

# GOA STATE POLLUTION CONTROL BOARD

## गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001-2015, ISO 14001:2015, OHSAS 18001:2007 Certified Board)

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No. 10/1/20-PCB/117270

Speed Post

29/12/2020

### SHOW CAUSE NOTICE

WHEREAS, the Goa State Pollution Control Board (hereinafter referred to as the "Board", in short), this Board officials conducted joint site inspection with reference to Honorable NGT order dated 24/08 OA/18/2020, of Zinhos Guest House, located in Survey No. 243/13A and 243/4 in Calangute, Bardez Goa.

WHEREAS, during the said inspection it was observed that;

- A STP was installed on site, however details like its capacity, type of technology, proposal for re-utilization of treated effluent etc was not provided during inspection.
- Further, upon verification of the office records, it was observed that no permission like consent to establish has been obtained prior to the installation of Sewage Treatment Plant.

(A copy of inspection report dated 14/10/2020 is enclosed hereto)

WHEREAS, observations as above indicate that you are operating the unit in violation of the provision of the Water (Prevention and Control of Pollution) Act, 1974, and Air (Prevention and Control of Pollution) Act, 1981.

WHEREAS, the Board at its 135<sup>th</sup> meeting held on 13/12/2018 has delegated its powers to issue, refuse, withdraw and vary consent under section 25, 26 and 27 of the Water Act and under section 21 of the Air Act to the undersigned.

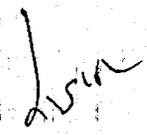
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Near Pilerne Industrial Estate, Opp. Salgao Seminary, Salgao, Bardez, Goa - 403 511

NOW THEREFORE, in view of the above and in exercise of the powers to the undersigned under section 33(A) read with section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, and under section 31(A) read with section 21 of the Air (Prevention and Control of Pollution) Act, 1981, the management of the unit operated by "M/s Zinhos Guest House, located in Survey No. 243/13A and 243/4 in Calangute, Bardez Goa" is hereby directed to show cause within 15 days from the date of receipt of this notice as to why action should not be initiated against you for operating Sewage Treatment Plant without obtaining Consent to Establish of the Board and for non compliance of pollution control measures.

TAKE NOTE, that failure to comply with the aforesaid notice will compel the Board to initiate stringent legal action against you under the provisions of the Water (Prevention and Control of Pollution) Act, 1974, and Air (Prevention and Control of Pollution) Act, 1981 which will include issue of closure directions

Issued on this 29<sup>th</sup> day of December, 2020

  
(Sanjeev Joglekar)  
Environmental Engineer  
For Goa State Pollution Control Board

To,

M/s Zinhos Guest House,  
Survey No. 243/13A and 243/4  
Calangute, Bardez Goa

Copy to:

1. Office file.
2. Guard file.
3. Legal Section file.

Site inspection report -Regarding Zinhos Beach Resort ( Guest House ) in survey number 243/113 and 243/4, in calangute -

**Background**

GCZMA issues a site inspection notice no. GCZMA / NGT matter/APP.No. 18/2020/20-21/732, dated 12/11/2020, for a joint site inspection with reference to Honorable NGT order dated 24/08 OA/18/2020, of Zinhos Guest House, calangute, Bardez Goa.

In response to the above notice, the joint site inspection was undertaken along with the officials of the Goa state pollution control Board on 14/ 10/20 at 11.30 a.m. The following officials of Goa state pollution control Board were present.

1. Mr. keshav s. Fadke - AEE,

2. Mr. Chaitanya Salgaonkar - S. A.

3. Mr. Waman Charl, S.L.A.

Complainant was represented by Ms. Nalini Da Rosa Fernandes and Advocate Sanket Kamat

Mr. Mahesh Patil , Expert member and Mr. Devendra Gaonkar- field surveyor represented Goa Coastal Zone Management Authority. Mr. Sujeet Dongre couldn't attend the inspection due to prior engagement.

**Brief background information from Goa state Pollution Control Board**

1. The structure is a 3 storied building and 3 guest houses, one on each floor are situated. The names of the guest houses along with their number of rooms and consent validity are as under: a. M/s Zinhos (L) Beach Resort, 15 rooms valid upto 16/10/2033 b. M/s Zinhos 1 Beach Resort, 10 rooms valid upto 07/05/2034 c. M/s Zinhos Beach Resort, 7 rooms and a restaurant with 12 seating capacity valid upto 23/12/2020

2. Since the cumulative number of rooms exceed 25, and as per decision taken in 70th Board meeting, installation of Sewage treatment plant is mandatory and as such show cause notice were issued to all 3 guest houses to jointly install sewage treatment plant.

3. In response the guesthouse replied seeking period of 6 months for installation.

**Observations made during inspection**

M/s Zinhos Guest house owner, Mr. Angelo Fernandes was present stated that all 3 guest houses are not in operation due to covid pandemic.

3. He also mentioned that they have installed STP jointly.

4. The installation of STP was confirmed on site. However details like its capacity, type of technology, proposal for re-utilisation of treated effluent etc was not provided during inspection.

5. Referring to the office records, It is seen that due permission like consent to establish has not been obtained prior to installation of sewage treatment plant

#### Recommendations

1. Since the units have not obtained CTE prior to installation of STP, it is proposed to issue show cause notice for the same.

2. Also, it is proposed to seek details like technology of STP, its capacity and re-utilization of treated effluent etc.

#### Observations from GCZMA

1. Ms. Nalini Fernandes, complainant showed the Zinhos guest house. The structure is Ground +2 RCC structure. It has reception at the ground floor with swimming pool. It is used as guest house/ hotel. Goa state pollution control Board officials confirmed as per their record, three guest houses are registered in same building ( Details above )

2. Mr Agnelo Fernandes owner of the Zinhos hotel, confirmed the structure is used as guest house/hotel. However refused to give any approval/ NOC from GCZMA and other authorities, claiming, all the documents are with his legal counsel

3. He was explained that the inspection was in respect of complain against his illegal construction of guest house in the No development Zone

4. The photograph attached by the complainant are of the Zinhos guest house, which clearly indicate RCC structure of Ground +2. floor.

5. As per GCZMA record, no CRZ permission is given to Zinhos guest house located in survey number 243/13 & 243/14 in Calangute village, Bardez Takuka.

#### Recommendations

1. Land Survey Department to demarcate the NDZ line of 100, 200 and 500 meters on survey plan. Along with the NDZ lines, the demarcate any old structure shown on plan as well as the existing building

2. This demarcation will establish the status of the Zinhos guest and other guest houses registered in same building ( As per GSPCB Record ) , with reference to NDZ line as well as existence of old structure if any.

3. The complainant and respondent should be served site survey notice well in advance so that both the parties are present on the site during the survey

4. The decision of the structure in relation to NDZ and illegality can be arrived after the field survey plans are submitted by the land survey Department

Mahesh Patil- Expert member ( GCZMA

Mr. Devendra Gaonkar- Field Surveyor , GCZMA

Representative of Goa state Pollution control Board

1. Mr. keshav S. Fadke - AEE,

2. Mr. Chaltanya Salgaonkar - S. A.

3. Mr. Waman Chari, S.L.A.