

MINUTES OF COMPLAINT COMMITTEE MEETING

3rd MEETING OF THE COMPLAINT COMMITTEE

Date : 16/09/2016 Time : 3.00 p.m.

COMPLAINTS COMMITTEE MEETING MINUTES			
Date : 16/09/2016		Time : 3.00 P.M.	
Members Present:			
Sr. No	Name of Member	Designation	Signature
1	Mr. Sanjeev Joglekar	Environmental Engineer	<i>[Signature]</i>
2	Ms. Connie Fernandes	Scientist 'C'	<i>[Signature]</i> 16/9/16
3	Mrs. Natalia Dias	Senior Law Officer	<i>[Signature]</i> 16/9/16
4	Mr. Pratik Chari	Engineering Assistant (Computers)	<i>[Signature]</i> For 16/9/16

MINUTES							
A. FOLLOW UP OF PREVIOUS MINUTES:							
Sr No	Comp.No. /FLM No	Complaint concern	Discussion	Proposed Action Plan	Responsibility	Target Date to be placed for meeting	Present Status
1	XGN No. 1354 2016/GSPCB/Complaints/10453	Complaint against Kirtan Chandrakant Morjkar, Nagash Chandrakan Morjkar and Dilip Chandrakant Morjkar regarding illegal construction without permission from statutory authorities in the paddy fields in	Issue raised by the complainant is illegal construction of three houses including the hotel cum restaurant. Since the hotel is required to have consent under the water	Joint inspection to be conducted	Technical (JEE North) Mrs. Nandan Prabhudessai	16/09/2016 23/09/2016	Forwarded to JEE North - Nandan for scheduling inspection Pending for conducting inspection. Inspection Report to be submitted to the

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A. FOLLOW UP OF PREVIOUS MINUTES:

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		sy no. 247/4, 247/6 & 247/8 in village Anjuna.	and air act. The same may be required to be inspected jointly along with SDM and panchayat so as to ascertain the location.				Committee by 23/09/2016.
2	2016/GSPCB/Complaints/10459	M/s. Decent Fast food operated illegally by Shri Durgaprasad Kukalkar R/o. H. o. 1805, near Bank of India ATM Centre, Gokulwadi Sanquelim-Goa	The inspection report indicates that the said fast food centre is being operating in a shed outside the premises. However the unit has submitted NOC from the Municipal Council for operating in house bearing no.1805, Gokulwadi, Sanquelim-Goa. May issue show cause notice as to why the application should not be rejected and also seek clarification regarding allegations raised by the complainant regarding legality of the structure.	May issue show cause notice as to why the application should not be rejected and also seek clarification regarding allegations raised by the complainant regarding legality of the structure.	Legal	16/09/2016 23/09/2016.	Marked to Alleluia for drafting show cause notice. Status regarding the SCN to put up on 23/09/2016.
3	2016/GSPCB/Complaints/10461	Complaint against Santana	The allegations made by	Inspection may be conducted.	Technical	16/9/2016	Forwarded to JEE South - Keshav, for scheduling

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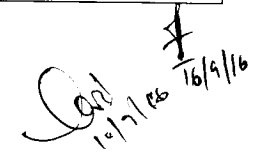
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A. FOLLOW UP OF PREVIOUS MINUTES:							
Sr No	Comp.No. /FLM No	Complaint concern	Discussion	Proposed Action Plan	Responsibility	Target Date to be placed for meeting	Present Status
		Carvalho R/o. Colva, Salcete-Goa.reg. doing business of scrap items in the paddy fields).	the complainant may be verified as the complainant has stated that there is illegal slaughtering going on.			23/09/2016	inspection Pending for conducting inspection. Inspection Report to be submitted to the Committee by 23/09/2016.
4	XGN ID 1358 Daak No.9669	Reg. illegal dumping of garbage everyday in Chenaiwada, Arambol, Pernem-Goa behind Panchakroshi higher Secondary School.	The complaint is already forwarded to the V.P. Arambol. In addition we may conducted inspection.	Inspection may be conducted	Technical	16/9/2016 23/09/2016	Inspection scheduled on 21/09/2016 (Manoj & Willma) Report to be submitted to the Committee on 23/09/2016
5	XGN ID 1350 2016/GSPCB/Complaints/10462	Regarding starting of factory in sy no. 66/1, Curti village, ponda close to Sapana Residency & Sapana Town, causing high intensity noise pollution.	To be verified by inspection	Inspection may be conducted	Technical	16/9/2016 23/09/2016	Marked to JEE North – Nandan for scheduling inspection Pending for conducting inspection. Inspection Report to be submitted to the Committee by 23/09/2016.

A. FOLLOW UP OF PREVIOUS MINUTES:							
Sr No	Comp.No. /FLM No	Complaint concern	Discussion	Proposed Action Plan	Responsibility	Target Date to be placed for meeting	Present Status
6	XGN ID 1360	Non issue of NOC to Garage of Shri. Chandrakant S Virdikar at Elcate Ward in H. no. 690/2-16, Curtorim .	The issues raised by the complainant are regarding pollution caused by denting, painting by a garage. The same may be verified by conducting inspection	Inspection may be conducted	Technical	16/9/2016 23/09/2016	Marked to JEE South – Keshav for scheduling inspection Pending for conducting inspection. Inspection Report to be submitted to the Committee by 23/09/2016.
7	003/PCB/CC dated 30/08/2016 2016/GSPCB/letter/9810	Complaint regarding pollution of Mandovi river due to release of toilet waste into the river by illegal huts erected on the banks of the river for housing sand extraction labourers.	To be verified by inspection as the allegations is about pollution of river Mandovi due to release of domestic sewage into the river.	Inspection to be conducted	Technical	16/9/2016 23/09/2016	Inspection scheduled on 30/09/2016 (Vijay Kansekar) Report to be submitted to the Committee on 23/09/2016
8	0004/PCB/CC dated 31/08/2016 2016/GSPCB/others /9916	Complaint against automobile showroom/ service centre for causing noise pollution.	To be verified by inspection as the complaint is about operations of automobiles service centre.	Inspection to be conducted	Technical	16/9/2016 23/09/2016	Inspection scheduled on 20/09/2016 (Amit Shanbag) Report to be submitted to the Committee on 23/09/2016
9	GSPCB/Leg Sec/LGL/2016/3300 24	Complaint against unauthorized and illegal factory/ factory activities in residential area causing noise and air pollution	The inspection has already been carried out and thereafter upon issue of directions, the unit has	May be granted Consent for a period of 1 year with restricted timing of operation between 1.00 p.m. to 3.00 p.m. and no	Scientific Section (Dr. Mohan Girap)	16/09/2016 23/09/2016	File forwarded to Member Secretary for approval. Approval awaited.





A. FOLLOW UP OF PREVIOUS MINUTES:

Sr No	Comp.No. /FLM No	Complaint concern	Discussion	Proposed Action Plan	Responsibility	Target Date to be placed for meeting	Present Status
		and damaging the building structure putting life of around 20 people at risk	submitted an application for Consent. The noise level monitoring carried out indicates that the noise levels are exceeding the permissible limits. The Goa building By- laws does not permit such activities in residential areas. Considering the fact that this unit is in operation with the approval of the other local authorities. We may issue consent for one year to shift to industrial area and to stop operation between 1.00 p.m. to 3.00 p.m. and no operation after 6.00 p.m. The local authority may also be intimated about this decision of the Board along with the complainants.	operation after 6.00 p.m and to shift to industrial area.			
10	ID-1338 dt 02/08/2015 2016/GSPCB/Other	Objection to Mini India Park which has been proposed at Quelossim, Cortalim	The project has been approved by the	Letter to be issued to the complainant informing no activity carried out at the site		23/09/2016.	Inspection report not yet put up. Report to be put up by






A. FOLLOW UP OF PREVIOUS MINUTES:							
Sr No	Comp.No. /FLM No	Complaint concern	Discussion	Proposed Action Plan	Responsibility	Target Date to be placed for meeting	Present Status
	/10247		Investment Promotion Board. Subsequently the complaint Inspected on 12/08/2016. No activity carried out at the site. No application received by the GSPCB.	and enclosing copy of the inspection report.			23/09/2016.
11	2016/GSPCB/Letter /6247 & GSPCB/Leg Section/LGL/2016/3 30012	Revocation of Consent to Operate granted to M/s. Dattaraya Fabrication Workshop operated by Mr. Uttam S. Parsekar in house no. 207 located in the residential area/zone.		Letter issued for personal hearing on 16/09/2016			Minutes of the hearing enclosed.
12	GSPCB/TECH/TECH/ 2015/600404	Complaints against M/s. Simeshwar Garage for fraudulently obtaining Consent to Operate.		Letter issued for personal hearing on 16/09/2016			Minutes of the hearing enclosed.
13	2016/GSPCB/Letter /10430	Complaint against Mr. Francis Gonsalves operating a garage near the residence of the complainant for causing pollution	Since the issue raised is regarding battery fumes and sound pollution due to the operation of the garage near the residence. Inspection to be carried	Inspection may be conducted.	Technical	24/09/2016 23/09/2016	Forwarded to JEE South – Keshav, for scheduling inspection Pending for conducting inspection. Inspection Report to be

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A. FOLLOW UP OF PREVIOUS MINUTES:

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			out for verification of the allegation.				submitted to the Committee by 23/09/2016.
14	2016/GSPCB/Letter /10431	Complaint against Pollution caused in River Kushavati due to discharge of lots of pollutants and debris in the river by the mining activity.	The issue raised by the complainant is discharge of pollutants and debris in the river by the mining activity.	Inspection may be conducted.	Technical	24/09/2016 23/09/2016	Forwarded to JEE South – Keshav, for scheduling inspection Pending for conducting inspection. Inspection Report to be submitted to the Committee by 23/09/2016.
15	2016/GSPCB/Letter /10432	Complaint regarding construction of new septic tank and soak pit near the existing well of the complainant	Since the issue is regarding construction of septic tank and soak pit near the residential house which have to be dealt with Director of Health Service. The complaint is addressed to the Primary Health Centre, hence may be filed on record and inform the complainant.	Letter to be issued to the complainant.	Legal	24/09/2016	Letter issued on 15/09/2016 Complaint closed/resolved.

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B. FRESH COMPLAINTS							
Sr No	Comp.No. /FLM No	Complaint concern	Discussion	Action Plan	Responsibility	Target Date	Status
1	0014/PCB/CC dated 14/09/2016 2016/GSPCB/Letter/10745	Grievance registered on PG portal regarding stoppage of use of loudspeakers	Since the issue is regarding noise pollution which has to be dealt with the Collector under the noise Pollution Rules, the same may be forwarded to the District Collector for initiating appropriate action.	Letter to be issued to the concerned Collector/ District Magistrate as per the Noise Rules.	Legal	23/09/2016	
2	0010/PCB/CC dated 14/09/2016 2016/GSPCB/Letter/10643	Complaint of illegal filling up of /drying out of Bondvoll Lake at St. Cruz village by Hirabai Keshav Kavlekar and others in violation of Supreme Court directives and in violation of the Environment Protection Act 1986	Since the issue is regarding pollution of filling up of the lake and violation of the Environment (Protection) Act , may verify the present status and allegation made by the complainant.	Inspection to be conducted and inspection report to be submitted prior to the next meeting.	Technical / Lee Ann Antao to conduct inspection.	23/09/2016	
3	0011/PCB/CC dated 14/09/2016 2016/GSPCB/Other/9670	Complaint of noise and air and water pollution caused due to use of concrete mixer trucks along with the ready mix cement mixer pump cum generator	The Board has received the same complaint earlier and the same is already resolved.				RESOLVED

B. FRESH COMPLAINTS							
Sr No	Comp.No. /FLM No	Complaint concern	Discussion	Action Plan	Responsibility	Target Date	Status
		and construction materials outside the construction site at Heritae Zone situated on Dr. Dada Vaidya Road, Panaji					
4	0012/PCB/CC dated 14/09/2016 2016/GSPCB/Letter/10726	Complaint against Mr. Sudan Vaigankar & others for dumping cowdung and their wet and dry garbage just near the house of the complainant affecting the health of his family.	The allegation made by the complainant is regarding dumping of cow dung and their wet and dry garbage. This issue has to be dealt with by the local authority i.e. V.P. and the Health Centre.	This issue has to be dealt with by the local authority i.e. V.P. and the Health Centre. Letter to be issued to the concerned V.P. and Health Centre.	Legal	23/09/2016	
5	0013/PCB/CC dated 14/09/2016 2016/GSPCB/Letter/10738	Pollution caused by Shraddha Ispat Pvt Ltd and Goa Sponge Pvt Ltd situated in Sy no. 53/1 at Village Santona of Sanvordem-Goa.	Since the allegation is regarding pollution caused by Shraddha Ispat Pvt Ltd and Goa Sponge Pvt Ltd, inspection may be conducted to verify the same.	Inspection to be conducted and inspection report to be submitted prior to the next meeting.	Technical/ Pravin phaldessai	23/09/2016	
6	0015/PCB/CC dated 14/09/2016 2016/GSPCB/Letter/10780	Complaint against Abdul Karim Mohammad, K,G.N Ore Carrier, Vasco De Gama for abandoning the Barge M.V. Gurmit Star at Zuari Creek without any monitoring and or manned /crewed	Since the allegation is regarding environmental pollution caused due to abandoned barge. Inspection may be conducted to verify the same.	Inspection to be conducted and inspection report to be submitted prior to the next meeting.	Technical/ Digvijay Dessai	23/09/2016	

B. FRESH COMPLAINTS							
Sr No	Comp.No. /FLM No	Complaint concern	Discussion	Action Plan	Responsibility	Target Date	Status
		resulting in hazardous and environmental pollution					
7	GSPCB/Leg Section/LGL/2016/330050	Complaint reg. air pollution due to road constr. Panaji to old Goa. This matter is pending before Human Rights Commission. Board has filed reply in the matter. Since inspection was carried out on 22/04/2015 and 23/4/2015 and continuous monitoring from 29/4/2015 to 29/5/2015. The present status of the ongoing may have to be put up so as to place before the Commission.	In view of the ongoing monsoon it would not be appropriate to monitor dust pollution at this point of time. We may conduct inspection post monsoon. Since the allegation is regarding pollution due to road constr. Panaji to Old Goa. Inspection may be conducted to verify the same.	We may conduct inspection post monsoon.	Technical/Scientific	15/10/2016	
8	GSPCB/TECH/TECH/2016/621490	Objection for construction and excavation at Plot. 1 bearing svy. No. 491 of village Shiroda. As discussed with	Inspection may be conducted to verify the present status as recommended by the Technical section	Inspection to be conducted and inspection report to be submitted prior to the next meeting.	Technical	23/09/2016	

B. FRESH COMPLAINTS						
Sr No	Comp.No. /FLM No	Complaint concern	Discussion	Action Plan	Responsibility	Target Date Status
		<p>Legal Retainer it is understood that Smt. Damania Mascarenhas has filed proceeding before Human Right Commission, Panaji against Managing Director, Goa Industrial Development Corporation and Member Secretary of Goa State Pollution Control Board requesting to issue urgent direction to the concern authorities to shift the unit Yashashri Polyplast to other place . The unit Yashashri Polyplast has granted the plot no. 1 by the Goa Industrial Development Corporation to construct the unit for which the unit has obtained of the required permission including Consent to Establish from the Goa State</p>				

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B. FRESH COMPLAINTS							
Sr No	Comp.No. /FLM No	Complaint concern	Discussion	Action Plan	Responsibility	Target Date	Status
		<p>Pollution Control Board.</p> <p>The case before Human Right Commission filed by Daminia Mascarenhas against the above party is pending for hearing and same now is posted on 04th October 2016 to file reply by Goa State Pollution Control Board. The reply is already prepared and the same will filled on aforesaid date. The comment of Technical section at 005 have to be considered at the time of granting Consent to Operate along with other condition. The Board may request GISIDC to construct the appropriate boundary wall where unit M/s. Yashashri Polyplast is to be established.</p>					

Minutes of the meeting held on 16/09/2016 at 3.00 p.m. in the Conference Hall of Goa State Pollution Control Board regarding Complaints against M/s. Simeshwar Garage for fraudulently obtaining Consent to Operate.

The following officials were present for the meeting:

1	Vineeta Halarnkar	Complainant
2	Sushma R.Morje	Complainant
3	Shri. Ramdas Morje	Complainant
4	Advocate Shankar Phadte	Advocate of the complainant
5	Shri Nitin D.Harmalkar	Son of the Dynaneshwar Harmalkar (owner of M/s. Simeshwar Garage)
6	Dynaneshwar Harmalkar	Owner of M/s. Simeshwar Garage

Advocate Shankar Phadte represented the complainant Vineeta Halarnkar and Sushma Morje submitted as follows;

- 1) The documents submitted by M/s. Simeshwar Garage as NOC from the V.P. is not an NOC but a letter addressed to Chairman of GSPCB, requesting to check the said the garage workshop and issue NOC Certificate from pollution point of view.
- 2) Since the GSPCB has considered this as an NOC issued by the V.P. of Camurlim to M/s. Simeshwar Garage and issued Consent to Operate to M/s. Simeshwar Garage. The said Consent should be withdrawn.
- 3) A copy of the monthly meeting of a V.P. Resolution No.9 dated 4/4/2015 has been submitted wherein it is recorded that no NOC granted for construction of the shed to Dynaneshwar Harmalkar in Survey No.124/1.
- 4) The V.P. has issued a letter addressed to Dynaneshwar Harmalkar dated 18/1/2015 and 15/1/2015 intimating Dynaneshwar Harmalkar that the Panchayat has resolved not to grant NOC to the workshop.
- 5) Complainant has stated that his continuously carrying on denting and painting activity till 7.00 p.m.
- 6) He has requested the Board to ask the garage owner for the house number and signatory of the neighbours.
- 7) The Advocate has submitted that the 36 persons who have given their signatures are not residing of the vicinity of the garage. Whereas the complainant is residing in the immediate vicinity of the garage.
- 8) The garage is operational in residential area and the noise level is found exceeding the limits as per his understanding, till 8.00 p.m. and causing disturbance, annoyance and discomfort to the children of the

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complainants who are students and it is necessary to issue order for prevention.

- 9) As the operation of the garage from 2009 is without any legal documents should be stopped forthwith and there is no question of inspection.

The Advocate concluded that Dynaneshwar Harmalkar has misrepresented before the Board that he has obtained V.P. NOC in order to obtain Consent to Operate and hence the GSPCB withdraw the Consent issued in favour of M/s. Simeshwar Garage and ensure that the operation is stopped. In view of the false submission made by Dynaneshwar Harmalkar is liable in terms of the provision of section 38 of the Air Act.

Nitin Harmalkar, son of Dynaneshwar Harmalkar representing M/s. Simeshwar Garage and submitted as follows;

- 1) If V.P. has not given NOC than by now V.P. should have initiated action against the garage. The garage is operating from 2005 onwards.
- 2) He has stated that land belongs to the comunidade of Camurlim and submitted the NOC to operate the garage Dynaneshwar Harmalkar in survey no.124/1.
- 3) We have submitted copy of Consent to Operate issued by the Board to the V.P. seeking NOC of the V.P. Copy of the said letter submitted in this Board office.
- 4) We are carrying activity of repairing and maintenance of the trucks/ vehicles and stopped the activity of denting and painting for the past 1 year.
- 5) 36 neighbours have signed stating that they have no objection for operating of the garage.
- 6) The house of the complainant is at a distance of approx. 40 meters from the garage and other complainant house at a distance of 15 minutes of the garage.
- 7) The GSPCB has conducted inspection as well as noise monitoring, and the GSPCB should decide based on the inspection report. ^{on 14/11/14}
- 8) He has requested the GSPCB to conduct fresh inspection to ascertain the fact whether denting and painting is presently carried out in the garage.
- 9) He submitted that his operating the garage from 9.00 a.m. to 1.00 p.m. and 2.00 p.m. to 6.00 p.m. After the activity is stopped the equipments/ tools are kept inside the premises.
- 10) The inspection conducted by the Board on 14/11/2014 indicates that the noise levels are not exceeding the limits.

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11) He has stated that there is another garage named Sateri Garage which is carrying on activity of denting, painting, repairs and servicing of trucks including body building which is more closer to the complainant. The complainant does not have any grievance against the operation of the Sateri Garage.

Copy of the letter dated 15/09/2016 submitted by the unit is handed over to the complainant.

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ATTENDANCE SHEET

Date: 16/9/2016 time : 3.00 pm

Sr. No.	Name of the unit/complainant	Email address and Mobile no.	Signature
1.	जतिशर ए. हार्मलकर		जतिशर ए. हार्मलकर
2.	विजिता वि. हार्मलकर		वि. वि. हार्मलकर
3.	Sushma R. Morje		<u>Morje</u>
4.	Adv. Shankar M. Bhedle		<u>Bhedle</u>
5.	Shri Ravadas Morje		<u>Morje</u>
	Nitin D. Harmalkar		<u>Harmalkar</u>
6.			

Minutes of the meeting held on 16/09/2016 at 3.00 p.m. in the Conference Hall of Goa State Pollution Control Board regarding revocation of Consent to Operate granted to M/s. Dattaraya Fabrication Workshop operated by Mr. Uttam S. Parsekar in house no. 207 located in the residential area/zone.

The following officials were present for the meeting:

1	Advocate Pundalik N. Raikar	Advocate of the complainant
2	Advocate Sushant Korgaonkar	Advocate of the complainant
3	Mahesh Parsekar	Representing the unit
4	Mr. Vishant Kundaikar	Advocate of the unit owner

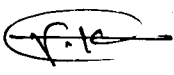
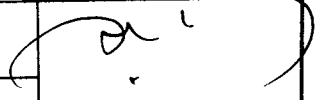

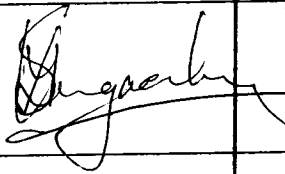
The Advocate Vishant Kundaikar representing Uttam Parsekar operating M/s. Dattaraya Fabrication Workshop submitted Written submission to the directions issued by the Board regarding sealing of the garage premises.

- 1) The copy of the said submission is handed over to Advocate P.N. Raikar who have requested to file reply by 23/09/2016.
- 2) Accordingly at the request of the parties the hearing is adjourned to 30/09/2016.

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ATTENDANCE SHEET

Date: 16/9/2016 time : 3.00 pm

Sr. No.	Name of the unit/complainant	Email address and Mobile no.	Signature
1	Vishant .. al. Kundekar.	9822025003	
2	Adv PUNDALIC H. RAHUR	9421344818	
3	Mahesh U. Parsekar	9049300309	
4	Adv. Sushant Y. Morgaonkar	9822240817	
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