

# MAHARASHTRA POLLUTION CONTROL BOARD

Regional Office, Navi-Mumbai

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Raigad Bhavan, 7th floor,  
Sec-11, C.B.D. Belapur,  
Navi Mumbai- 400 614.

No: MPCB/RONM/PD- 2303/60011

Date: -16 / 3 / 2023

To,

M/s. Hotel Manisha International.  
Plot No. 69, Shop no. 11, Sector 15,  
5 floor, B wing, Belapur, Navi Mumbai

Sub: - Proposed Direction under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Hazardous & Other Waste (Management and Trans-boundary Movement) Rules 2016

- Ref: -
1. Hon'ble NGT Order dated 23.07.2020 in OA No. 400/2017 of Westend Green Farms Society V/S Union of India & Ors.
  2. CPCB direction regarding modified revised categories of industries dtd. 07.03.2016.
  3. Execution Application No. 05/2012 in OA No. 91/2019 filed by Deepak Rambhau Gawande Vs The Commissioner, Akola Municipal Corporation and Others before Hon'ble NGT, Special Bench.
  4. Letter received from Joint Director (WPC) on 25.10.2022.
  5. MPCB legal action proposal vide No. MPCB-LEGAL\_ACTIONS-060323013
  6. Letter issued from SRO Navi Mumbai-I on 26.12.2022

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**WHEREAS**, the Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 and Hazardous and Other Waste (Management, & Transboundary Movement) Rule, 2016 is applicable to the State of Maharashtra as declared in Official Gazette. **AND** **WHEREAS**, the area where your activity is situated, falls under the said declared area.

**AND WHEREAS**, it is mandatory to obtain the Consent to Establish / Operate for your activity from Maharashtra Pollution Control Board under Water (P&CP) Act, 1974 & Air (P&CP) Act, 1981 and Hazardous and Other Waste (M, & T M) Rule, 2016 by submitting required documents and consent fees.

**AND WHEREAS**, it was also obligatory on your part to provide adequate and suitable pollution control equipment and take adequate measure to control air & water pollution from all sources, it was also obligatory on your part to operate & maintain pollution control devices & avoid nuisance to surrounding area.

**AND WHEREAS**, vide reference at Sr. No-1, Hon'ble National Green Tribunal in OA No. 400/2017 of Westend Green Farms Society v/s. Union of India & Ors. on 23.07.2020 and instructed to submit the action taken report w. r. t. the compliance of Environmental norms by Restaurants /



Hotels / Motels / Banquets, etc. Wherein also directed that all Restaurants / Hotels / Motels / Banquets (Marriage Hall) shall obtain Consent to Establish before commencement of the unit & to obtain consent to Operate for commercial operation of the unit. Accordingly, Accordingly, Sub-Regional Officer, Navi Mumbai-I has issued letter to your activity on 26.12.2022, but you have not submitted reply of letter, nor applied for consent towards MPCB and failed to comply with the same

**AND WHEREAS**, vide reference at Sr. No-3, Joint Director (WPC) has issued letter and directed to issue the Show Cause Notice, Closure Direction and also impose the Environmental Compensation for the past/ present violation by Restaurants / Hotels / Motels / Banquets etc. and incorporate necessary conditions in Consent and submit Action taken report (ATR) to JD(WPC) for further compliance of Hon'ble NGT Order dtd. 05.09.2022.

**AND WHEREAS**, after examining all the reports and records available with this office, I have come to the conclusion that you are knowingly and willfully violating the provisions of Water (P & CP) Act, 1974, Air (P & CP) Act, 1981 and Hazardous and Other Waste (Management & Transboundary Movement) Rule, 2016.

**NOW THEREFORE**, in exercise of the powers conferred upon me u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974, you are hereby directed to:

1. Why direction shall not be issued to stop your Hotel activity?
2. Why competent authority shall not be directed to disconnect your units Electric / Water supply?
3. Why necessary legal action shall not be initiated against you?

Your reply / objections if any shall be submitted within 7-days from the receipt of this direction to this office. Failing which the Board will issue further legal action as may deem fit in your case which may please be noted.



(D. B. Patil)

**Regional Officer, Navi Mumbai.**

**Copy to :-**

**Sub Regional Officer, Navi Mumbai-I.** You are here by directed to serve copy of direction to industry & submit compliance report.