

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

ORIGINAL APPLICATION NO. 21 OF 2023 (WZ)

Anandi Mahesh Patil

....Applicant

Versus

MPCB & Anr.

....Respondent(s)

Submission of Report on behalf of the Maharashtra Pollution Control Board:-

In the matter of Original Application bearing No. 21/2023 (WZ) filed by Anandi Mahesh Patil v/s MPCB & Anr regarding noise pollution due to operation of hotel by Respondent No. 2- Hotel Bhairavee located at Survey Nos. 263/1, Varsha Park Road, Baner Road, Baner, Pune-411047.

The activities of the Respondent No.2 fall under the Green category as per the classification of Industries and now they have applied for Consent to Operate , which is under process.

In order to verify the complaint received from Applicant to MPCB on 07.07.2022, Respondent No. 1- MPCB has carried out ambient noise monitoring on 22.07.2022 near hotel and the applicant house. Noise level was found to be 83.9 dB(A) Leq at exhaust blower of Hotel. Therefore, Respondent Board has issued proposed directions vide letter dated 29.09.2022 to the Respondent

No. 2. A copy of the proposed direction is attached with the Original Application as an **Annexure –A2**.

In compliance of the Hon'ble NGT Order dated 01.03.2023 the Officials of the Maharashtra Pollution Control Board at Pune visited the aforesaid site on 31.03.2023 and carried out the noise monitoring. The details are as follows:

Google image of the Hotel & Applicant house is as below,



Image:- Location of applicant house and Hotel Bhairavee.

Introduction:-

Hotel Bhairavee is located at Survey Nos. 263/1, Varsha Park Road, Baner Road, Baner, Pune - 411047 and approx. 7.7 mt away from Baner road,

Pune. The applicant's house is located at West side of the Hotel. The aerial distance between applicant's house and the hotel is approx. 22.43 mt.

Hotel has 12 no. of rooms and restaurant activity with one kitchen having blower no. 1 provided to Indian & Chinese section, blower no. 2 provided to Tandoor section and blower no. 3 provided to South Indian Section with fume exhaust line, hood and ducting. Respondent no. 2 has provided three no. of blowers, which are located at West side of building. PP has provided one common exhaust ducts for blower 1 & 3 and another exhaust duct for blower 2, both ducts having height approx. 50 feet and above roof level of hotel building.

Photographs are as below,



Image:- Three no. of Exhaust blowers with two no. of ducts



Image:- Applicant House – Noise monitoring station

The details of the ambient noise monitoring carried out on 31.03.2023 & 01.04.2023 at 5.0 mt away from source i.e blowers of Hotel and near applicant house during day time and night time, the report is as below,

A) Noise Monitoring during day time:-

Sr. No.	Location	Date	Time Duration	Noise Limits for day time for Residential area in dB(A) Leq	Noise meter reading at day time in dB(A) Leq	Limit status
Noise readings during Hotel activity is not in operation – baseline data						
1	At applicant house	31.03.2023	8:26 am to 10:46 am	55	59.2	Exceeding

		31.03.2023	3:02 pm to 7:02 pm	55	58.2	Exceeding
		Average reading		55	58.7	Exceeding
2	Near Hotel	31.03.2023	8:15 am to 10:43 am	55	62.1	Exceeding
		31.03.2023	2:54 pm to 7:00 pm	55	61.0	Exceeding
		Average reading		55	61.55	Exceeding
Noise readings during Hotel activity is in operation						
1	At applicant house	31.03.2023	10:46 am to 12:07 pm	55	61.1	Exceeding
		31.03.2023	12:06 pm to 2:58 pm	55	59.0	Exceeding
		31.03.2023	7:07 pm to 10:04 pm	55	64.0	Exceeding
		Average reading		55	61.36	Exceeding
2	Near Hotel	31.03.2023	10:46 am to 12:07 pm	55	63.0	Exceeding
		31.03.2023	12:07 pm to 2:55 pm	55	63.2	Exceeding
		31.03.2023	7:02 pm to 9:58 pm	55	64.7	Exceeding
		Average reading		55	63.63	Exceeding

From the above Noise monitoring reports, it has been observed that the average base line noise monitoring report of ambient

noise during non-operation of Hotel near applicant house is observed 58.7 dB(A) Leq and near Hotel is 61.55 dB(A) Leq are found exceeding the limit as per Rule 3(1) and 4(1) of the Noise Pollution (Regulation and Control) Rules, 2000 for residential area at day time (6.00 a.m. to 10.00 p.m.) the limit is - 55 dB(A) Leq. During the operation of hotel activity the average noise level near applicant house is 61.36 dB(A) Leq and near Hotel is 63.63 dB(A) Leq are found exceeding the limit as per Rule 3(1) and 4(1) of the Noise Pollution (Regulation and Control) Rules, 2000 for residential area at day time (6.00 a.m. to 10.00 p.m.) the limit is - 55 dB(A) Leq.

B) Noise Monitoring at night time:-

Sr. No.	Location	Date	Time Duration	Noise Limits for Night time for Residential area in dB(A) Leq	Noise meter reading at night time in dB(A) Leq	Limit status
Noise readings during Hotel activity is not in operation- baseline data						
1	At applicant house	31.03.2023 & 01.04.2023	11.:09 pm to 4:41 am	45	51.6	Exceeding
2	Near Hotel	31.03.2023 & 01.04.2023	11.:05 pm to 4:40 am	45	56.5	Exceeding

Noise readings during Hotel activity is in operation						
1	At applicant house	31.03.2023	10:05 pm to 11:06 pm	45	56.4	Exceeding
2	Near Hotel	31.03.2023	10:01 pm to 11:01 pm	45	61.7	Exceeding

From the above Noise monitoring reports, it has been observed that during non-operation of Hotel, the average base line noise monitoring report of ambient noise near applicant house is observed 51.6 dB(A) Leq and near hotel is 56.5 dB(A) Leq are found exceeding the limit as per Rule 3(1) and 4(1) of the Noise Pollution (Regulation and Control) Rules, 2000 for residential area at night time (10.00 p.m. to 6.00 a.m.) the limit is - 45 dB(A) Leq. And during operation of hotel activity the average noise level near applicant's house is 56.4 dB(A) Leq and near hotel is 61.7 dB(A) Leq are found exceeding the limit as per Rule 3(1) and 4(1) of the Noise Pollution (Regulation and Control) Rules, 2000 for residential area at night time (10.00 p.m. to 6.00 a.m.) the limit is - 45 dB(A) Leq.

However, as per the Rule 7 (1) of The Noise Pollution (Regulation and Control) Rules, 2000 provides that *“A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone (or, if there is a violation of any provision of these rules regarding*

restrictions imposed during night time,) make a complaint to the authority”

It has been noticed that the base line readings of ambient noise are exceeding the ambient noise monitoring standards for the day and night time.

During the day time, when hotel activity is in operation, it has been observed that the noise level at applicant house and near hotel is not exceeding the ambient noise standard by 10 dB(A), However, During night time, when hotel activity is in operation noise level at applicant house and near hotel is exceeding the ambient noise standard by 10 dB(A) .

In response to the proposed directions issued by MPCB dated 29.09.2022 and interim direction dated 16.11.2022, Respondent No. 2 has submitted reply through email dated 31.03.2023 to the directions and informed that he will apply for consent, will provide acoustic enclosure to blower within one month, has obtained drainage NOC of Pune Municipal Corporation to discharge the sewage generated from hotel activity. Copy of reply submitted is enclosed herewith and annexed as an **Annexure-I**.

Respondent No. 2 vide email dated 04.05.2023 informed that they have carried out modification and changes in existing blower and exhaust system for reduction of noise level and details of work carried out by Respondent No. 2 are as follow,

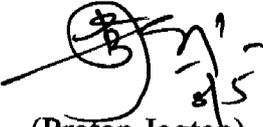
Sr. No.	Bill date	Details of work carried out
1	01.09.2022	For blower no.2:- 1. Replacement of shaft 2. Motor SKF make bearing replacement. 3. balancing of impeller
2	22.10.2022	For blower no.1 & 2:- 1. Replacement of blower cabinet acoustic material 2. Motor SKF make bearing replacement. 3. balancing of impeller
3	15.12.2022	For blower no.2:- 1. Replacement by new ducting 24 G thick sheet and change outlet direction from North side to East side. 2. Replacement of Pully, belt, machine. 3. Servicing and cleaning of exhaust system ducting, hood, filters of blower 1,2,3
4	03.04.2023	For blower no.1 & 3:- 1. Replacement of old ducting by 24 G thick GI sheet For blower no. 2:- 1. Replacement of old ducting by 20 G thick GI sheet For blower no. 3:- 1. Replacement of old 3 Hp 1440 rpm motor by new 2 Hp 960 rpm motor. For blower no. 1:- 1. Replacement of old 7.5 Hp 1440 rpm motor by new 5 Hp 1440 rpm motor.

Details of measures taken to control noise pollution by Respondent No. 2 is attached herewith as an **Annexure –II**.

Conclusion:-

1. Respondent No. 2 should provide Foam insulation (pyramid acoustic foam type) on the inner side of the body of additional external enclosure to blowers for effective reduction of noise generated from blowers of Hotel.
2. For effective minimization of noise air blower assembly may be installed on the anti-vibration pads.
3. Respondent No. 2 should regularly carry out maintenance work of all blowers and ducting system.
4. Respondent No. 2 should regularly carry out noise monitoring through MoEF / NABL approved laboratory and ensure that noise level should be within prescribed standards as per Rule 3(1) and 4(1) of the Noise Pollution (Regulation and Control) Rules, 2000.

Place:- Pune
Date:- 08.05.2023.


(Pratap Jagtap)
Sub Regional Officer,
M.P.C. Board, Pune-1

Fwd:

omkar katawate <ggm.swaragroup@gmail.com>

Fri 31-03-2023 16:10

To: RO Pune <ropune@mpcb.gov.in>;SRO Pune 1 <sropune1@mpcb.gov.in>

📎 5 attachments (986 KB)

Doc 3.jpg; Doc.jpg; Doc 1.jpg; Doc 2.jpg; Doc 4.jpg;

Dear Sir/Ma'am,

Greetings From Bhairavee pure veg..!!!

Please find attached document for the reference

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Thanks and Regards,

• **Omkar**

Date – 30/03/2023

To,
Regional Officer
MPCB Pune

Sub – Reply to Interim & Proposal directions.

Ref – 1) Interim direction issued by MPCB dated – 16/11/2022
2) Proposed direction issued by MPCB dated – 29/09/2022

Sir,

With reference to above subject we are here with submitting point wise reply of above direction as below :-

We are in process to apply for consent to establish and operate, within 10 days we will submit the application

We are also in process to provide acoustic enclose to stop the blower noise of kitchen kindly allow 1 month period for the same

We have drainage NOC from Pune Municipal Corporation and copy of the same is enclose here with

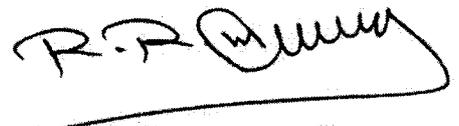
We are also in process to submit bank guaranty of Rs. 50000/- within a period of 10 days. We will submit the same

We are ensure that after the installation of acoustic enclosure to blower the noise level will be reduce and will comply with the noise rule

Rahul Murkute

Bhairavee Pure veg

For Bhairavee Pure Veg.



S. No. 263/2/1, Varsha Park, Baner Road, Pune - 411 045. Tel. : 7350563355 / 9850209199
E-mail : hotelbhairavee@gmail.com / Web Site : www.hotelbhairavee.com

ड्रेनेज पूर्णता पत्र

औंधा क्षेत्रीय कार्यालय
पुणे महानगरपालिका
जा. क्र. / औंधा/ 19 040
दिनांक 01/11/2009

प्रति,

श्री/श्रीमती विश्वास रामदास मुरकुटे
डी पी रोड मुरकुटे वस्ती औंधा पुणे
यांत

महाशय

पुणे पेठ बाणेर रोड वल्सपार्क स्टेस. येथील ड्रेनेज पूर्णता पत्र मिळाल्याबाबत
आपला दि. 28/11/2009 चा अर्ज पोहोचला.

सदर ठिकाणी ड्रेनेजसंबंधी सर्व कामे नियमाप्रमाणे केल्याचा लायसेन्स
प्लंबरचा दाखला आपणा दाखल केला आहे. त्यावरून पाहणी करून खालील
नमूद केलेल्या इमारतीचे भागाचे ड्रेनेज पूर्णता पत्र देण्यात येत आहे.

बाणेर रोड वल्सपार्क स्टेसायटी स. नं. 2831219 चर्चीलड इमारत
जंडर ग्राऊंड पार्किंग, लोअर ग्राऊंड, पहिली मजला, दुसरी मजला
तिसरी मजला शा.प्रमाणे पूर्ण

तरी वरील नमूद केलेल्या इमारतीचे/इमारतीच्या भागात बांधकाम
नियंत्रणा खात्याकडून भागेवटा पत्र मिळाल्यात ड्रेनेजदृष्ट्या या विभागाची
हरकत नाही.

कळावे.

अधिकारी

औंधा क्षेत्रीय कार्यालय
पुणे महानगरपालिका

प्रत - मा. सहाय्यक अभियंता [बांधकाम नियंत्रण]
पुणे महानगरपालिका.

Re: Work flow Details

omkar katawate <ggm.swaragroup@gmail.com>

Thu 04-05-2023 13:58

To: SRO Pune 1 <sropune1@mpcb.gov.in>

📎 1 attachments (845 KB)

Blower work documents.pdf;

Please find the attached document for Blower work

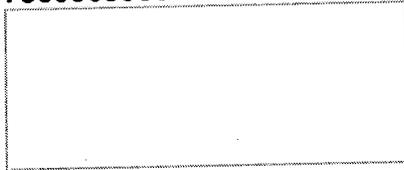
On Thu, May 4, 2023 at 11:36 AM omkar katawate <ggm.swaragroup@gmail.com> wrote:

Dear Ma'am,

As per our conversation we are sending you the workflow which we have done with the machine please check and revert if any update need on this

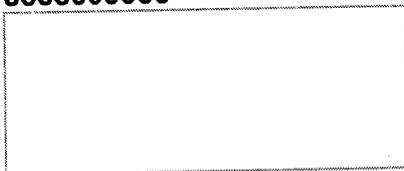
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**Thanks and Regards,
Omkar Katawate
Group General Manager
7350563355**



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**Thanks and Regards,
Omkar Katawate
Group General Manager
020 63110055
8888000055**



Subject: Update on the noise pollution issue caused by the blow dryer in our restaurant

Respected Sir/Madam,

I am writing to provide an update on the noise pollution issue caused by the use of a blow dryer in our restaurant that we had previously informed you about. I am happy to inform you that we have taken necessary steps to address the issue.

We have installed soundproofing materials in the area where the blow dryer is used and have also instructed our staff to minimize its use during peak hours. The noise level has been significantly reduced, and we are now in compliance with the noise pollution control guidelines. Work which done during the guidelines are below.

- 01) To lower down the vibration and noise of machine which has caused by Imbalance of Impeller we had changed the shaft by new one.
- 02) Old bearing has replaced by new SKF bearing to drop the noise.
- 03) Vibration was causing due to unbalancing of Impeller which has been fixed up.
- 04) Outer body of both the machine has been replaced by new acoustic material to reduce the noise.
- 05) Old pully got crack which is been replaced by new one.
- 06) Old belt was making some friction and noise which we have replaced it by new one. (Make name Fenner)
- 07) Servicing and cleaning of kitchen exhaust, duct due to the blockage of food and unwanted kitchen macro particles has been clean properly of Filter machine no 1,2 and 3
- 08) Now we have used 24G thick GI Sheet piece of ducting to extend at the top of terrace, we also changed the direction of outlet from North to east side for machine no 1 and 3
- 09) For machine no 2 the side inlet of old duct has been replaced by a new GI piece of 20G thick Plenum box which can help to reduce pressure and noise of air level.
- 10) For Machine no 03 we have changed the old motor 1440 RPM with new one of HP 960 RPM (Crompton Make) to drop the noise level.
- 11) For Machine No 01 old motor with RPM of 1440 replace by new 5HP 1440 RPM (Make Crompton) to drop the noise level.

Result of Work done- End result of all this work is it reduced the pressure and noise level of the exhaust.

I would like to express my sincere gratitude to the MPCB for their guidance on how to reduce the noise level and comply with the noise pollution control guidelines. If you require any additional information or details about the steps that were taken, please do not hesitate to contact me.

Thank you for your time and attention to this matter.

Sincerely,

Bhairavee pure veg restaurant

For Bhairavee Pure Veg.

Machine no-1- Indian & Chinese Section

Machine no-2- Tandoor Section

Machine no-3- South Indian Section

A) Bill date- 01-09-2022

Work For machine no-2

- | | |
|---|---|
| 1 | Due to some vibration of machine and noise increased due to imbalance of impeller so we done work on it and replace the shaft by new one. |
| 2 | Due to noise increased of motor replaced the old bearing by new SKF make bearing. |
| 3 | Due to vibration increased of machine done balancing of impeller. |



Result- some amount of noise and vibration Controlled.

B) Bill date- 22-10-2022

Work For machine no-1 & 2

- | | |
|---|---|
| 1 | Both machine double skin body(means outer box) and due to old and expire the acoustic material inside that box so we replace that by new acoustic material to reduce noise. |
| 2 | Due to noise increased of motor replaced the old bearing by new SKF make bearing. |
| 3 | Due to vibration increased of machine done balancing of impeller. |

Result- some amount of noise Controlled.

C) Bill date- 15-12-2022

Work For machine no- 2

- | | |
|---|--|
| 1 | 24 G thick GI sheet ducting piece extended at top of terrace and also change outlet direction from NORTH side to EAST side |
|---|--|

2	Old pulley replaced by new due to crack of pulley
3	Old belt also replaced by new Fenner make.
4	Servicing and cleaning kitchen exhaust system ducting, hood, filter of Machine no 1,2,3



Result- some amount of noise Controlled.

D) Bill date- 03-04-2023

1	Work For machine no- 1,3- 24 G thick GI sheet ducting piece extended at top of terrace and also change outlet direction from NORTH side to EAST side.
2	Work For machine no- 2- Old ducting of this inlet side replaced by new GI piece 20 G thick like plenum box to reduce the pressure and noise level of air.



Result- Machine no-2 fully controlled noise and satisfactory result comes out.

E) Bill date- 03-04-2023

1	Work For machine no- 3- Old 3 Hp 1440 rpm motor replaced by new 2 Hp 960 rpm Crompton make motor so noise level comes down and good result comes.
2	Work For machine no- 1- Old 7.5 Hp 1440 rpm motor replaced by new 5 Hp 1440 rpm Crompton make motor so noise level comes down and good result comes.

Result- Machine no-3 fully controlled noise and satisfactory result comes out.