum is being reassessed. The Tribunal's order dated 29.07.2024 explicitly directed UKPCB to recalculate EC for past violations. This was not a *new* allegation but a recalibration of penalties for already established violations.



IX. The Appellant's CCA (29.06.2024) was granted subject to compliance with Tribunal orders, including payment of revised EC. The Appellant cannot claim ignorance of this condition

B. Therefore, in light of the above stated facts and circumstances, it is humbly prayed that the appellant is not entitled for claiming any relief, and hence, the present appeal is liable to be dismissed.

C. That the deponent is a responsible Government servant having the highest regard for the Hon'ble Tribunal and order 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.

[Signature]
Deponent

Verification: -

Verified at Dehradun on the 15 day of April 2025, that the contents of the response affidavit are true and correct to the best of my knowledge and belief based on the official record and nothing is false and no material has been concealed therein.

[Signature]
Deponent



Dated: April, 2025

S.No = 1778

[Signature]

(This affidavit is sworn before me by
Shri. Dr. Parag Madhule-Dhakate
who is identified by Shri.....
at Dehradun on.....

[Signature]
(Rajender Singh Negi)
Advocate & Notary, Dehradun



LIFE
Lifestyle For
Environment



सुच्छ पर्यावरण
ONE EARTH - ONE FAMILY - ONE FUTURE

117

HEAD OFFICE

Annexure-1

Uttarakhand Pollution Control Board

"Gaura Devi Paryavaran Bhawan"

46B, IT Park, Sahastradhara Road, Dehra Dun

E-mail : msukpcb@yahoo.com, Phone No.-0135-2607092

Letter No: UKPCB/HO/Gen.- 183 /2023-568-228,

Dated : 04.05.2023

Speed Post

To,

As per list attached of 106 Hotels,
Mussoorie, Distt. Dehradun.

Sub:- Directions under Section 33(A) of Water (Prevention and Control of Pollution) Act-1974 and section-31(A) of the Air (Prevention and Control of Pollution) Act-1981.

WHEREAS, the Central Government has made the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981; and vide provisions of these Acts every water/air polluting industry/unit/operation/processes is required to obtain consent to establish and consent to operate from the State Pollution Control Board; and

WHEREAS, for the purposes of protecting and improving the quality of environment and preventing and abating environmental pollution, the standards for discharge of environmental pollutants from the industries, operations or processes, have been specified under the Environment (Protection) Rules, 1986; and it is mandatory to every industries, operations or processes to keep their effluent quality within the specified norms; and

WHEREAS, as per Section-25 of the Water (Prevention and Control of Pollution) Act, 1974 and section-21 of the Air (Prevention and Control of Pollution) Act, 1981, it is the mandatory requirement for any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land; to obtain prior Consent from the Board; and

WHEREAS, in compliance of the order passed by Hon'ble NGT on dated 18.05.2022 in Matter of Kartik Sharma Vs. State of Uttarakhand, O.A. No. 353/2022, the joint committee submitted the list of 282 Hotels of Mussoorie in Hon'ble NGT.

As per record of Regional Office, UKPCB, Dehradun 106 Hotels are operating without valid Consent to Operate from the State Pollution Control Board under section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and section-21 of the Air (Prevention and Control of Pollution) Act, 1981.

AS SUCH, it is evident from the above observations that the hotel is perpetually violating the provisions of Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 and operating the hotel without valid consent of the board.

AND NOW THEREFORE, in view of above observations, and in exercise of the power conferred under Section 33(A) of the Water (Prevention and Control of Pollution) Act-1974 & Section 31(A) of the Air (Prevention and Control of Pollution) Act-1981, as amended thereafter, notice is hereby served to the your unit to Show Cause within 07 days of issue of this notice, as to why not an Environmental Compensation, as instructed in order dated 21.04.2023 of the Hon'ble NGT in the matter of

...cont...page-2.....

OA No. 353/2022, be imposed against your unit and closure order be issued under the provisions of the **Water (Prevention and Control of Pollution) Act-1974** and the **Air (Prevention and Control of Pollution) Act-1981**, as amended thereafter, and concerned authority be directed to discontinue power/water supply of the Unit.

This issues with the approval of Chairman, Uttarakhand Pollution Control Board.


(S.K. Pattnaik)
Member Secretary

Letter No. :UKPCB/HO/ Gen.-183-568/2023/

Dated as Above

Copy to :-

1. **District Magistrate, Dehradun** for kind information please.
2. **Regional Officer, Uttarakhand Pollution Control Board, Dehradun** for information and necessary compliance.
3. Guard File.


Member Secretary



List of Hotels operational without valid CCA

119

S.no.	Name Of the Unit	Industry Address	Validity
1	Hotel Minerva, Mussoorie	the mall kulri bazar, near green vegetarian Mussoorie	not applied
2	Hotel Aashna	Hotel Aashna , Glen Ronak Estate near Waverly Convent School, Mussoorie, Uttarakhand	31.03.2020
3	Hotel Castle View	Hotel Castle View , Landour Bazar, Clock Tower , Mussoorie	31.03.2020
4	Hotel Dream palace	Sylverton Estate, Kulri, The Mall, Mussoorie	31.03.2020
5	Hotel Emal, Duglavilla Road,	Gandhi Chowk, Mussoorie	not applied
6	Hotel Emerald Heights	Hotel Emerald Heights, Mussoorie, Dehradun, Uttarakhand, 248179	31.03.2020
7	Hotel Hill Queen	Hotel Hill Queen, Summer Villa Estate, Kulri, The Mall, Mussoorie, Dehradun, Uttarakhand, 248001	31.03.2020
8	HOTEL HIMSHRI	HOTEL HIMSHRI, NEAR MIDTOWN, TILAK ROAD, KULRI, MUSSOORIE, Dehradun, Uttarakhand, 248179	31.03.2021
9	Hotel Mussoorie Residency	Hotel Mussoorie Residency, Savoy Estate, Convent Road, Mussoorie, Dehradun, Uttarakhand, 248179	not applied
10	HOTEL NATRAJ PALACE U/O KIRAN DIVYA	NATRAJ PALACE KULRI, MUSSOORIE, Dehradun, Uttarakhand, 248179	31.03.2020
11	Hotel Prestige, Gandhi Chowk, Mussoorie	Gandhi Chowk, Mussoorie	not applied
12	Hotel Ramanand Regency	Charlville Road, Mussoorie, Dehradun	31.03.2020
13	HOTEL SHIVAM	PICTURE PLACE, NEAR RADHA KRISHAN MANDIR KALSIA ESTATE MUSSOORIE Dehradun	31.03.2021
14	HOTEL SUN EN SNOW	HOTEL SUN EN SNOW, NEAR KAPOORTHALA, MUSSOORIE, Dehradun, Uttarakhand, 248179	31.03.2020
15	Hotel Tourist Home	Hotel Tourist Home, Mount View State, Kulri, Mussoorie	31.03.2021
16	Hotel Vikas	Hotel Vikas, The Mall, Mussoorie, Uttarakhand Dehradun	31.03.2021
17	Hotel Villa Barlow	Hotel Villa Barlow ,42, barlow Ganj, Mussoorie, Uttarakhand-248122 Dehradun	31.03.2020
18	Ms Hotel Winter line Inn	Near gurudwara Barlow Ganj Mussoorie Dehradun Uttarakhand Dehradun	31.03.2021
19	The Claridges Hotel Pvt Ltd	barlowganj road mussoorie-barlowganj road mussoorie, DUN-mussoorie	not applied
20	The Golden Palms Hotel & Spa (Unit Of Mrg Hotels Pvt Ltd)	barlowganj road mussoorie, DUN-mussoorie	not applied
21	Raj Tourist Hotel,	KULRI MUSSOORIE Dehradun	not applied
22	Yog Wellness Resort & Spa By Amritara	Kulri chowk Mussoorie	not applied
23	Hotel Bright Star	Kulri Bazaar, Mussoorie	not applied
24	Hotel Darpan	Landor Bazaar, Mussoorie	not applied
25	Ms Hotel Garhwal Terreis (Gmvn)	-85 mall road, Dehradun. , Town: Mussoorie	not applied
26	Hotel Green View	Mall Road gandhi chowk Mussoorie	not applied
27	Hotel Hard Rock	Dehradun road, Mussoorie	not applied
28	Hotel Highness	Motilal Nehru Road, library chowk Mussoorie	not applied
29	Jass Resorts	Cart Road, Mussoorie Lake, Dhobi Ghat, Mussoorie,	not applied
30	Hotel Nishima	Landour Bazar, Mussoorie	not applied
31	Hotel Palki	Kulri Bazaar, Mussoorie	not applied
32	Hotel Pathik Bangali	Library Mussoorie,	not applied

33	Hotel Purnima	Landour Mussoorie	not applied
34	Hotel Radison Tara	The Mall Road Sylverton Estate, Mussoorie	not applied
35	Hotel Rock Stone	The Mall Near Post Office, Mussoorie	not applied
36	Snow View Hotel	Library bazaar, the mall road Mussoorie	not applied
37	Star Hotel	KULRI MUSSOORIE Dehradun	not applied
38	Hotel Shringar	mall road, Mussoorie	not applied
39	Hotel Charlene	Near Hotel Brentwood, The Mall Road Kulri, Brentwood lane mussoorie	not applied
40	Hotel Naveen Value	Camels back road the mall road Mussoorie	not applied
41	Hotel Valentine	mall road Mussoorie	not applied
42	Hotel Ashoka Plaza	mall road, opposite bata showroom Mussoorie	not applied
43	Hotel Gulmarg	Spring road, the mall road library chowk Mussoorie	not applied
44	Hotel Rama	the mall road Mussoorie	not applied
45	Hotel Glen villa	the mall road Mussoorie	not applied
46	Hotel Whispering	Gandhi chowk library road Mussoorie	not applied
47	Hotel Carlton Plaisance	Happy Valley Road, Near the L.B.S.N.A Academy, Mussoorie	not applied
48	Hotel Raj	mall road near picture palace Mussoorie	not applied
49	Hotel Wild Flower House	Mall road Mussoorie	not applied
50	Hotel Pharmacy	Mall road Mussoorie	not applied
51	Hotel Spring	Library road Mussoorie	not applied
52	Hotel Radha	Library chowk Mussoorie	not applied
53	Hotel Sapphire	Camel back road Mussoorie	not applied
54	Hotel Beach wood	Mall road near Garhwal Mussoorie	not applied
55	Hotel Urvashi Palace	Behind clock tower, oak road Mussoorie	not applied
56	Hotel Landour residency	Clock tower Mussoorie	not applied
57	Hotel Mid view	mall road Mussoorie	not applied
58	Hotel Karma Villas	villa estate big bend picture palace road Mussoorie	not applied
59	Hotel Nature Lap	spring road near library Mussoorie	not applied
60	Hotel Himalayan Breeze	mall road near library Mussoorie	not applied
61	Hotel Plazo	near radha krishna mandir Mussoorie	not applied
62	Hotel Sky touch	the mall road Mussoorie	not applied
63	Hotel Paramanand Residency	the mal road Mussoorie	not applied
64	Hotel Royal Mansion	Near wynberg school the mall road Mussoorie	not applied
65	Hotel london House	the mall road, survey colony Mussoorie	not applied
66	Hotel kamakshi Grand	Picture palace Mussoorie	not applied
67	Hotel Shivam palace	Mall road picture palace mussoorie	not applied
68	Hotel anand plaza	near radha krishna mandir Mussoorie	not applied
69	Hotel valley vista	Landour Bazar, Mussoorie	not applied
70	hotel sun side	Library road Mussoorie	not applied
71	hotel blossom	Mussoorie	not applied
72	Hotel kavlok	the mall rod mussoorie	not applied
73	Hotel city centre	the mall rod mussoorie	not applied
74	Hotel JS Inn	kempty fall road, charleville mussoorie	not applied
75	Hotel Nottin hill	raddison road chowk, the mall road mussoorie	not applied
76	Hotel Basera	Spring road, library mussorie	not applied
77	Hotel Nokin House	Near ropeway, mussoorie	not applied
78	Hotel Same next	mussoorie	not applied
79	Hotel Seclude	Picture palace road mussoorie	not applied
80	Hotel Macquary Inn	Near hampton court school mussoorie	not applied
81	Hotel The sky drift	18 Radhar village dhobi ghat mussoorie	not applied
82	Hotel Tourist Complex	mussoorie	not applied

83	CRYSTAL GUEST HOUSE PRIVATE LIMITED	Hotel Crystal Palace, Spring Road, Mussoorie, Dehradun, Uttarakhand, 248179	31.03.2020
84	HOTEL PRAKRIT	Village Tundhar Kyarkuli-Mussoorie, Dehradun, Uttarakhand.	31.03.2023 ✓
85	Hotel Sunrise	Hussainganj, Library Road, Mussoorie Dehradun Dehradun	not applied
86	Hotel Welcome	Hotel Welcome, Radha Bhawan Esate, Mussoorie, Uttarakhand Dehradun	31.03.2021
87	Larisa Resort	Dhanolti Road, kaplani Mussoorie, Dehradun Dehradun	Not applied
88	MAA RESIDENCY GUEST HOUSE	BAGRAL GAON MUSSOORIE ROAD OPP PASTLEWEED COLLEGE DEHRADUN	31.03.2021
89	REGENCY HOLIDAYZ PRIVATE LIMITED	Hollow Oak Estate, Near Company Garden Hathipaon Road Mussoorie Dehradun Uttarakhand 248179	Not applied
90	Sunset View Resort	Village Kyarkuli, Power House, Mussoorie, Dehradun, Uttarakhand.	31.03.2023 ✓
91	The High Walls	The High Walls, Mall Road, Mussoorie, Distt. Dehradun, Uttarakhand Dehradun	31.03.2021
92	The Kenilworth Hotel	The Mall Road, Kulri Sylverstone Estate, Mussoorie, Uttarakhand, 248179	31.03.2020
93	Hotel View Bharat. Mussoorie	mall road kulri near picture palace Mussoorie	Not applied
94	Heavens view resort	Kulri chowk Mussoorie	Not applied
95	Hotel Nabha Palace	airfield Barlowganj, Mussoorie	Not applied
96	HOTEL PIKNIK	Hotel Piknik, Picture Palace, Kulri, Mussoorie - 248179	31.03.2021
97	Hotel Dunsvirk Court	Baroda estate library Chowk, Mussoorie	Not applied
98	Shipra Motel & Restaurant	KulriBazzar, Mussoorie	Not applied
99	Hotel shipra	the mall road Mussoorie	Not applied
100	Hotel Shining hills	kulri chowk Mussoorie	Not applied
101	Hotel Saiva Hill Resort	Kulri chowk Mussoorie	Not applied
102	Hotel Roselyn	Library mussoorie	31.03.2020
103	Riversun hotel	mall road kulri chowk mussoorie	not applied
104	Hotel the tattva	kulri chowk mussoorie	not applied
105	Jharipani castle	Jharipani mussoorie	not applied
106	Hotel elegant hill	kulri chowk mussoorie	not applied

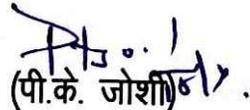
मा0 एन0जी0टी0 में योजित मूल आवेदन सं0-353/2022 कार्तिक शर्मा बनाम उत्तराखण्ड राज्य में पारित आदेश दिनांक 29.07.2024 के अनुपालन में मसूरी स्थित होटलों पर पूर्व में आरोपित पर्यावरणीय क्षतिपूर्ति के पुर्न आंकलन हेतु दिनांक 09.10.2024 को बैठक की गई जिसमें होटलों पर आरोपित पर्यावरणीय क्षतिपूर्ति के पुर्न आंकलन हेतु निम्नानुसार निर्णय लिए गए:-

1. उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड द्वारा पर्यावरणीय क्षतिपूर्ति आंकलन हेतु बोर्ड की 23वीं बैठक में निर्णय लेते हुए दिनांक 21.12.2019 से लागू कर दिया गया है। अतः ऐसे होटल जो दिनांक 21.12.2019 की स्थिति पर बिना सहमति के संचालित थे उनमें उल्लंघन के प्रथम दिवस को दिनांक 21.12.2019 माना जाना उचित होगा। इसके अतिरिक्त जो होटल बिना सहमति के संचालित थे, पर पर्यावरणीय क्षतिपूर्ति का आंकलन दिनांक 21.12.2019 अथवा संचालन की तिथि जो भी उच्चतर हो से आंकलन किया जाना उचित होगा।
2. उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड द्वारा कोविड संक्रमण काल में ऐसे उद्योगों जिनके पास दिनांक 31.03.2020 तक वैध संचालनार्थ सहमति थी उनकी संचालनार्थ सहमति की अवधि दिनांक 31.03.2021 तक बढ़ायी गयी (पत्रांक-यूईपीपीसीबी/एच.ओ./सा.-06-24वीं बो0बै0/2020/1599-319 दिनांक 13.07.2020)। इस कारण जिन उद्योगों के पास वैध सहमति दिनांक 31.03.2020 तक वैध थी नवीनीकरण हेतु आवेदन नहीं किया गया, उनमें प्रथम उल्लंघन दिवस दिनांक 01.04.2021 माना जाना उचित होगा।
3. उपरोक्त के अतिरिक्त अन्य होटलों पर उनकी सहमति वैधता समाप्ति के पश्चात के प्रथम दिवस से पर्यावरणीय क्षतिपूर्ति का आंकलन करना उचित होगा।
4. उपरोक्त तथ्यों के आधार पर पूर्व में आरोपित पर्यावरणीय क्षतिपूर्ति का आंकलन संलग्न है।

समिति की संस्तुति अनुमोदनार्थ प्रस्तुत है।


(हरीश चन्द्र भट्ट)
लेखाधिकारी


(डॉ. अकुर कसल)
पर्यावरण अभियन्ता


(पी.के. जोशी)
पर्यावरण अभियन्ता



Re assessment of Environmental Compensation in compliance of Hon'ble NGT order in OA No. 353/2022 dated 29-7-2024

1. Hotels operational without CCA before 21-12-2019 or commissioned after ward and running without CCA

S.no.	Name Of the Unit	Industry Address	Validity	Rooms	Date of Start	Date of Compliance	Total Days of violation (without CCA)	EC Rate	Proposed EC	Previous Compensation
1	Hotel Minerva, Mussoorie	the mall kulri bazar, near green vegetarian Mussoorie	30.9.2024	17	17-05-1986	25.06.2023	1282	2250	2884500	105750
2	Hotel Rock Stone	The Mall Near Post Office, Mussoorie	31.03.2024	19	17.05.2008	23.05.2023	1249	2250	2810250	31500
3	Hotel Karma Villas	villa estate big bend picture palace road Mussoorie	30.09.2024	13	25.02.2021	09.06.2023	834	2250	1876500	69750
4	Hotel Hard Rock	Dehradun road, Mussoorie	30-09-2024	44	22.11.2022	01.06.2023	191	3750	716250	86250
5	Hotel India (Hotel Hard Rock)	Big bend picture palace road, Mussoorie	30-09-2024							
6	Hotel Himalayan Breeze	mall road near library Mussoorie	30.09.2024	10	01.04.2023	04.08.2023	125	2250	281250	76500
7	Hotel Shingar	mall road, Mussoorie	30-09-2024	15	01.06.2021	24.06.2023	753	2250	1694250	22500
8	Hotel Sapphire	Camel back road Mussoorie	30-09-2024	10	01.04.2023	19.05.2023	48	2250	108000	96750
9	Yog Holistic Wellness Centre Unit of Aron Resort	Kulri chowk Mussoorie	30-09-2024	20	23.12.2020	21.06.2023	910	2250	2047500	18000
10	Hotel Carlton Plaisance	Happy Valley Road. Near the L.B.S.N.A. Academy, Mussoorie	30-09-2024	11	01.04.2021	19.05.2023	778	2250	1750500	22500
11	Hotel Landour residency	Clock tower Mussoorie	30-09-2024	10	19.10.2022	16.05.2023	209	2250	470250	15750
12	Hotel Royal Mansion	Near wynberg school the mall road Mussoorie	30-09-2024	17	05.03.2017	06.09.2023	1355	2250	3048750	270000
13	Hotel Spring unit of Luxmi Resorts	Library road Mussoorie	30-09-2024	10	01.01.2022	23.06.2023	538	2250	1210500	101250
14	Hotel Bright Star	Kulri Bazaar, Mussoorie	30-09-2024	20	01.11.2022	25.06.2023	266	2250	598500	173250

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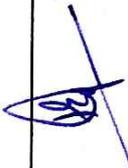
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15	Hotel london House	the mall road. survey colony Mussoorie	30-09-2024	10	01.11.2016	24.07.2023	1311	2250	2949750	171000
16	Hotel Nandan Hotel (dunsvirk court)	Baroda estate library Chowk, Mussoorie	30-09-2024	41	01.04.2020	06.09.2023	844	3750	3165000	450000
17	Hotel J S Inn	kempty fall road, charleville mussoorie	30-09-2024	12	04.05.2019	29.08.2023	1347	2250	3030750	252000
18	Hotel Sky touch	the mall road Mussoorie	30-09-2024	11	01.04.2022	04.08.2023	490	2250	1102500	195750
19	Hotel Prestige, Gandhi Chowk, Mussoorie	Gandhi Chowk, Mussoorie	30-09-2024	18	21.07.2021	17.10.2023	818	2250	1840500	362250
20	Hotel Charlene	Near Hotel Brentwood, The Mall Road Kulri, Brentwood lane mussoorie	31.03.2025	18	18.07.2022	10.05.2023	296	2250	666000	2250
21	Hotel Valentine	mall road Mussoorie	30-09-2024	15	01.04.2021	18.09.2023	900	2250	2025000	297000
22	Hotel Mussoorie Mid view	mall road Mussoorie	31.03.2024	14	01.04.2021	01.09.2023	833	2250	1874250	258750
23	Hotel Akanksha anand plaza	near radha krishna mandir Mussoorie	31.03.2025	19	01.11.2022	30.07.2023	271	2250	609750	184500
24	Hotel valley vista	Landour Bazar, Mussoorie	30-09-2024	16	01.04.2022	17.08.2023	503	2250	1131750	225000
25	(HOTEL ILBERT MANOR (Hotel Email), Duglavilla Road)	Gandhi Chowk, Mussoorie	30-09-2027	14	05.07.20222	07.08.2023	398	2250	895500	202500

124

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26	Hotel Notting hill a unit of Loharu infrastructures pvt Ltd	raddison road chowk, the mall road mussoorie	31.03.2025	19	08.05.2022	280.08.2023	477	2250	1073250	249750
27	Hotel Green View	Mall Road gandhi chowk Mussoorie	30.09.2025	10	13.09.1988	06.11.2023	1416	2250	3186000	409500
28	Hotel Grand The Mall (Hotel Ashoka Plaza)	mall road, opposite bata showroom Mussoorie	Not applied	14	01.08.2017	06.11.2023	1416	2250	3186000	409500
29	Hotel Urvashi Palace	Behind clock tower, oak road Mussoorie	31.03.2025	12	01.06.2018	06.11.2023	1416	2250	3186000	409500
30	Hotel Palazo	near radha krishna mandir Mussoorie	31-03-2025	10	01.04.2022	06.11.2023	584	2250	1314000	409500
31	Heavens view resort	Kulri chowk Mussoorie	31.03.2025	12	24.06.2022	06.11.2023	500	2250	1125000	409500
32	Hotel elegant hill	kulri chowk mussoorie	31.03.2025	8	30.07.2021	06.11.2023	829	2250	1865250	409500
33	Hotel Sun & Snow (kamakshi Grand)	Picture palace Mussoorie	31.03.2025	30	19.09.2018	06.11.2023	1416	3750	5310000	409500
34	Romeo Lane The Courtyard House (Hotel Radison Tara	The Mall Road Sylverton Estate, Mussoorie	31.03.2025	23	10.04.2023	06.11.2023	210	3750	787500	409500
Total									59820750	7216500



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2. Hotels Having CCA but renewal not obtained with in time, hotel having last CCA validity up to 31-3-2020, violation calculated from 1-4-2021

S.no.	Name Of the Unit	Industry Address	Validity	Rooms	Validity of Last CCA	Date of Compliance	Total Days of violation (without CCA)	EC Rate	Proposed EC	Previous Compensation
1	The Claridges Hotel Pvt Ltd	barlowganj road mussoorie-barlowganj road mussoorie,DUN-mussoorie	30.09.2026	22	31-03-2020	16-05-2023	775	3750	2906250	26250
2	Ms Hotel Garhwal Terreis	-85 mall road, Dehradun. ,Town:Mussoorie	31.03.2025	25	31-03-2020	03-09-2022	520	3750	1950000	0
3	Hotel Dream palace	Sylverton Estate, Kuliri, The Mall, Mussoorie	31.03.2027	12	31-03-2020	18.05.2023	777	2250	1748250	20250
4	Hotel Castle View	Hotel Castle View , Landour Bazar, Clock Tower , Mussoorie	30.09.2027	10	31-03-2020	15.05.2023	775	2250	1743750	13500
5	Hotel Vikas	Hotel Vikas, The Mall, Mussoorie, Uttarakhand Dehradun	30.09.2026	10	31-03-2021	26.05.2023	786	2250	1768500	38250
6	HOTEL PRAKRIT	Village Tundhar Kyarkuli- Mussoorie, Dehradun, Uttarakhand.	30-09-2027	17	31-03-2023	17.05.2023	47	2250	105750	18000
7	Sunset View Resort	Village Kyarkuli, Power House, Mussoorie, Dehradun, Uttarakhand.	30.09.2027	14	31.03.2023	18.05.2023	48	2250	108000	20250
8	Hotel Jass Resorts	Cart Road, Mussoorie Lake, Dhobi Ghat, Mussoorie.	30-09-2024	14	01.04.2021	12.06.2023	802	2250	1804500	103500
9	Hotel Aashna	Hotel Aashna . Glen Ronak Estate near Waverly Convent School, Mussoorie, Uttarakhand	30-09-2025	12	31.03.2020	17.05.2023	776	2250	1746000	18000
10	Hotel Ramanand Regency	Charlville Road, Mussoorie, Dehradun	30-09-2024	14	31.03.2020	17.05.2023	776	2250	1746000	18000
11	Hotel Tourist Home	Hotel Tourist Home, Mount View State, Kulri, Mussoorie	30-09-2027	10	31.03.2021	23.06.2023	814	2250	1831500	101250

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12	Hotel Welcome	Hotel Welcome, Radha Bhawan Esate - Mussoorie, Uttarakhand Dehradun	30-09-2024	14	31.03.2021	22.05.2023	782	2250	1759500	29250
13	HOTEL NATRAJ PALACE U/O KIRAN DIVYA	NATRAJ PALACE KULRI, MUSSOORIE, Dehradun, Uttarakhand. 248179	30.09.2024	18	31.03.2020	22.05.2023	781	2250	1757250	29250
14	HOTEL PICNIK	Hotel Piknik, Picture Palace, Kulri, Mussoorie - 248179	30-09-2024	19	31.03.2021	11.05.2023	771	2250	1734750	4500
15	Wild Flower House Hotel (Tandon Hotel)	Mall road Mussoorie	31.03.2028	16	31.03.2023	06.11.2023	220	2250	495000	409500
								Total	23205000	849750