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**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH,
NEW DELHI**

Original Application No. 364/2019

Along with record of O.A. No.15/2018 (WZ)

^{IN}
O.A. No. 364/2019 (PB)

K. Kumar, Conscious Citizen Forum)Applicant(s)

V/s.

State of Maharashtra)Respondent(s)

AFFIDAVIT IN REPLY OF RESPONDENT NO.14

I, Jitendra S. Ramgaokar, Deputy Conservator of Forests, Thane Forest Division, Dist. Thane, do hereby state on solemn affirmation as under:-

- 1) I say that, I have perused relevant records of the case. I crave leave of this Hon'ble Court to further add or amend the affidavit and/or file additional affidavit, if necessary. I say that, I have been authorized to file this affidavit on behalf of the Respondents No.14.
- 2) In the present matter this Hon'ble Tribunal pleased to pass the order dated 27.05.2019 seeking joint report from the Urban Development Department, the Land and Revenue Department and the Principal Chief Conservator of Forest (HOFF) Maharashtra. The PCCF (HOFF), Maharashtra has been designated as a Nodal Agency for coordination and compliance.

Accordingly co-ordination meetings of all concerned were held at Mantralaya. The issues involved regarding illegal construction being carried out by M/s. Iraissaa Developers Pvt. Ltd., Parsik Hills Rail tunnel, cutting of trees and disturb the forest land, allotment of land by CIDCO to individuals without considering the impact on environment, study conducted by MSPCB to the effect that stone crushing units emitting particulate matter and level of air pollution, quarrying along the hill prevent further destruction of Bio-diversity of the hills etc., were discussed and the facts were gathered from the concerned departments.

Based on the information gathered from the concerned departments, the factual position with respect to the points referred and raised before this Hon'ble Tribunal is submitted with separate report attached along

Notary Public, New Delhi
Filing Section
Duty No. 241719
14 OCT 2019
Fee.....PCC/DC/ONLINE
Signature of Receiving Officer



with this Affidavit and relevant reports sent via email on 28th August, 2019 (Annex-1) as per the Hon'ble Tribunal order dated 27.05.2019. Further I am submitting the original report, along with the annexures thereto.

Submitted with respect.


(Applicant)
(J.S. Ramgaokar)
Dy CF Thane.

VERIFICATION

I, Jitendra S. Ramgaokar, Deputy Conservator of Forests, Thane Forest Division, Dist. Thane do hereby state on solemn affirmation that whatever stated herein above is based upon the information derived from the official records, which I believe to be true and correct. The present affidavit-in-reply is drafted and settled as per instructions given by me. The contents of the present affidavit are true and correct.

Solemnly affirmed at Thane
This 11 day of Oct. 2019




(Jitendra S. Ramgaokar)
Deputy Conservator of Forests,
Thane Forest Division,
Dist. Thane

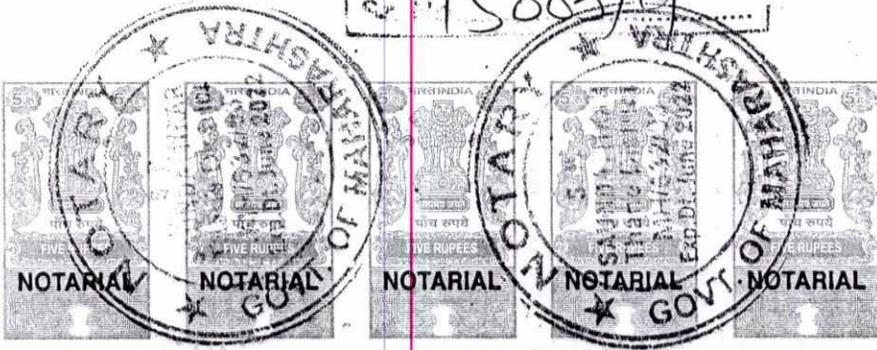
BEFORE ME



S. P. ... B.A., LL.B.
... COURT
...
Opp. Municipal Marathi School No.1,
Jambhali Naka, Thane (W) - 400 601.

11 OCT 2019

NOTED & REGISTERED
21/5883/19



Report in case of NGT OA 364/2019

2 messages

उप वनसंरक्षक, ठाणे <dcfthane@gmail.com>

Wed, Aug 28, 2019 at 12:28 PM

Reply-To: dcfthane@gmail.com

To: judicial-ngt@gov.in, govtadeldelhi@gmail.com, pccfhoffngp@mahaforest.gov.in, apccfcon@mahaforest.gov.in, apccfcon@gmail.com

Kindly collect the file here attached.

(डॉ. जितेंद्र रामगावकर)

उप वनसंरक्षक,

ठाणे वनविभाग, ठाणे

तीन हात नाका, लाल बहादूर शास्त्री मार्ग, नौपाडा,

ठाणे - ४०० ६०२.

फोन व फॅक्स नं : ०२२ - २५४२१३७३

इमेल : dycfthane@mahaforest.gov.in

संकेत स्थळ : www.mahaforest.gov.in

16 attachments

Bandra collector report.jpg
1245K

- A Report.pdf
4529K
- NGT LETTER.pdf
273K
- D_P_plan_Parsik_hill TMC.pdf
494K
- Map of hills.pdf
1274K
- DCF Thane report.pdf
1339K
- Cidco report NGT.pdf
3099K
- MCGM report.pdf
943K
- MPCB 1.pdf
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- MPCB 2.pdf
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- MPCB 3.pdf
138K
- MPCB 4.pdf
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- SGNP report.pdf
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- MPCB Navi Mumbai report.pdf
360K
- TMC report1.pdf
884K
- NMMC NGT report.pdf
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Final-Recipient: rfc822; apccfcon@gmail.com

Action: failed

Status: 5.1.1

Diagnostic-Code: smtp; 550-5.1.1 The email account that you tried to reach does not exist. Please try 550-5.1.1 double-checking the recipient's email address for typos or 550-5.1.1 unnecessary spaces. Learn more at

550 5.1.1 <https://support.google.com/mail/?p=NoSuchUser> u125sor873790ywf.199 - gsmtpt

Last-Attempt-Date: Tue, 27 Aug 2019 23:59:12 -0700 (PDT)

----- Forwarded message -----

From: "उप वनसंरक्षक, ठाणे" <dcfthane@gmail.com>

To: judicial-ngt@gov.in, govtadvdelhi@gmail.com, pccfhoffngp@mahaforest.gov.in, apccfcon@mahaforest.gov.in, apccfcon@gmail.com

Cc:

Bcc:

Date: Wed, 28 Aug 2019 12:28:29 +0530

Subject: Report in case of NGT OA 364/2019

Kindly collect the file here attached.

--
(डॉ. जितेंद्र रामगावकर)

उप वनसंरक्षक,

ठाणे वनविभाग, ठाणे

तीन हात नाका, लाल बहादूर शास्त्री मार्ग, नौपाडा,

ठाणे - ४०० ६०२.

फोन व फॅक्स नं : ०२२ - २५४२१३७३

इमेल : dycfthane@mahaforest.gov.in

संकेत स्थळ : www.mahaforest.gov.in

----- Message truncated -----



GOVT. OF MAHARASHTRA

404

भारत सरकार
GOVERNMENT OF INDIA



Jitendra Shradhdhanand Ramgaokar
जन्म वर्ष [REDACTED]
पुरुष Male



[REDACTED]

आधार - आम आदमी का अधिकार

Self attested
[Signature]

भारत सरकार
GOVERNMENT OF INDIA

आधार प्राधिकरण
AUTHORITY

पता: Address:
S/O: श्रदानन्द रामगाकर,
पिच गेव, अप्पर प्लाटो
फॉरेस्ट गार्डन चिखलदरा,
चिखलदरा, चिखलदरा,
अमरावती
महाराष्ट्र, 444807

Aadhaar - Aam Aadmi ka Adhikar

NOTARY
GOVT. OF MAHARASHTRA
J. R. KANTIKAR
District
21483293
Exp. 01. June 2015

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Item No. 04

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 364/2019
Along with record of O.A. No. 15/2018 (WZ)

K. Kumar, Conscious Citizen Forum

Applicant(s)

Versus

State of Maharashtra

Respondent(s)

Date of hearing: 27.05.2019

CORAM:

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s):

For Respondent (s):

ORDER

Original Application No. 364/2019

1. We have considered the matter in the light of order dated 09.05.2019. We are of the view that since O.A. No. 15/2018(WZ) filed by the applicant is pending, there is no need to entertain another application. The same is accordingly disposed of.

Original Application No. 15/2018(WZ)

2. O.A. No. 15/2018(WZ) was earlier disposed of on account of absence of Counsel for the Applicant. We find it to be in the interest of justice to revive the same. The same is accordingly revived.

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103

3. The application seeks direction against construction and selling of flats resulting in damage to the Parsik Hill and the green belt at Navi Mumbai. According to the applicant, illegal constructions are being carried out by the Respondent No. 1, M/s Iraissaa Developers Pvt. Ltd. The construction is on government land and may cause loss to the exchequer to the extent of Rs. 1,000/- Crores. The Parsik Hill has a rail tunnel and has potential for eco-tourism. Construction will involve cutting of trees and disturb the forest land. City and Industrial Development Corporation, Mumbai is allotting the land to individuals without considering the impact on environment. The study conducted by the Maharashtra State Pollution Control Board (MSPCB) is to the effect that stone crushing units were emitting particulate matter which is 100 times of the safe limit. The area already has high level of air pollution. Quarrying along the hill is destroying the bio-diversity, forest and affecting the water bodies. Ministry of Environment, Forest and Climate Change (MoEF&CC) granted mining rights which are subject matter of challenge. Reliance has been placed on order of this Tribunal dated 28.02.2017 in *Nanik Rupani & Anr. vs. Secretary MoEF & Ors.* and Order dated 08.01.2016 in *M/s Nanu Estates Pvt. Ltd. vs. Sayeed Tayeeb & Ors.*, restraining cutting of hills. It is submitted that to prevent further destruction of bio-diversity and the hills, there is need to debar any further construction adjacent to hill slopes and hilltops. Hills with slope of 25° cannot be permitted to be cut. By this yardstick, following hills are required to be protected:

- i. Powai Hill
- ii. Chandivali Hill
- iii. Worli Hill

- iv. Antop Hill
v. Parsik Hill
vi. Malabar Hill
vii. Dindoshi Hill

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4. The above averments show potential for a substantial question of environment which may need to be looked into.
5. Before proceeding further, we consider it necessary to require a joint report from the Urban Development Department, the Land and Revenue Department and the Principal Chief Conservator of Forest (Hoff), Maharashtra. The PCCF (Hoff), Maharashtra will be the nodal agency for coordination and compliance. The report may be furnished within one month by e-mail at judicial-ngt@gov.in.

A copy of this order along with O.A. No. 15/2018 (WZ) be sent to the Urban Development Department, the Land and Revenue Department and the Principal Chief Conservator of Forest (Hoff), Maharashtra by e-mail for compliance.

List for further consideration on 29.08.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

May 27, 2019
Original Application No. 364/2019
Along with record of O.A. No. 15/2018 (WZ)
DV



प्रधान मुख्य वन संरक्षक (वन बल प्रमुख), महाराष्ट्र राज्य यांचे कार्यालय

Office of the Principal Chief Conservator of Forests (HoFF), Maharashtra State
वन भवन, सिविल लाइन्स, नागपूर ४४०००१ Van Bhavan, Civil Lines, Nagpur 440001



अपर प्रधान मुख्य वन संरक्षक
(संधारण), महाराष्ट्र राज्य

Additional Principal Chief Conservator of Forests
(Conservation), Maharashtra State

apccfcon@mahaforest.gov.in; Phone: 0712-2556944, 2555675; Fax: 2550675; www.mahaforest.gov.in

क्र. कक्ष-१२/ठाणे/ प्र.क्र.८४(१८-१९)/ ३०४

दिनांक: १०/१०/२०१९

प्रति,

उपवनसंरक्षक प्रा. ठाणे.

विषय : मा.राष्ट्रीय हरित न्यायाधिकरण नवी दिल्ली येथे दाखल (NGT)

मुळ अर्ज क्र.३६४/२०१९ के.कुमार कॉन्शीअस सिटिझन फोरम विरुद्ध महाराष्ट्र शासन व इतर.

संदर्भ : १. शासन पत्र क्र.एस-३०/२०१९/ प्र.क्र. ४६७/फ-३, दि.१९.०६.२०१९.

२. उपवनसंरक्षक प्रा.ठाणे यांचे पत्र क्र.१२०/जमिन/६०३, दि.२१.६.२०१९

३. मुख्यवनसंरक्षक प्रा.ठाणे यांचे पत्र क्र.कक्ष-६/३/२०/जमिन/११९, दि.२१.६.२०१९

४. या कार्यालयाचे पत्र क्र.कक्ष-१२/ठाणे/प्र.क्र.१०४/१८१, दि.१५.७.२०१९.

५. शासन पत्र क्र.एस-३०/२०१९/ प्र.क्र. ४६७/फ-३, दि.१९.०७.२०१९.

६. या कार्यालयाचे पत्र क्र.कक्ष-१२/ठाणे/प्र.क्र.१०४/३०२, दि.३.१०.२०१९.

७. शासन पत्र क्र.एस-३०/२०१९/ प्र.क्र. ४६७/फ-३, दि.७.१०.२०१९.

मा.राष्ट्रीय हरित न्यायाधिकरण नवी दिल्ली येथे दाखल (NGT) मुळ अर्ज क्र.३६४/२०१९ के.कुमार कॉन्शीअस सिटिझन फोरम विरुद्ध महाराष्ट्र शासन व इतर याप्रकरणाची पुढिल सुनावणी दि. १८.१०.२०१९ रोजी आयोजित असल्याचे मा. हरित न्यायाधिकरणाचे वेबसाईटवरील Cause list मध्ये दिसत आहे. तसेच त्यात "for consideration of report but report not received" असा शेरामुद करण्यात आला आहे.

याप्रकरणामध्ये मा. न्यायाधिकरणास सादर करावयाच्या प्रधान मुख्य वनसंरक्षक (वनबलप्रमुख) महाराष्ट्र राज्य, यांचे स्वाक्षरी असलेली संयुक्त अहवालाची मुळ प्रत यासोबत पाठविण्यात येत आहे. करिता शासन पत्र संदर्भ ७ अन्वये दिलेल्या निर्देशानुसार संयुक्त अहवाल मा. न्यायाधिकरणात दाखल करावे व दाखल केलेल्या संयुक्त अहवालाची न्यायालयाचा शिक्का असलेली प्रत तथा आपला अनुपालन अहवाल विनाविलंब शासनास तथा या कार्यालयास सादर करावा.

सहपत्र-वरीलप्रमाणे

(एस.जी.टेंभुर्णीकर)

अपर प्रधान मुख्य वनसंरक्षक (संधारण)

महाराष्ट्र राज्य .

प्रतिलिपी - १. प्रधान सचिव (वनें), महसुल व वनविभाग, मंत्रालय, मुंबई.

२. मुख्यवनसंरक्षक प्रा ठाणे.

अपर प्रधान मुख्य वन संरक्षक (संधारण) यांचे कार्यालय
कक्षाचे नंबर
आवक नंबर
१५२३
११ OCT 2019
D:\Nitin Computer\Land\Land-Thane\Thane-15.docx
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न्यायालयीन प्रकरण / तात्काळ
दूरध्वनी क्रमांक : ०२२/ २२८१ ३६२३



409 ~~10~~
E-mail: sunil.pandhare@nic.in
क्रमांक: एस-३०/२०१९/प्र.क्र.४६७/फ-३
महसूल व वन विभाग
मंत्रालय, मुंबई - ४०० ०३२.
दिनांक: ७.१०.२०१९.

प्रति,

उप वनसंरक्षक,
ठाणे.

विषय: मा.राष्ट्रीय हरित न्यायाधिकरण, नवी दिल्ली येथे दाखल (NGT)

मुळ अर्ज क्र. ३६४/२०१९

के. कुमार कॉन्सीअस सिटीझन फोरम.

विरुद्ध

महाराष्ट्र शासन व इतर.

संदर्भ: १) शासनपत्र समक्रमांक दिनांक २७.०८.२०१९.

२) आपले पत्र क्र. कक्ष-१/२०/जमीन/३६१४/२०१९-२०, दि ७.१०.२०१९.

महोदय,

उपरोक्त विषयांकित प्रकरणी मा.न्यायाधिकरणात दिनांक २७.०५.२०१९ रोजी पारित आदेशाच्या अनुषंगाने नगरविकास विभाग, महसूल विभाग तसेच प्रधान मुख्य वनसंरक्षक (वनबल प्रमुख), महाराष्ट्र राज्य, नागपूर यांचा संयुक्त अहवाल मा.न्यायाधिकरणात सादर करणे अपेक्षित आहे. सदर अहवालाची मुळ प्रत उपलब्ध करून देण्याबाबत आपण संदर्भ क्र. २ च्या पत्रान्वये विनंती केली आहे.

त्यानुषंगाने कळविण्यात येते की, प्रस्तुत प्रकरणी मा.न्यायाधिकरणात सादर करावयाच्या संयुक्त अहवाल अपर मुख्य सचिव (महसूल) व प्रधान सचिव (नगर विकास विभाग) यांनी आवश्यक सुधारणा करून स्वाक्षरीत केला आहे. त्यानुसार यापूर्वी शासनच्या संदर्भ क्र. १ च्या पत्रान्वये सदर संयुक्त अहवालाची प्रत सहपत्रित करण्यात आली होती. तसेच सदर अहवालात आवश्यक सुधारणा करून मा.न्यायाधिकरणात सादर करण्याबाबत सुचना देण्यात आल्या होत्या.

तथापि, सद्य:स्थितीत आपण केलेल्या विनंतीनुसार, सदर संयुक्त अहवालाची मुळ प्रत या पत्रासह सहपत्रित करीत आहे. त्यावर प्रधान मुख्य वनसंरक्षक (वनबल प्रमुख), महाराष्ट्र राज्य, नागपूर यांची स्वाक्षरी घेऊन सदर अहवाल मा.न्यायाधिकरणात सादर करण्याची आवश्यक ती कार्यवाही तात्काळ करावी, अशी पुनःश्च विनंती करण्यात येत आहे.

सहपत्र : वरीलप्रमाणे.

आपला

(सुनिल पांडरे)

अवर सचिव

महसूल व वन विभाग

प्रत : माहितीस्तव सादर

१) प्रधान मुख्य वनसंरक्षक (वनबल प्रमुख), महाराष्ट्र राज्य, नागपूर.

२) अपर प्रधान मुख्य वनसंरक्षक (संधारण), महाराष्ट्र राज्य, नागपूर.

३) मुख्य वनसंरक्षक (प्रा.), ठाणे.

A Report

With respect to Hon'ble NGT (Principal Bench, New Delhi) order dated 27th May 2019, in the matter of Original Application no.364/2019, K. Kumar, Conscious Citizen Forum Vs State of Maharashtra & others.

In the matter of Original Application no.364/2019, K. Kumar, Conscious Citizen Forum Vs State of Maharashtra & others, Hon'ble NGT (Principal Bench, New Delhi) vide order dated 27th May 2019, sought a joint report from the Urban Development Department, the Land and Revenue Department and the Principal Chief Conservator of Forest (HOFF) Maharashtra. The PCCF(HOFF), Maharashtra has been designated as a nodal agency for coordination and compliance. The report needs to be submitted within one month by email at judicial-ngt@gov.in.

Accordingly co-ordination meeting of all concerned were held at Mantralaya on 24.7.2019, 3.8.2019, and 14.8.2019. The issues involved were discussed and the facts were gathered from the concerned departments. Based on the information gathered, the factual position with respect to the points raised before this Hon'ble Tribunal is submitted as under;

Point no. 1- Illegal Construction is being carried out by M/S Iraissaa Developers Pvt. Ltd. The construction is on Government land and may cause loss to the Exchequer to the extent of Rs.1000/ crores.

The Government of Maharashtra, with intent to decongest Greater Mumbai and to upgrade its civic amenities, decided to create a new township across the Thane Creek. Accordingly, the State Government notified the site for the new town of Navi Mumbai and in exercise of its powers under Section 113 (3A) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as the "MRTP Act") appointed CIDCO as the "New Town Development Authority" for the new township.

In pursuance to the same, the State Government vested all the privately held lands which were acquired within the notified area along with all Government lands to CIDCO for the planned development and disposal of such lands. The power and authority to dispose such lands flow from Section 118 of the MRTP Act and by virtue of Section 291 of the Companies Act, such power of disposal is exercisable by the Board of Directors of CIDCO. To channelize and regulate such power, the Board of Directors of CIDCO, with the prior approval of the State Government, framed the New Bombay

411 ~~48~~

Disposal of Land Regulations 1975, being subsequently amended in the year 2008. CIDCO was wholly entrusted with the task of developing the new township of Navi Mumbai.

With respect to the issues raised by petitioner about construction work carried out by respondent no 1 M/s Iraissaa Developers Pvt Ltd, it is submitted that, certain lands admeasuring approximately 60 Hectares and 83 are, situated at Waghivali village, Taluka Panvel, District Raigad, were owned by Mundra family and were required for the development of the Navi Mumbai International Airport. Accordingly, the Land acquisition proceedings of the said land were initiated on 23.12.2002. The Special Land Acquisition Officer passed an award under Section 11 of the Land Acquisition Act, 1894.

As a part of rehabilitation policy, Urban Development Department of Government of Maharashtra has issued Government Resolutions on 6.3.1990, 24.8.1994 and 28.9.1998 framing the guidelines for allotment of plots to PAPs whose lands were acquired for Navi Mumbai project. This scheme of allotment of plots to PAPs is known as 12.5% scheme. As per the eligibility criteria of 12.5% scheme, the following plots were allotted to Mundra family vide three separate allotment letters dated 28.05.2008, 28.05.2008 and 22.04.2009

Plot No. 3 admeasuring 9600 sq. mtr.

Plot No. 4 admeasuring 40,900 sq. mtr.

Plot No. 4-A admeasuring 2700 sq. mtr.

All the aforementioned plots are located in Sector 30-31 of CBD-Belapur Node in Thane District.

After the issuance of the allotment letters, three separate Lease Deeds dated 05.09.2008 (For Plot 3), 16.06.2008 (For Plot 4) and 27.04.2009 (For Plot 4-A) were executed by CIDCO with the said PAPs and the possession of the plot was handed over. Thereafter, three separate Tripartite agreements dated 11.09.2008 (For Plot 3), 11.09.2008 (For Plot 4) and 04.05.2009 (For Plot 4A) were executed between CIDCO, the said PAPs and the Respondent No. 1, through its Directors, whereby the said PAPs assigned their rights over the Allotted Plots in favor of the Respondent no 1.

It is clarified that for certain CIDCO notified area of Thane district Navi Mumbai Municipal Corporation (NMMC) was formed and was declared as the planning authority for the area of Navi Mumbai Project falling in Thane District. The said plot of land falls within jurisdiction of NMMC. Hence, NMMC is the Planning authority to process development permissions as per prevailing development control Rules applicable to the area. It also approves the plan and issues the commencement certificate for construction. In the particular case of respondent no 1, it is submitted that NMMC has initially approved the building plans on 27.07.2009 and subsequently revised the same on the dates 18.03.2017, 02.06.2018 and 02.05.2019.

It is pertinent to note that the plot on which construction activity of M/s Iraissa Developers is going on is falling under the 'Residential Zone', as per Navi Mumbai Development Plan and hence development is permissible as per prevailing rules and regulations. Within 'Residential Zone' the said area was earmarked for allotment to PAPs under 12.5% scheme. Hence, it is submitted that the plots allotted to original landlords are part of 12.5% scheme: In fact The land on which the construction is being carried out as per C.C. issued by NMMC, is on plot earmarked for PAP rehabilitation in 12.5% scheme formulated by above mentioned Government resolution. Therefore, it will not be proper to say that there is a loss to the Exchequer to the extent of Rs. 1000/ crores.

Navi Mumbai Municipal Corporation has submitted that,

- i. CIDCO Vide its Lease Agreement dated 05/09/2008, 16/06/2008 and 27/04/2009 has allotted Plots No.3,4 & 4A in Sector-30/31, GES, (Agroli), CBD Belapur under 12.5% Scheme for Residential and Commercial purpose to Shri Govind Narayan Purnamal Mundada and Others from Village bearing Wagivali, District- Raigad in lieu of acquisition of their land.

The above referred land bearing Plot No.3 and 4 admeasuring 50,500 sq. mts has been transferred to M/s. Iraissa Developers. Further Plot No. 4A has been allotted to M/s. Iraissa Developers vide Tri-Partite Agreement dated 27/04/2019. The Lease Hold Rights of these lands have been transferred to M/s. Iraissa Developers Pvt. Ltd by CIDCO vide Tri- Partite Agreement dated 20/04/2009 and 04/05/2009. The Total area of the plots is 53,200 sq. mts with a permissible FSI of 1.5.

- ii. As per the provisions of Development Plan sanctioned by State Government in 1979, the land bearing Plots No. 3, 4 & 4A, Sector-30/31, GES,(Agroli), CBD Belapur is falling in Residential Zone and therefore, NMMC Vide its commencement certificate dated 24/07/2009 has issued Development permission with a FSI of 1.5 for residential built up area of 67523.51 sq.mts. and commercial built up area of 11710.48 sq.mts. i.e. Total built up area of 79233.99 sq.mts.
- iii. NMMC vide its letter dated 18/03/2017 has revalidated Commencement Certificate up to 19.01.2018 and has further revalidated it till 18.01.2019 vide its letter dated 24.01.2018.
- iv. CIDCO vide its letter dated 26.05.2017 has permitted leasee changing his company name from M/s Iraissa Developers Pvt. Ltd. To M/s Bhumiraj Developers Pvt.Ltd.
- v. NMMC vide its revised Commencement Certificate dated 02.06.2018 had issued development permission on the plot with a residential built up area of 8084.516 sq.mts. and commercial built up area of 601.414 sq.mts. Total built up area is around 8685.930 sq.mts.

- vi. NMMC vide its certificate dated 28.02.2019 has issued part plinth completion certificate to the buildings no.2,3 & 4 on land under reference.
- vii. The NMMC vide its revised Commencement Certificate dated 02.05.2019 has further issued development permission for an additional area of 4239.44 sq.mts. Total 12925.373 sq.mts. built up area.
- viii. Environment Department, Government of Maharashtra vide its letter dated 03.01.2011 has accorded environmental clearance to the development permission proposal on land bearing plot no.2,3 & 4A for a validity of five years. Thereafter Environment department vide its letter dated 26.02.2019 has extended the validity of environmental clearance further up to 29.01.2025. As per conditions of environment clearance, it has been observed that the project proponent is required to give six monthly reports to respective regional offices of MoEF and respective Zonal offices CPCB & MPCB MoEF regarding compliance of conditions of environment clearance. Further the information regarding the environment statement of each financial year has to be submitted by the project proponent to the MPCB MoEF every year. Therefore environment related issue is being monitored by MPCB with regard to environmental clearance.

Point No. 2 -The Parsik Hills has a rail tunnel and potential for Eco- Tourism

It is true that the Parsik hill has a rail tunnel, which is of utmost importance for the east west connectivity. Entry point of Parsik tunnel towards Mumbra side is a reserved forest bearing survey no. 127/A (Old S.No.91). Total area of this survey no. is 96.94 hectares.

Kalwa end of the Parsik tunnel is in Reserved Forest bearing Survey no. 436/A (Old Survey No.341). Total area of this survey no. is 145.41 ha. There were encroachment structures above the tunnel on both ends which threatened the structural stability of the tunnel. The issue was taken up by Hon'ble High Court, Mumbai vide PIL No. 2/2017 and was disposed of after removal of encroached structures.

There are other encroachment structures on the Parsik hill out of which a total of 3270 hutments admeasuring 64261sq.mtr. were removed since 2012.

To prevent further encroachment in Parsik hill, Forest Department has proposed to construct RCC wall along forest boundary.

Potential for Eco- Tourism

An area of 932.130 ha. of Reserved Forest was handed over to Revenue department vide Govt. letter no. FLD-1271/220218-W, Dated 01.07.1972, for the development of Navi Mumbai. The same was further handed over to CIDCO by Revenue Department. The entire area has been marked as nature park by CIDCO. Forest department has carried out works of plantation and soil and moisture conservation as

114 29

per the project plan approved by CIDCO. The plan is for the period 2014-15 to 2024-25, and approved cost of the plan is Rs. 18.18.Crore.

CIDCO has submitted that, "before developing new areas or new projects, environmental aspects are studied carefully and addressed duly at all levels. Apart from bringing eco-sensitive areas under the umbrella of 'RPZ' & 'NDZ', CIDCO has carried out adequate tree plantation since its inception. Also, CIDCO has undertaken the project of 'Navi Mumbai Nature Park' to bring such natural asset to the public fore; so that it does not remain backyard of the development. CIDCO had appointed BNHS (Bombay Natural History Society) to study the bio-diversity and give guidelines for undertaking the project of 'Navi Mumbai Nature Park'. CIDCO has already designated 'Valley Park' at CBD-Belapur which is an attempt to preserve the wild beauty of the nature as it is but make it accessible to the public at specific hours as prescribed by BNHS. (Bombay Natural History Society). Apart from natural eco-sensitive areas, CIDCO has designated many large gardens to create micro-ecology within the 'Residential Zones'. 'One of the large City level greens is 'Central Park' which is in the heart of Kharghar node. CIDCO has taken additional efforts to increase the greens on almost 200 acres of developable land for such City Level Park. Thus, it can be seen that CIDCO has been taking due care not only to conserve the eco-sensitive areas but also to create network of open spaces and gardens within the developable area. Moreover CIDCO has implemented the tree plantation scheme on Parsik hill in coordination with Deputy Conservator of Forest, Thane.

Point No. 3 - Construction will involve cutting of trees and disturb the forest land.

The complainant mentions area of Plot-4, Sec.30,31, Parsik Hill, Navi Mumbai. The said area is not a forest area and is not under administrative control of Thane Forest division.

The said plot nos. 3, 4, & 4A were allotted to the original landlord Mundra Family on as is where is basis, therefore question of cutting of trees and disturbing the forest land by CIDCO doesn't arise.

Assistant Director (Town planning), NMMC vide its letter dated 02.07.2019 has submitted his report as directed by Collector Thane in the meeting held on 27.06.2019. Accordingly Garden department in their report has stated that "Land owner M/s Bhumiraj Builders Pvt. Ltd has not made any application regarding shifting/cutting of any tree in the project on the land under reference to the NMMC" Tree authority. And therefore tree authority, NMMC has not received any permission for tree cutting and shifting in this project. In view of the complaint under reference, the Garden Department, NMMC has made a site visit to the project under reference and no tree cutting is observed on site.

Point No. 4 - CIDCO is allotting the land to individuals without considering the impact on environment.

All allotment of plots is done in the residential zone only. While preparing development plan utmost care is taken by CIDCO to maintain the eco diversity of the area. Right at the stage of preparation of 'Development Plan' for Navi Mumbai, due care has been taken to address environmental issues. All the areas above 30 Mtr contour are indicated as 'Regional Park Zone' (RPZ). Thus, in Navi Mumbai, most of the hill slopes are designated as 'Regional Park Zone' (RPZ) automatically. 'Regional Park Zone' (RPZ) may be considered as 'Green Zone' as per generic clarification.

Thane Municipal Corporation has clarified that they have not allotted any land to any individuals.

Point No. 5 - The study conducted by MSPCB is to the effect that stone crushing units were emitting particulate matter which is 100 times of the safe limit. The area already has high level of air pollution.

Regional Officer, Maharashtra Pollution Control Board, Navi Mumbai, has submitted that, Maharashtra Pollution Control Board has carried out survey of 101 Stone Crushers in respect of Air Pollution problem in the vicinity of Parsik Hill at Navi Mumbai. It was found that the pollution level was higher than Board's prescribed limit. Board has not renewed consents to the said units due to non-submission of CIDCO NOC to crusher units. Now, the said designated crusher units have closed down their activities.

In respect to quarries Board has not given any permission for operation of quarry activities. As per Board circular dated 24.03.2017 quarry activity up to 05 Hectors area comes under the preview of District Authority. However, as per the NGT order dated 14.11.2017, it was directed to MPCB not to grant consent to Stone Quarry unit without Environment Clearance. Hence, Board has not to granted any permission to Quarry activities.

In view of above, non-operational stone crusher's activities, quarry activities and non-availability of Power supply monitoring of Air quality was not carried out from above said area. As per present Ambient Air Quality Index shows moderate CAAQMS.

The report of MPCB is enclosed as Annexure 8.

Point No.6- Quarrying along the hill is destroying the bio-diversity, forest and affecting the water bodies. Ministry of Environment, Forest and Climate Change (MoEF& CC) granted mining rights which are subject matter of challenge. Reliance has been placed on order of this tribunal dated 28.02.2017 in NanikRupani and Anr. Vs Secretary, MoEF and Ors. And order dated 08.01.2016 in M/s NanuEstate Pvt. Ltd. Vs Sayeed Tayeeb and Ors, restraining cutting of hills.

In the year 1972-73 forest land of Parsik hill was handed over to Revenue Department for the development of Navi Mumbai. The area was later handed over to CIDCO by revenue department. The details of the area are as given below -

Taluka	Village	Survey no.	Date of area handover	Area (Ha.)		Total Area (Ha.)
				Reserve forest	Protected Forest	
Thane	Shirvane	323 A	22.12.1972	156.430	00	156.430
		323B	22.12.1972	00	20.320	20.320
	Kukshet	183	22.12.1972	97.210	00	97.210
	Bonsari	132	22.12.1972	128.220	00	128.220
	Turbhe	387	07.04.1973	182.600	00	182.600
	Pawane	163	22.12.1972	104.230	00	104.230
	Shahabad	460 A	22.12.1972	120.580	00	120.580
		460 B	22.12.1972	00	63.740	63.740
460		22.12.1972	00	58.800	58.800	
Total				789.270	142.860	932.130

The area which was handed over to CIDCO has not been disforested till today and the legal status of this area continue to be "Reserve forest and Protected Forest. Out of this area, 138.07 ha. has been distributed to the project affected people for stone quarries by CIDCO. The legal status of distributed area is "Reserve Forest". A proposal was submitted to divert 138.07 ha. area for quarrying operations under Forest Conservation Act 1980 and was subsequently approved by MoEF, Government of India. The details of diverted area are as given below -

Sr. No.	Village	Survey No.	Area (Ha.)	Legal Status
1	Pawane	163	21.23	Reserve Forest
2	Bonsari	132	30.81	Reserve Forest
3	Shirvane	323/A	18.59	Reserve Forest
4	Turbhe	387	47.74	Reserve Forest
5	Kukshet	183	19.70	Reserve Forest
Total			138.07	

The stone quarries mentioned above had received formal approval for five years side Central Government letter no.8-33/99-FC, dated 28.09.2001. In the year 2006 CIDCO had submitted the proposal for renewal of these quarries, the approval was received for a period of 20 years under section (2) of Forest (Conservation) Act, 1980

417 24

vide Central Government letter no.8-33/99-FC, dated 05.06.2006. The entire area is in possession of CIDCO and is managed and controlled by CIDCO.

After approval from the Government of India, the lease agreement was made between quarry owners and CIDCO for 10 years which came to an end in the year 2016. No environmental clearance was obtained for quarrying operations and period of quarrying was extended till May, 2017 by CIDCO. Since CIDCO/quarry operators could not obtain environmental clearance for the quarrying operations, all quarrying operations have been stopped since May 2017.

In addition to quarries operated by CIDCO, there were 25 stone quarries in Parsik hill as approved by the GOI under forest conservation act 1980. These quarries have also been closed since May 2017 till date for want of Environment Clearance.

Collector Mumbai Suburban District has reported that, as per order dated 24 April 2003 in the notice of motion No 173/2003 in writ petition No 305/1995, Stone Quarries along Dindoshi Hill are closed since April 2003. As per the sites visit reports of 2016 submitted in PIL NO 17/2006 Bombay Environmental Action Group V/S Collector of Mumbai Suburban District, no quarries were found along Powai and Chandivali hills which were closed since long. Thereafter no new permissions are given to quarries along the said hills in Mumbai Suburban District.

Point No. 7- It is submitted that to prevent further destruction of bio-diversity and the hills, there is need do debar any further construction adjacent to hill slopes and hilltops. Hill with slope of 25 degrees cannot be permitted to be cut. By this yard stick, following hills are required to be protected.

All the areas above 30 Mtr. contour are indicated as 'Regional Park Zone' (RPZ). Thus, in Navi Mumbai, most of the hill slopes are designated as 'Regional Park Zone' (RPZ) automatically. 'Regional Park Zone' (RPZ) may be considered as 'Green Zone' as per generic clarification. No construction activity is allowed and thereby existing bio-diversity is being protected. Thus, CIDCO has already taken measure to protect the hills.

Part of **Parsik Hill** is in jurisdiction of Thane Municipal Corporation and as per sanctioned Development Plan, 80% Parsik hill is in Forest Zone where development is not permissible. Remaining area is in residential Zone. In sanctioned D.C.R.1994 of TMC, there are no specific restrictive provisions for development on hill slopes.

Hon NGT, Pune in its order related to application No.4/2014 dated 19/05/2015 has directed all Municipal corporations, Municipal councils that no construction permissions should be given for construction in area to the extent of 100 feet from the base of the hill slope. It is already mentioned in the Development Control Rules that no development should be allowed on hills and on hill slopes steeper than 1:5

418 25

In this regard, Urban Development Department, Government of Maharashtra vide GR dated 14.11.2017 under section 154 of MRTP Act, has directed planning authorities that

1. When development plan is prepared or revised by planning authorities in their jurisdiction, hill area and area within 100 feet from the base of the hill shall be marked as No Development Zone.
2. If already legally developed within 100 feet from the base of the hill, no additional FSI or TDR will be allowed.
3. If 100 feet from the base of the hill area is shown in approved Development plan then in that 100 feet area from hill, only non-buildable use as open space, roads etc. shall be permitted.

The Hon'ble Supreme Court vide its order dated 26/11/2018 directed that the request of the appellant (s) for municipal sanction shall be considered by the Municipal authority, irrespective of the directions contained in para 17 (e) of the impugned order as well as Notification dated 14.11.2017 which has been issued pursuant to the aforesaid direction. (SLP (C) No. 28178/2018)

CCF Sanjay Gandhi National Park Boriwali has submitted following details:-

The part of northern & western aspects of this hill, included in area acquired for catchment area of Vihar Lake by the then Bombay Municipal Corporation in 1937, has been handed over to the Forest Department for its management as Reserved Forests in 1942 under section 38 of the Indian Forest Act, 1927. These areas stood acquired as 'Reserved Forests' and as a property of the State Government upon the promulgation of the Maharashtra Private Forests (Acquisition) Act, 1975 on 30.08.1975. The said areas have not been assigned any survey number and are shown as part of the Vihar Lake. The said areas also have the status of 'National Park' under the Wildlife Protection Act, 1972 and no non-forestry development activity is permitted on the forest lands in the possession of SGNP.

Area to the west of Chandivali Hill which had been quarried earlier has been used by the Slum Rehabilitation Authority (SRA) for development of tenements for rehabilitation of slum evacuees of this Division as ordered by the Hon'ble High Court Mumbai in the matter of W.P. No. 305 of 1995. The ownership of this area is not with this Division. Accordingly, the Chandivali Hill does not fall in the jurisdiction of Sanjay Gandhi National Park.

The said Hill is situated in village Malad and part of this hill has been finally acquired under the provisions of the Maharashtra Private Forests (Acquisition) Act, 1975 vide the consent terms dated 03.12.1979 between the original owner and the State of Maharashtra in Misc. Petition No. 1465 of 1975.

An area of 848 acres 20 gunthas 12 annas on the northern aspect and part western aspect of this hill is in possession of SGNP.

The area in possession of this Division has encroachments of scattered tribal hamlets viz. NimboniPada, BarikPayari, BhatukliPada, Dukkarbhujipada and KakadachePaani wherein 179 families are present. As also 25 families have encroached in the slum settlement near Malad Water Reservoir.

Vide the said Consent Terms, an area of 640 acre 12 gunthas 4 annas extent had been excluded from the acquisition proceedings and was not to be considered or claimed as 'forests' by the Forest Department. Accordingly SGNP has no control or jurisdiction on this non-forest area.

However, an area of 100 metres width, all along the boundary of the acquired area has been included in the notified Eco-Sensitive Zone of the Sanjay Gandhi National Park on this hill vide Notification no. 3645(E), dated: 05.12.2016 and the said area is governed by the provisions of this notification.

As per the details provided by Chief Engineer (D.P) of Municipal Corporation of Greater Mumbai, the details of Zone/Reservation of various hill areas are as follows:

- **Powai Hill and Chandivali Hill** - As can be seen from the plan, the part of Powai Hill and Chandivali Hill are shown as Natural Area where development can only be allowed with the approval of MOEF.
- **Worli Hill** area, part of which is shown as existing amenity of EOS1.5 (Garden/Park) EMS5.1 (Reservoir) and reservation ROS1.5 (Garden/Park).
- Part of **Antop Hill** which is in excluded part initially as per proposal under section 26 of M.R.&T.P.Act,1966 was shown ROS1.5 (Garden/Park), now under section 30 is proposed as ROS2.8 (Botanical Garden)
- **Malabar Hill** - Part of Malbar Hill is shown as existing amenity of EOS2.6 (Recreation Ground), EOS2.7 (Green Belt), EMS5.5 (Hydraulic Engineer Department's Facilities), ESA4.7 (Tower of Silence)

The part area of **Dindoshi Hill** as per D.P. 2034 under Section 26 of M.R.&T.P.Act,1966 was marked as NDZ, as per Section 30 of M.R.&T.P.Act,1966 proposed to be shown as Special Development Zone (SDZ), which is in excluded part.

From the above, it can be seen that, while preparing of the Development Plan adequate precautions have taken to maintain such areas. The area of hilltops of Powai and Chandivali are observed to be marked as Natural Areas. The provision 3.7 of Regulation 34 for Natural Area as per DCPR 2034 is as follows:-

"3.7 Natural Areas (NA)

It is an environmentally sensitive zone amenable to buildable development with the approval of the Competent Authority where following facilities may be permissible

- a) Board walks in mangroves, trekking facilities, Public Sanitary Conveniences for visitors, Sewerage Pumping Station.
- b) Uses permissible as per the notifications issued by the Ministry of Environment and Forest, if any, as amended from time to time.

Note: -1. Structures constructed in NA, with due sanction of Competent Authority, before coming into force of these regulations stand protected.

2. Reservation proposed in Natural Area shall be allowed to be developed at par with other zones subject to approval of the Competent Authority and subject to compliance of conditions as mentioned in the notifications issued by the Ministry of Environment and Forest, if any, as amended from time to time."

Further the areas of the hills are marked as reservations of Public Open Spaces or existing amenity of public open spaces or designated as per various existing amenity as detailed above. The part area of Dindoshi Hill is marked as SDZ. The provision of SDZ reads as follows:-

"Special Development Zone (SDZ):-Special Development Zone (SDZ) is a zone which is to be developed predominantly for society at large with emphasis on Affordable Housing, POS and necessary Social infrastructures."

Further it is to mention here that as per the provisions of Regulation 69 of DCPR 2034 special provision for Environmental Impact Assessment is made. The said provision reads as follows:-

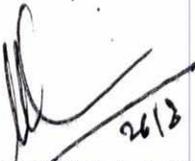
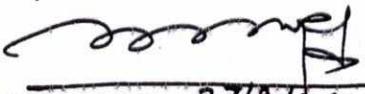
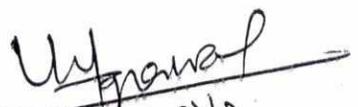
"69. Environment Impact Assessment (EIA)

This Regulation shall be applicable to developments as specified in provisions of amended Environmental Impact Assessment Notification No.S.O.1533 dated 14.09.2006 as amended from time to time. The compliance of conditions of NOC/Remarks shall be the responsibility of the owner/developer/project proponent."

As per the said regulation, it is mandatory to obtain NOC from the concerned Authority as per Notification No.S.O.1533 dated 14.09.2006 as

421 28

amended from time to time whenever applicable. From the above, it can be seen that appropriate precautions have been taken in the preparation of Development Plan/ framing Regulation for development of areas falling in various land use zone reservations for public purposes such as Public Open Spaces and/ or marked with the existing amenities, so that the sanctity of such area will be maintained. Detailed reports of concerned agencies are enclosed as annexures.

 (Nitin Kareer) The Principal Secretary (Urban Development) Urban Development Department, Mantralaya, Mumbai	 (M.K. Shrivastava) The Addl. Chief Secretary (Revenue) Revenue and Forest Department	 (U.K. Agrawal) The Principal Chief Conservator of Forest (HOFF) Maharashtra.
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Enclosed :-

- Annexure 1 :- Report of City and Industrial Development Corporation of Maharashtra Ltd.
- Annexure 2 :- Report of Deputy Conservator of Forests, Thane
- Annexure 3 :- Report of Navi Mumbai Municipal Corporation
- Annexure 4 :- Report of Chief Conservator of Forest and Director, Sanjay Gandhi National Park, Borivali
- Annexure 5 :- Report of The Additional Collector, Mumbai Suburban District
- Annexure 6 :- Report of Municipal Corporation of Greater Mumbai
- Annexure 7 :- Report of Thane Municipal Corporation
- Annexure 8 :- Report of Maharashtra State Pollution Control Board

422



CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA LIMITED

(CIN - U99999 MH 1970 SGC - 014574)

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FAX : 00-91-22-6791 8166

Ref. No. CIDCO/Env./2019/494

Date : 01.08.2019

To,
Deputy Conservator of Forest,
Thane.

Sub : Report Regarding the order passed by NGT on 27.05.2019 in OA 364 of 2019.

Ref : The meeting held at the office of ACS (Revenue) on dtd.24.07.2019.

Dear Sir,

In the referred OA 364 of 2019 CIDCO is respondent no. 9. The say of CIDCO is submitted as follows...

Respondent No.9 i.e. CIDCO is a company incorporated on 17th March 1970 under the provisions of the Companies Act, 1956 and functions as a Government Company within the scope and meaning of Section 617 of the said Act, consequent upon its share capital having been subscribed wholly and exclusively by the State Government and its seven nominees. The Government of Maharashtra, with an intent to decongest Greater Mumbai and to upgrade its civic amenities, decided to create a new township across the Thane Creek. Accordingly, the State Government notified the site for the new town of Navi Mumbai and in exercise of its powers under Section 113 (3A) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as the "MRTP Act") appointed CIDCO as the "New Town Development Authority" for the new township.

In pursuance to the same, the State Government vested all the privately held lands which were acquired within the notified area along with all Government lands to CIDCO for the planned development and disposal of such lands. The power and authority to dispose such lands flow from Section 118 of the MRTP Act and by virtue of Section 291 of the Companies Act, such power of disposal is exercisable by the Board of Directors of CIDCO. To canalise and regulate such power, the Board of Directors of CIDCO, with the prior approval of the State Government, framed the New Bombay Disposal of Land Regulations 1975, being subsequently amended in the year 2008. CIDCO was wholly entrusted with the task of developing the new township of Navi Mumbai.

CIDCO has been taking due care to conserve the eco-sensitive area of Parsik Hills since, its inceptions.

Yours faithfully,

(D.R. Patil)

General Manager
Environment & Forest
CIDCO Ltd.

30
423

CIDCO/Env./494

01.08.2019

Point wise report on the order of OA No. 364/2019 by CIDCO

Issue no. 1-

Illegal Construction is being carried out by M/S Iraissaa Developers Pvt. Ltd The construction is on Government land and may cause loss to the Exchequer to the extend of Rs. 1000/ crores.

Say-

Respondent No.9 i.e. CIDCO is a company incorporated on 17th March 1970 under the provisions of the Companies Act, 1956 and functions as a Government Company within the scope and meaning of Section 617 of the said Act, consequent upon its share capital having been subscribed wholly and exclusively by the State Government and its seven nominees.

The Government of Maharashtra, with intent to decongest Greater Mumbai and to upgrade its civic amenities, decided to create a new township across the Thane Creek. Accordingly, the State Government notified the site for the new town of Navi Mumbai and in exercise of its powers under Section 113 (3A) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as the "MRTP Act") appointed CIDCO as the "New Town Development Authority" for the new township.

In pursuance to the same, the State Government vested all the privately held lands which were acquired within the notified area along with all Government lands to CIDCO for the planned development and disposal of such lands. The power and authority to dispose such lands flow from Section 118 of the MRTP Act and by virtue of Section 291 of the Companies Act, such power of disposal is exercisable by the Board of Directors of CIDCO. To channelize and regulate such power, the Board of Directors of CIDCO, with the prior approval of the State Government, framed the New Bombay Disposal of Land Regulations 1975, being subsequently amended in the year 2008. CIDCO was wholly entrusted with the task of developing the new township of Navi Mumbai.

With respect to the issues raised by petitioner about construction work carried out by respondent no 1 M/s Iraissaa Developers Pvt Ltd it is submitted that, certain lands admeasuring approximately 60 Hectares and 83 are situated at Waghivali village, Taluka Panvel, District Raigad was owned by Mundra family and was required for the development of the Navi Mumbai International Airport. Accordingly, the Land acquisition proceedings of the said land was initiated on 23.12.2002. The Special Land Acquisition Officer passed an award under Section 11 of the Land Acquisition Act, 1894.

As a part of rehabilitation policy, Urban Development Department of Government of Maharashtra has issued Government Resolutions on 6.3.1990, 24.8.1994 and 28.9.1998 framing the guidelines of allotment of plots to PAPs whose lands were acquired for Navi Mumbai project. This scheme of allotment to PAPs is known as under 12.5% scheme. As


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per the eligibility criteria of 12.5% scheme, the following plots were allotted to Mundra family vide three separate allotment letters dated 28.05.2008, 28.05.2008 and 22.04.2009

Plot No. 3 admeasuring 9600 sq. mtr.

Plot No. 4 admeasuring 40,900 sq. mtr.

Plot No. 4-A admeasuring 2700 sq. mtr.

All the aforementioned plots are located in Sector 30-31 of CBD-Belapur Node in Thane District.

After the issuance of the allotment letters, three separate Lease Deeds dated 05.09.2008 (For Plot 3), 16.06.2008 (For Plot 4) and 27.04.2009 (For Plot 4-A) were executed by CIDCO with the said PAPs and the possession of the plots were handed over. Thereafter, three separate Tripartite agreements dated 11.09.2008 (For Plot 3), 11.09.2008 (For Plot 4) and 04.05.2009 (For Plot 4A) were executed between CIDCO, the said PAPs and Respondent No. 1, through its Directors, whereby the said PAPs assigned their rights over the Allotted Plots in favour of the Respondent no 1.

It is clarified that for certain CIDCO notified area of Thane district Navi Mumbai Municipal Corporation (NMMC) was formed and was declared as the planning authority for the area of Navi Mumbai Project falling in Thane District. The said plot of land falls within jurisdiction of NMMC. Hence, NMMC is the Planning authority to process development permissions as per prevailing development control Rules applicable to the area. It also approves the plan and issues the commencement certificate for construction. In the particular case of respondent no 1, it is submitted that NMMC has initially approved the building plans on 27.07.2009 and subsequently revised on the dates 18.03.2017, 02.06.2018 and 02.05.2019.

It is pertinent to note that the plot on which construction activity of M/s Iraissa Developers is going on is falling under the 'Residential Zone' as per Navi Mumbai Development Plan and hence development is permissible as per prevailing rules and regulations. Within 'Residential Zone' the said area was earmarked for allotment to PAPs under 12.5% scheme. Hence, it is submitted that the plots allotted to original landlords are part of 12.5% scheme. In fact The land are which the construction is being carried out as per C.C. issued by NMMC, is on plot earmarked for PAP rehabilitation in 12.5% scheme formulated by above mentioned Government resolution. Therefore, it will not be proper to say that there is a loss to the Exchequer to the extend of Rs. 1000/ crores

Issue no. 2

The Parsik Hill has a rail tunnel and potential for eco-tourism.

Say-

Before developing new areas or new projects, environmental aspects are studied carefully and addressed duly at all levels. Apart from bringing eco-sensitive areas under the umbrella of 'RPZ' & 'NDZ', CIDCO has carried out adequate tree planation since its

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inception. Also, CIDCO has undertaken the project of 'Navi Mumbai Nature Park' to bring such natural asset to the public fore; so that it does not remain backyard of the development. CIDCO had appointed BNHS (Bombay Natural History Society) to study the bio-diversity and give guidelines for undertaking the project of 'Navi Mumbai Nature Park'. CIDCO has already designated 'Valley Park' at CBD-Belapur which is an attempt to preserve the wild beauty of the nature as it is but make it accessible to the public at specific hours as prescribed by BNHS. (Bombay Natural History Society). Apart from natural eco-sensitive areas CIDCO has designated many large gardens to create micro-ecology within the 'Residential Zones'. 'One of the large City level greens is 'Central Park' which is in the heart of Kharghar node. CIDCO has taken additional efforts to increase the greens on almost 200 acres of developable land for such City Level Park. Thus, it can be seen that CIDCO has been taking due care not only to conserve the eco-sensitive areas but also to create network of open spaces and gardens within the developable area. Moreover CIDCO has implemented the tree plantation scheme on Parsik hill in coordination with Deputy Conservator of Forest, Thane.

Issue no. 3

Construction will involve cutting of trees and disturb the forest land.

Say-

The said plot no. 3, 4, & 4A were allotted to the original landlord Mundra Family on as is where is basis therefore question of cutting of trees and disturbing the forest land by CIDCO doesn't arise.

Issue No. 4

CIDCO is allotting the land to individuals without considering the impact on environment.

Say-

All allotment of plots is done in the residential zone only. Further any development above 20000 sq.m built up area invariably required to take environment clearance (EC) as per the EPA, 1986. Apart from this, while preparing development plan utmost care is taken by CIDCO to maintain the eco diversity of the area. Right at the stage of preparation of 'Development Plan' for Navi Mumbai, due care has been taken to address environmental issues. All the areas above 30 m contour are indicated as 'Regional Park Zone' (RPZ). Thus, in Navi Mumbai, most of the hill slopes are designated as 'Regional Plan Zone' (RPZ) automatically. 'Regional Plan Zone' (RPZ) may be considered as 'Green Zone' as per generic clarification.

Issue No. 5

The study conducted by MSPCB is to the effect that stone crushing units were emitting particulate matter which is 100 times of the safe limit. The area already has high level of air pollution.



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Say-

The Original Application no 8 of 2017 filed by Mr Kunal Shankar Mali before The National Green Tribunal (Western Zone) Bench Pune making grievances regarding quarrying and stone crushing activities being undertaken at above villages comprising of Parsik hill area. Hon National Green Tribunal (Western Zone) Bench Pune has passed the order on 14.11.2017 and directed CIDCO that " CIDCO shall not any lease falling within their area in the said villages to any one desirous of carrying out the quarrying activity without production of EC required therefor ". This order is being followed by CIDCO in toto. At present all the stone quarrying activities are closed in Parsik Hill area.

Issue No. 6

Quarrying along the hill is destroying the bio-diversity, forest and affecting the water bodies. Ministry of Environment, Forest and Climate Change (MOEF & CC) granted mining rights which are subject matter of challenge. Reliance has been placed on order of this Tribunal dated 28.02.2017 in Nanik Rupani & Anr. Vs. Secretary MOEF & Ors. And order dated 08.01.2016 in M/S Nanu Estates Pvt. Ltd. Vs. Sayeed Tayeeb & ors., restraining cutting of hills.

Say-

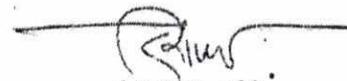
As above (5)

Issue No. 7

It is submitted that to prevent further destruction of bio-diversity and the hills, there is need do debar any further construction adjacent to hill slopes and hilltops. Hill with slope of 25 cannot be permitted to be cut. By this yard stick, following hills are required to be protected.

Say-

All the areas above 30 Mtr contour are indicated as 'Regional Park Zone' (RPZ). Thus, in Navi Mumbai, most of the hill slopes are designated as 'Regional Plan Zone' (RPZ) automatically. 'Regional Plan Zone' (RPZ) may be considered as 'Green Zone' as per generic clarification. No construction activity and thereby existing bio-diversity is being protected. Thus, CIDCO has already taken measure to protect the hills and the environment.


(D.R.Patil)
General Manager
Environment & Forest
CIDCO Ltd.

(4)



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उप वनसंरक्षक, ठाणे वन विभाग यांचे कार्यालय
मरिथान सँकल, लाल बहादूर शास्त्री मार्ग, नोंपाडा, ठाणे-400 602, २५४२९३३३.
Email : dycfthane@mahaforest.gov.in

पत्र

विषय : मा. राष्ट्रीय हरित न्यायाधिकरण, नवी दिल्ली
येथे दाखल (NGT) मुळ अर्ज क्र.३६४/२०१९
के. कुमार कॉन्शिअस सिटीझन फोरम
विरुद्ध

महाराष्ट्र शासन व इतर

जा. क्र. कक्ष-१/२०/जमीन/ ८४३ /सन २०१९-२०

ठाणे - ४००६०२. दिनांक : ०९ जुलै, २०१९

प्रति,

अपर प्रधान मुख्य वनसंरक्षक (संधारण),
महाराष्ट्र राज्य,
नागपूर.

- संदर्भ - १. मा. राष्ट्रीय हरित न्यायाधिकरण, नवी दिल्ली यांचेकडील दिनांक २७.०५.२०१९ रोजीचे आदेश.
२. शासन पत्र क्रमांक एस-३०/२०१९/प्र.क्र.४६७/फ-३, दिनांक २९.०७.२०१९

मेसर्स के. कुमार कॉन्शिअस सिटीझन फोरम यांनी मा. राष्ट्रीय हरित न्यायाधिकरण, नवी दिल्ली येथे दाखल केलेल्या मुळ अर्ज क्रमांक ३६४/२०१९ दिनांक २७.०५.२०१९ रोजी मा. न्यायाधिकरणाने १.पवई हिल, २. चांदिवली हिल ३. वरळी हिल, ४. अँटॉप हिल, ५. पारसिक हिल, ६. मलबार हिल व ७. दिंडोशी हिलवरील बांधकामांमुळे तसेच दगडखाणीच्या उत्खननामुळे तेथील जैवविविधता, जलसाठे तसेच पर्यावरणीय असमतोल इत्यादी बाबींवर होत असलेला परिणाम आणि त्याअनुषंगाने करावयाच्या उपाययोजना याबाबत अपर मुख्य सचिव, (महसूल) यांचे अध्यक्षतेखाली दिनांक २४.०७.२०१९ रोजी झालेल्या बैठकीचे इतिवृत्त संदर्भ क्रमांक ०२ अन्वये प्राप्त झाले आहे. सदर इतिवृत्तामध्ये उपस्थित मुद्द्यांच्या अनुषंगाने या विभागाशी संबंधित माहिती यासोबत जोडून सादर करण्यात येत आहे.

सहपत्र : वरीलप्रमाणे

(डॉ. जितेंद्र रामगावकर)
उप वनसंरक्षक,
ठाणे वन विभाग, ठाणे

प्रत - मुख्य वनसंरक्षक, ठाणे यांचेकडे माहितीसाठी सादर.



428 23

**OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS THANE
FOREST DIVISION**

Lal Bahadur Shastri Marg, Marathon Circle, Naupada, Thane-400 602, 25421373,

Email : dycflthane@mahaforest.gov.in

Note

Point No. 2 - The Parsik Hills has a rail tunnel and potential for Eco- Tourism

It is true that the Parsik hill has a rail tunnel. Which is of almost importance for the east west connectivity. Entry point of Parsik tunnel towards Mumbra side is a reserved forest bearing survey no. 127/A (Old S.No.91). Total area of this survey no. is 96.94 hectares.

Kalwa end of the Parsik tunnel is in Reserved Forest bearing Survey no. 436/A (Old Survey No.341). Total area of this survey no. is 145.41 ha. There were encroachment structures above the tunnel on both ends which threatened the structural stability of the tunnel. The issue was taken up by Hon'ble High Court, Mumbai vide PIL No. 2/2017 and was disposed off after removal of encroached structures.

There are other encroachment structures on the Parsik hill out of which a total of 3270 hutments admeasuring on 64261 sq.mtr. were removed since 2012.

To prevent further encroachment in Parsik hill forest department has proposed to construct RCC wall along forest boundary.

Potential for Eco- Tourism

Area of 932.130 ha. of Reserved Forest was handed over to Revenue department vide Govt. letter no. FLD-1271/220218-W, Dated 01.07.1972, for the development of Navi Mumbai. The same was further handed over to CIDCO by Revenue Department. The entire area has been marked as nature park by CIDCO. Forest department has carried out works of plantation and soil and moisture conservation as per the project plan approved by CIDCO. The plan is for the period 2014-15 to 2024-25, and approved cost of the plan is 18.18.Crore .

Point No. 3 - Construction will involve cutting of trees and disturb the forest land.

The complaint mentions area of Plot-4, Sec.30,31, Parsik Hill, Navi Mumbai. The said area is not a forest area and is not under administrative control to this division.

However, it is submitted for kind information that, the total area of Parsik Hill is divided between jurisdiction of two municipal corporation i.e. Navi Mumbai & Thane. The forest area within the limits of these municipal corporation is in jurisdiction of Thane Forest Division.

429 38

Point No.6 -Quarrying along the hill is destroying the bio-diversity, forest and affecting the water bodies. Ministry of Environment, Forest and Climate Change (MoEF & CC) granted mining rights which are subject matter of challenge. Reliance has been place on order of this tribunal dated 28.02.2017 in Nanik Rupani and Anr. Vs Secretary, MoEF and Ors. And order dated 08.01.2016 in M/s Nana Easate Pvt. Ltd. Vs Sayeed Tayeeb and Ors, restraining cutting of hills.

In the year 1972-73 forest land of Parsik hill was handed over to Revenue Department for the development of Navi Munibai. The area was later handed over to CIDCO by revenue department. The details of the area are as given below-

Taluka	Village	Survey no.	Date of area handover	Area (Ha.)		Total Area (Ha.)
				Reserve forest	Protected Forest	
Thane	Shirvane	323 A	22.12.1972	156.430	00	156.430
		323B	22.12.1972	00	20.320	20.320
	Kukshet	183	22.12.1972	97.210	00	97.210
	Bonsari	132	22.12.1972	128.220	00	128.220
	Turbhe	387	07.04.1973	182.600	00	182.600
	Pawane	163	22.12.1972	104.230	00	104.230
	Shahabad	460 A	22.12.1972	120.580	00	120.580
		460 B	22.12.1972	00	63.740	63.740
		460	22.12.1972	00	58.800	58.800
	Total				789.270	142.860

The area which was handed over to CIDCO has not been disforested till today and the legal status of this area is "Reserve forest and Protected Forest. Out of these area, 138.07 ha. area has been distributed to the project affected people for stone quarries by CIDCO. The legal status of distributed area is "Reserve/Protected Forest". A proposal was submitted to divert 138.07 ha. area for quarrying operations under Forest Conservation Act 1980 and was subsequently approved by MOEF , Government of India. The details of diverted area is as given below -

Sr. No.	Village	Survey No.	Area (Ha.)	Legal Status
1	Pawane	163	21.23	Reserve Forest

430 28

2	Bonsari	132	30.81	Reserve Forest
3	Shirvane	323/A	18.59	Reserve Forest
4	Turbhe	387	47.74	Reserve Forest
5	Kukshet	183	19.70	Reserve Forest
	Total		138.07	

The stone quarries mentioned above had received formal approval for five year vide Central Government letter no.8-33/99-FC, dated 28.09.2001. In the year 2006 CIDCO had submitted the proposal for renewal of these quarries, the approval was received for a period of 20 years under section (2) of Forest (Conservation) Act, 1980 vide Central Government letter no.8-33/99-FC, dated 05.06.2006. The entire area is in possession of CIDCO and is managed and controlled by CIDCO.

After approval from the Government of India, the lease agreement was made between quarry owner and CIDCO for 10 year which came to end in the year 2016. No environmental clearance was obtained for quarrying operations and period of quarrying was extended till May, 2017 by CIDCO. Since CIDCO/quarry operators could not obtain environmental clearance for the quarrying operations. All quarrying operations have been stop since May 2017.

In addition to quarries operated by CIDCO, there were 25 stone quarries in Parsik hill as approved by the GOI under forest conservation act 1980. These quarries have been closed since May 2017 to till date for want of environment clearance.

38
431





नवी मुंबई महानगरपालिका

Navi Mumbai Municipal Corporation

कार्यालय : नमुमपा मुख्यालय, भूखंड क्र.१,
किल्ले गांधाण जवळ, पामबीच जंक्शन, सेक्टर १५ ए,
सी.बी.डी. बेलापूर, नवी मुंबई - ४००६१४,
दूरध्वनी : ०२२-२७५६ ७०७० / १ / २ / ३ / ४ / ५
फॅक्स : ०२२-२७५७७०७०

Head Office : Plot No. 1,
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Sector 15A, C.B.D. Belapur, Navi Mumbai- 400 614
Tel : 022 - 2756 7070 / 1/2/3/4/5
Fax : 022 -27577070

जा.क्र.नमुमपा/नरवि/ससनर/३०७५/२०१९
दि. ३०/०७/२०१९

प्रति,

मा. प्रधान मुख्य वन रक्षक (वन बल प्रमुख),
महाराष्ट्र राज्य, नागपूर.

- विषय : मा. राष्ट्रीय हरित न्यायधिकरण, नवी दिल्ली येथे दाखल (NGT) मुळ अर्ज क्र. ३६४/२०१९ -
के.कुमार कॉन्सिअस सिटीझन फोरम विरुद्ध महाराष्ट्र शासन व इतर.
संदर्भ : १. शासन महसूल व वन विभाग यांचे पत्र क्र.एस-३०/२०१९/प्र.क्र.४६७/फ-३,
दि.१९/०७/२०१९.
२. सिडकोकडील पत्र क्र. CIDCC/GM(Env & Forest)/२०१९/४८०, दि.२५/०७/२०१९.

महोदय,

विषयांकित प्रकरणी मा. अप्पर मुख्य सचिव, महसूल व वन विभाग यांच्या दालनात दि.२४/०७/२०१९ रोजी दुपारी ४.३० वाजता बैठक आयोजित करण्यात आलेली होती. मात्र, सदर बैठकीस नवी मुंबई महानगरपालिकेस निमंत्रित करण्यात आलेले नाही. सिडको प्राधिकरणाचे प्रतिनीधी सदर बैठकीस उपस्थित असल्याचे नमुद करुन संदर्भिय पत्र क्र. २ अन्वये महानगरपालिकेचा अहवाल सादर करणेबाबत सूचित केलेले आहे. त्याअनुषंगाने नवी मुंबई महानगरपालिकेशी संबंधित मुद्द्याबाबत खालील प्रमाणे सादर करण्यात येत आहे.

राष्ट्रीय हरित लवाद (National Green Tribunal) येथे दाखल करण्यात आलेल्या NGT Application No. ३०५/२०१९ बाबत मे. के. कुमार कॉन्सिअस सिटीझन फोरम यांनी पारसिक हिल बाबत दाखल केलेल्या याचिकेबाबत व याचिकेच्या अनुषंगाने राष्ट्रीय हरित लवाद (National Green Tribunal) यांनी महानगरपालिकेस दिलेल्या निदेशानुसार पारसिक हिल बाबतचा सविरतर अहवाल मा. जिल्हाधिकारी, ठाणे यांचेकडे दि.०२/०७/२०१९ व दि.०४/०७/२०१९ रोजीच्या पत्रान्वये सादर केलेला आहे. (प्रत संलग्न) सदरच्या पत्रात नमुद नसलेली माहिती खालीलप्रमाणे उपलब्ध करुन देण्यात येत आहे.

“भूखंड क्र. ३, ४ व ४ए, सेक्टर ३०/३९, गा.वि.यो., (अग्रोळी) सी.बी.डी. बेलापूर हा सुमारे ५०,५०० चौ.मी. क्षेत्राचा भूखंड सिडकोने खोली अटीसापेक्ष मे. ईराईसा डेव्हलपर्स यांना दिनांक ०५/०९/२००८, दिनांक १६/०६/२००८ रोजी हस्तांतरीत केलेला होता.

अट क्र. ६ :- सदर भूखंड “जेथे आहे जसे आहे” तत्वावर वितरीत करणेत आला असून जागेवर सपाटीकरण व मोजणी झालेनंतरच प्रत्यक्ष क्षेत्र अंतीम करणेत येईल.

अट क्र. ७ :- अंतीम मोजणी झालेवरच प्रत्यक्ष क्षेत्र मोजले जाईल. क्षेत्र उपलब्धतेबाबत कोणताही दावा / कायदेशीर वाद दाखल करता येणार नाही.

अट क्र. ८ :- भूखंडामध्ये पायाभूत सुविधा उपलब्ध / विकसित करणेची जबाबदारी संबंधित भूखंडधारकांची राहिल.

त्याअनुषंगाने नवी मुंबई महानगरपालिकेने भूखंड ३ व ४, सेक्टर क्र. ३०/३९, अग्रोळी, सी.बी.डी., बेलापूर, नवी मुंबई वितरीत केलेल्या भूखंडावर दि.२२/०९/२००८ रोजी तात्पुरते साईट ऑफिस या प्रस्तावाचे बांधकामास परवानगी दिलेली आहे.



“जन्म असो वा मरण आवश्यक नोंदणीकरण”

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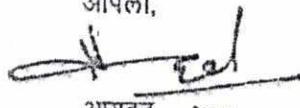
विकासक मे. ईराइसा डेव्हपर्स प्रा.लि. यांनी जागेवर मोठ्या प्रमाणात खोदकाम व टेकड्यांचे सपाटीकरण करण्याचे काम चालू केल्याचे निदर्शनास आल्यामुळे व या विकास कामास नवी मुंबई महानगरपालिकेची परवानगी घेण्यात आलेली नसल्याने महानगरपालिकेच्या नगर रचना विभागाने दि.२०/११/२००८ रोजीच्या पत्रान्वये विकासक यांना जागेच्या खोदकामास व सपाटीकरणाचे काम त्वरीत थांबविणे आणि या कामासाठी मा. जिल्हाधिकारी, ठाणे यांची आवश्यक ती परवानगी घेतली आहे किंवा कसे? याबाबत खुलासा सादर करण्यास कळविण्यात आले होते. त्याअनुषंगाने विकासकाचे तत्कालीन वारतुविशारद मे. डायमेशन्स यांनी दि.२१/११/२००८ रोजीच्या पत्रान्वये सिडकोच्या भाडेकरारातील अट क्र. ६, ७ व ८ नुसार विकासक सादर भुखंडाच्या सपाटीकरणाचे काम करत असून त्यासाठी त्यांनी जिल्हाधिकारी कार्यालयात रॉयल्टी भरली असून उप विभागीय अधिकारी ठाणे व तहसिलदार ठाणे यांनी सादर भुखंडावर मातीचे उत्खनन करण्यासाठी वेळोवेळी परवानगी दिल्याचे नमूद केले आहे. सादर खुलाश्याच्या अनुषंगाने नगर रचना विभागाने दि.०५/१२/२००८ रोजीच्या पत्रान्वये सिडकोच्या मुख्य भूमी व भूमापन अधिकारी यांना दिलेल्या पत्रात विषयांकित भुखंडावर विकासक करत असलेल्या खोदकाम व सपाटीकरणास सिडकोची मान्यता आहे किंवा कसे? आणि यासाठी सिडकोने पर्यावरण विषयक आवश्यक त्या परवानग्या घेतल्या आहेत किंवा कसे? याबाबत विचारणा करून सपाटीकरणापूर्वीची जमिनीची मुळ पातळी व सपाटीकरणानंतरची प्रस्तावित पातळी याबाबत सविस्तर माहिती अपेक्षिलेली होती. नवी मुंबई महानगरपालिकेने दि.०५/१२/२००८ रोजीच्या पत्रान्वये अपेक्षिलेल्या माहिती व खुलाश्याच्या अनुषंगाने दि.११/१२/२००८ व दि.२१/१२/२००८ रोजीच्या पत्रान्वये सिडकोने खालीलप्रमाणे खुलासा सादर केलेला आहे. (प्रती संलग्न)

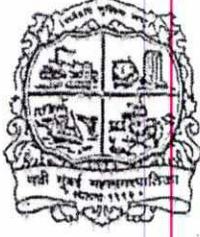
“सादर जमिन चढ-उताराची असल्याने त्याचे सपाटीकरण करणेसाठी सिडकोने विकासक यांना निर्देशित केलेले आहे. सिडको ही नवी मुंबई महानगरपालिका हद्दीबाहेरील क्षेत्रासाठी नियोजन प्राधिकरण असली तरी, सादर क्षेत्र हे अविकसित असल्याने त्याचा विकास सिडकोमार्फत करण्यात येत आहे. केंद्र शासनाच्या दि.१४/०९/२००६ च्या पर्यावरण विषयक अधिसूचनेमध्ये सिडको अथवा अन्य कोणत्याही प्राधिकरणाकडून करण्यात येणाऱ्या सपाटीकरणाचे कामासाठी पर्यावरण विभागाची परवानगी घेणेबाबत विशिष्ट तरतूद खास करून नमूद केलेली नाही.” सिडकोच्या पत्रातील उपरोक्त याव विचारात घेता Cutting of slope at Parsik Hill हा मुद्दा सिडको प्राधिकरणाशी संबंधित असल्याने याबाबतची सविस्तर माहिती सिडकोने स्वतंत्रपणे सादर करणे आवश्यक आहे.

भुखंडधारकाने सिडकोने निर्देशित केल्यानुसार सादर भुखंडावर सपाटीकरण केल्यानंतर सिडकोने दि.२०/०४/२००९ रोजी भुखंड क्र.३ क्षेत्र ९६००.०० चौ.मी. व भुखंड क्र. ४ क्षेत्र ४०९००.०० चौ.मी. साठी सुधारित करारनामा (ताबेपावतीच्या प्रती संलग्न) तसेच दि.०४/०५/२००९ रोजी भुखंड क्र. ४ए क्षेत्र २७००.०० चौ.मी. साठी त्रिपक्षीय करारनामा केलेला असून त्याअनुषंगाने उक्त ठिकाणचे भुखंडाचे क्षेत्र ५३२००.०० चौ.मी. इतके होत आहे. सादर सुधारित करारनामाच्या अनुषंगाने नवी मुंबई महानगरपालिकेने उपरोक्त भुखंडावर वेळोवेळी बांधकाम परवानगी देण्याबाबतची पुढील कार्यवाही केलेली आहे. त्यामुळे Cutting of Parsik Hill याबाबतची माहिती सिडकोने सादर करणे अपेक्षित आहे, असे मत आहे.

सोदत : वरीलप्रमाणे

- प्रत: १. मा. जिल्हाधिकारी, जिल्हा ठाणे, यांना माहितीस्तव.
२. उप वन संरक्षक ठाणे.
३. महाव्यवस्थापक (पर्यावरण व वन) सिडको लि., सिडको भवन, सी.बी.डी., वेलापूर, नवी मुंबई.

आपला,

आयुक्त
नवी मुंबई महानगरपालिका



नवी मुंबई महानगरपालिका

Navi Mumbai
Municipal Corporation

कार्यालय : न.मु.म.पा मुख्य इमारत, भुखंड क्र. १, किल्ले
गावठाण जवळ, वामवीथ जंक्शन, से-१५ए, सी.बी.डी.,
बेलापुर, नवी मुंबई - ४००६१४.
दुरध्वनी : ०२२-२६५६०७०/७१ फॅक्स : ०२२-२७५७३०७०

Office : NMMC Head Office, Plot No. 1, Near Kille
Gaofhan, Palmbeach Junction, C.B.D., Belapur
Navi Mumbai-400014.
Tel : 022-27567070/71
Fax : 022-27577070

जा.क्र.नमुंमपा/नरवि/ससंनर/२६६०/२०१९
दि. ०२/०७/२०१९

प्रति,
मा. जिल्हाधिकारी,
जिल्हाधिकारी व जिल्हादंडाधिकारी कार्यालय, ठाणे,
ठाणे जिल्हा सत्र न्यायालयासमोर, कोर्टनाका, ठाणे (प.)-४००६०९.

- विषय : NGT Application no. 305/2019 filled by Mr. K Kumar, Conscious Citizen Forum v/s State of Maharashtra In respect of cutting of hill terrains and trees in Massive scale at Parsik Hill at Belapur, Navi Mumbai.
- संदर्भ : १. आपले दि.२६/०६/२०१९ रोजी या कार्यलयास प्राप्त झालेले पत्र क्र.रेतीगट/गौ.ख./टे-२/कावि-३७०/२०१९, दि.१५/१०/२०१८.
२. उप आयुक्त (प्रशासन), नमुंमपा यांचेमार्फत या कार्यलयास प्राप्त झालेले पत्र जा.क्र.नमुंमपा/प्रशा/आस्था-९/१४९९/२०१९, दि.२१/०५/२०१९.
३. कार्यकारी अभियंता (पर्यावरण), नमुंमपा यांचेमार्फत या कार्यलयास प्राप्त झालेले पत्र जा.क्र.नमुंमपा/का.अ.(पर्या.)/७७८/२०१९, दि.१२/०६/२०१९.

महोदय,

विषयांकित प्रकरणी मा. जिल्हाधिकारी व जिल्हादंडाधिकारी कार्यालय, ठाणे यांचे दालनात दि.२७/०६/२०१९ रोजी आयोजित केलेल्या बैठकीच्या अनुषंगाने या कार्यालयाचा सविस्तर अहवाल खालीलप्रमाणे सादर करण्यात येत आहे.

१) भुखंड क्र. ३, ४ व ४ए; सेक्टर ३०/३१, गा.वि.यो., (अग्रोळी) सी.बी.डी. बेलापुर हे भुखंड सिडकोने दिनांक ०५/०९/२००८, दिनांक १६/०६/२००८ व दिनांक २७/०४/२००९ रोजीच्या भाडेकरारान्वये मौजे वाघीवली, जि. रायगड येथील श्री. गोविंद नारायण पुरणमल मुंदडा व इतर यांच्या संपादित जमिनीच्या बदल्यात १२.५ टक्के योजने अंतर्गत हे तिन्हीही भुखंड निवासी + वाणिज्य वापरासाठी वितरित केले आहेत.

विषयांकित भुखंड क्र. ३ व ४ हा सुमारे ५०,५०० चौ.मी. क्षेत्राचा भुखंड सिडकोने मे. ईराईसा डेव्हलपर्स यांचे नावे हस्तांतरीत केलेला आहे. तसेच भुखंड क्र. ४ए हा मे. ईराईसा यांचे नावे त्रिपक्षीय करारनाम्याद्वारे दि.२७/०४/२००९ रोजी वितरित केलेला आहे. सदर भुखंडाचे Lease Hold Right दिनांक २०/०४/२००९ व दिनांक ०४/०५/२००९ रोजीच्या त्रिपक्षीय करारनाम्याद्वारे मे. ईराईसा डेव्हलपर्स प्रा.लि., यांना सिडकोमार्फत हस्तांतरीत करण्यात आलेले आहेत. सदर भुखंडाचे एकूण एकत्रित क्षेत्रफळ ५३२०० चौ.मी. असून १.५० चटई क्षेत्र निर्देशांक अनुज्ञेय आहे.

२) भुखंड क्र. ३, ४ व ४-ए हा सिडकोच्या सन १९७९ रोजी मंजूर केलेल्या विकास आराखड्यानुसार (प्रत संलग्न) भुखंड निवासी क्षेत्रात समाविष्ट असल्याने नवी मुंबई महानगरपालिकेने दिनांक २४/०७/२००९ रोजी १.५० चटई क्षेत्र निर्देशांकानुसार रहिवास वापरासाठी बांधकाम क्षेत्रफळ ६७५२३.५१ चौ.मी. व वाणिज्य वापरासाठी बांधकाम क्षेत्रफळ ११७१०.४८ चौ.मी. असे एकूण ७९२३३.९९ चौ.मी. बांधकाम क्षेत्रफळासाठी परवानगी देण्यात आलेली आहे.

कृ.मा.प.

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- ३) नवी मुंबई महानगरपालिकेने दिनांक १८/०३/२०१७ रोजीच्या पत्रान्वये बांधकाम प्रारंभ प्रमाणपत्र नुतनीकरण करून त्याची मुदत दिनांक १९/०१/२०१८ पर्यंत व दिनांक २४/०१/२०१८ रोजीच्या पत्रान्वये १८/०१/२०१९ पर्यंत वाढविलेली आहे.
- ४) सिडकोने दिनांक २६/०५/२०१७ रोजीच्या पत्रान्वये भुखंडधारक कंपनीचे नांव मे. ईराईसा डेव्हलपर्स प्रा.लि., ऐवजी मे. भुनीराज बिल्डर्स प्रा.लि. अशा फेरबदलास मान्यता दिलेली आहे.
- ५) नवी मुंबई महानगरपालिकेने सदर भुखंडावर दिनांक ०२/०६/२०१८ रोजी रहिवास वापरासाठी बांधकाम क्षेत्रफळ ८०८४.५१६ चौ.मी. व वाणिज्य वापरासाठी बांधकाम क्षेत्रफळ ६०१.४१४ चौ.मी. असे एकूण ८६८५.९३० चौ.मी. बांधकाम क्षेत्रफळासाठी सुधारीत बांधकाम परवानगी दिलेली आहे.
- ६) उपरोक्त भुखंडावरील इमारत क्र. २, ३ व ४ साठी दिनांक २८/०२/२०१९ रोजी अंशतः जोता प्रमाणपत्र निर्गमित करण्यात आलेले आहे.
- ७) दि.०२/०५/२०१९ रोजी ४२३९.४४ चौ.मी. वाढीव क्षेत्रफळासह एकूण १२९२५.३७३ चौ.मी. बांधकाम क्षेत्रास दि.०२/०५/२०१९ रोजी सुधारित बांधकाम परवानगी देणेत आलेली आहे.
- ८) भुखंड क्र. ३, ४ व ४-ए येथील प्रस्तावित बांधकामास पर्यावरण विभागाने दि.३१/०१/२०१९ रोजी ना हरकत दाखला दिलेला असून त्याची वैधता पाच वर्षांपर्यंत होती. तदनंतर दि.२६/०२/२०१९ रोजी सदरची वैधता दि.२९/०१/२०२५ पर्यंत वाढवण्यात आलेली आहे. पर्यावरण विभागाने दिलेल्या मुळ ना हरकत प्रमाणपत्रातील अटीचे अवलोकन केले असता प्रकल्प प्रवर्तकाने दर सहा महिन्याला पर्यावरण दाखल्यातील अटी व शर्तीच्या अनुषंगाने केलेल्या पुर्ततेबाबत महाराष्ट्र प्रदूषण नियंत्रण मंडळ व पर्यावरण आणि वन मंत्रालय (MoEF) च्या कार्यालयास अवगत करणे बंधनकारक आहे. तसेच प्रत्येक आर्थिक वर्षाअखेर याबाबतची माहिती प्रकल्प प्रवर्तकाने महाराष्ट्र प्रदूषण नियंत्रण मंडळ व प्रादेशिक अधिकारी पर्यावरण आणि वन मंत्रालय (MoEF) यांना देणे बंधनकारक आहे. त्यामुळे याबाबत प्रत्येक बाब ही महाराष्ट्र प्रदूषण नियंत्रण मंडळास अवगत असून त्याचे नियंत्रण देखील त्यांचेमार्फत होणे अपेक्षित आहे.
- ९) दि.२९/०६/२०१९ रोजी उप आयुक्त (उद्यान), नमुंमपा यांना मा. जिल्हाधिकारी, ठाणे यांनी दि.२७/०६/२०१९ रोजीच्या बैठकीमध्ये दिलेल्या आदेशानुसार उप आयुक्त (उद्यान), नमुंमपा यांचा अहवाल अपेक्षिलेला होता. त्याअनुषंगाने उद्यान विभागाने त्यांचा अहवाल (प्रत संलग्न) या कार्यालयास सादर केलेला असून त्यामध्ये " मे. भुनीराज बिल्डर्स प्रा.लि. या भुखंडधारकाने भुखंडावर असलेली झाडे तोडण्यासाठी अथवा स्थलांतरीत करण्यासाठी कोणत्याहीप्रकारे अर्ज सादर केलेला नव्हता. त्यामुळे नमुंमपाच्या वृक्षप्राधिकरणामार्फत कोणत्याही प्रकारे वृक्षतोडणे / स्थलांतरीत करणेबाबत परवानगी देण्यात आलेली नाही. प्राप्त झालेल्या तक्रारीच्या अनुषंगाने जागेची पाहणी केली असता कोणत्याही प्रकारे वृक्षतोड झाली नसल्याचे निदर्शनास आले आहे."

३/-

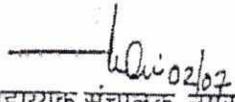
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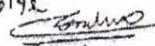
१०) बेलापूर पारसिक हिलचे क्षेत्र हे बेलापूर ते दिघ्यापर्यंत विस्तीर्ण पसरलेले आहे. National Green Tribunal यांच्या आदेशात नमूद केलेल्या टेकडीचे उत्खलन व वृक्ष तोड केलेले क्षेत्र हे बेलापूर पारसिक हिल क्षेत्राच्या नेमक्या कोणत्या क्षेत्रात येते, याची शहानिशा महसूल विभाग, ठाणे यांचे मार्फत होणे अपेक्षित आहे. करीता माहितीस्तव सादर.

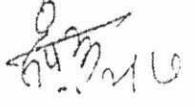
सोबत :- वरीलप्रमाणे

आपला,


सहाय्यक संचालक, नगर रचना
नवी मुंबई महानगरपालिका

अ/स
सहाय्यक
२१०७/१२


२१/११



प्रत :- प्रादेशिक अधिकारी,
महाराष्ट्र प्रदुषण नियंत्रण मंडळ, नवी मुंबई यांना माहितीस्तव.

497

No. NMMC/TPO/ADTP/2678/2019.

Date:- 04/07/2019

To
Hon'ble Collector,
Collector and District Magistrate Office, Thane
Opp Thane District Court,
Court Naka, Thane (West) - 400601.

Sub : NGT Application No. 305/2019 filled by M/s. K. Kumar, Conscious Citizen Forum v/s. State of Maharashtra in respect of cutting of hill terrains and trees in Massive Scale at Parsik Hill at Belapur, Navi Mumbai.

- Ref : 1) Your Letter No. Retigut/Gau.Kha./Te-2/Kavi-370/290 dated 15/10/2018 received by this office on 26/06/2019.
2) Letter No. NMMC/Admn/Asta-9/1499/2019 dated 21/05/2019 received from Deputy Commissioner (Administration), NMMC.
3) Letter No. NMMC/E.E. (Env)/778/2019 dated 12/06/2019 received from Executive Engineer (Environment), NMMC.

Sir,

With reference to above, a Meeting was held on 27/06/2019 in under Chairmanship of Hon'ble Collector and District Magistrate Office, Thane. In the Meeting Hon'ble Collector directed NMMC to send its report on the subject and further NMMC vide its letter dated 02/07/2019 has submitted its report however, MPCB vide its mail dated 03/07/2019 has requested NMMC to give report in English, accordingly report in English is as follows:

- 1) CIDCO vide its Lease Agreement dated 05/09/2008, 16/06/2008 and 27/04/2009 has allotted Plot No. 3, 4 & 4A in Sector-30/31, GES, (Agroli), CBD Belapur under 12.5% Scheme for Residential and Commercial purpose to Shri. Govind Narayan Purnamal Mundada and Others from Village bearing Wagivali, District-Raigad in lieu of acquisition their land.



Regional Office
Maharashtra Pollution Control Board
7th Floor, Raigad Bhavan,
Navi Mumbai - 400 614

438

43

The above referred land bearing Plot No. 3 and 4 admeasuring 50,500 sq. mts has been transferred to M/s. Iraissa Developers. Further Plot No. 4A has been allotted to M/s. Iraissa Developers vide Tri-Partite Agreement dated 27/04/2019. The Lease Hold Rights of these lands has been transferred to M/s. Iraissa Developers Pvt. Ltd by CIDCO vide Tri-Partite Agreement dated 20/04/2009 and 04/05/2009. The Total area of the plots is 53,200 sq. mts with a permissible FSI of 1.5.

- 2) As per the provisions of Development Plan (Copy enclosed) sanctioned by State Government in 1979, the land bearing Plot No. 3, 4 & 4A, Sector-30/31, GES, (Agroli), CDB Belapur is falling in Residential Zone and therefore, NMMC vide its Commencement Certificate dated 24/07/2009 has issued Development Permission with an FSI of 1.5 for residential built up area of 67523.51 sq. mts. and commercial built up area of 11710.48 sq. mts, Total built up area of 79233.99 sq. mts.
- 3) NMMC vide its letter dated 18/03/2017 has revalidated Commencement Certificate up to 19/01/2018 and has been further revalidated till 18/01/2019 vide its letter dated 24/01/2018.
- 4) CIDCO vide its letter dated 26/05/2017 has permitted leasee changing his company name from M/s. Iraissa Developers Pvt. Ltd., to M/s. Bhumiraj Builders Pvt. Ltd.,
- 5) NMMC vide its revised Commencement Certificate dated 02/06/2018 has issued Development Permission on the plot with a residential built up area of 8084.516 sq. mts. and commercial built up area of 601.414 sq. mts, Total built up area around 8685.930 sq. mts.
- 6) NMMC vide its Certificate dated 28/02/2019 has issued Part Plinth Completion Certificate to the Building No. 2, 3 & 4 on land under reference.
- 7) The NMMC vide its revised Commencement Certificate dated 02/05/2019 has further issued Development Permission for an additional area of 4239.44 sq. mts. Total 12925.373 sq. mts built up area.
- 8) Environment Department, Government of Maharashtra vide its letter dated 31/01/2011 has accorded Environment Clearance to the development permission proposal on land bearing Plot No. 3, 4 & 4A for a validity of 5 years. Thereafter Environment

476
439a

Department vide its letter dated 26/02/2019 has extended the validity of Environment Clearance further up to 29/01/2025. As per conditions of Environment Clearance, it has been observed that the project proponent is required to give six monthly reports to respective regional offices of MoEF and respective zonal offices CPCB and MPCB MOEF regarding compliance of conditions of Environment Clearance. Further the information regarding the environment statement of each financial year has to be submitted by the project proponent to the MPCB, MOEF every year. Therefore, Environment related issue is being monitored by MPCB with regard to Environment Clearance.

- 9) Deputy Commissioner (Garden), NMMC vide his letter 01/07/2019 has submitted his report as directed by Hon'ble Collector, Thane in the meeting held on 27/06/2019. Accordingly Garden Department in their report (copy enclosed) has stated that "Land owner M/s. Bhumiraj Builders Pvt. Ltd., has not made any application regarding shifting / cutting of any tree in the project on the land under reference to the NMMC's Tree Authority and therefore, Tree Authority, NMMC has not issued any permission for tree cutting and shifting in this project. In view of the complaint under reference, the Garden Department, NMMC has made a site visit to the project under reference and no tree cutting is observed on site.
- 10) Hon. National Green Tribunal (NGT) in its Order has stated cutting of hill and trees cutting in Parsik Hill area near Belapur. However, the Parsik Hill range extends from Belapur till Digha in vast area. Therefore Revenue Department, Thane may confirm whether the complaint reference site comes under Parsik Hill range or not. Submitted for information.

Yours,

mm
04/07

Asst. Director of Town Planning,
Navi Mumbai Municipal Corporation.

o/c

Encl: As Above

Copy for information to The Regional Officer, MPCB, Navi Mumbai.

mm
24.03.19
4/7/19
6/10/19

1/8/09

440 47

का. प्र

NMMC/TPO/ A-9183/31 18 /20008
Date :-27/09/2008.

To,

M/s. Irais Developers Pvt. Ltd.
Plot No. 3 & 4, Sector-30/31.
CBD., Belapur, Navi Mumbai

Sub: Permission for construction of temporary structure of site office
on Plot No. 3 & 4, Sector-30/31, CBD., Belapur, Navi Mumbai
Ref: Your architect's application date : 19/09/2008.

Sir,

Please find enclosed herewith necessary permission for construction of temporary structure of site office along with drawings duly approved. This approval is as per the approved plan enclosed herewith and subject to the following conditions:

1. This permission shall be valid for 2 months from the date of issue of this letter. This permission may be renewed at the sole discretion of the Corporation.
2. This temporary structure shall be constructed by using tubular structure, which can be dismantled easily.
3. Security Deposit of Rs. 5,350/- & Scrutiny Fees of Rs. 4,280/- vide Challan no. D-25053 dt. 22/09/2008 will remain with NMMC for a such period as this permission is valid. The Corporation shall not be liable to pay interest on the said Security Deposit.
4. You shall remove all the said development on the said plot when directed by the Corporation at your own risk & Cost.
5. The proposed temporary structure shall not be used for any other purpose than approved.
6. The responsibility of the stability of the structure rests entirely on you.

Thanking you.

का. प्र

Yours truly,


Town Planner 249
Navi Mumbai Municipal Corporation.

C.C. to: 1) M/s. Dimensions
Plot No.99, Sector-08, Vashi, Sagar Vihar, Navi Mumbai- 400703.
2) Ward Officer, NMMC., Belapur

444

जा. क्र. नमूना/नगरी/ 250 /2002
दिनांक : 26/09 /2002

प्रति,
मो. इराहमा प्रेहलपारी प्रा. लि.,
भुवनेश्वर क्र. 3 व 4, रोड क्र. 30/31,
सी.बी.डी. बेलगापुर, नवी मुंबई.

विषय : भुवनेश्वर क्र. 3 व 4, रोड क्र. 30/31, सी.बी.डी. बेलगापुर, नवी मुंबई येथील
विद्यमान कामाबाबत...
संदर्भ : जा. क्र. नमूना/दिपी.ओ/म - 5363/3220/2002, दि. 22/09/2002

महोदय,

भुवनेश्वर क्र. 3 व 4, रोड क्र. 30/31, सी.बी.डी. बेलगापुर, नवी मुंबई या विद्यमाने शिक्क्या
भूमीद्वारे महानगरपालिकेने दि. 22/09/2002 रोजी लागू होईल अंतिम बांधणीकरीता परवानगी दिली आहे.
मात्र प्रत्यक्षात जागेवर राखणीकरीता साईट अंतिम बांधणीकरीता मोठ्याप्रमाणावर ऐकडीचे उद्योगकाम व
संपादीकरणाचे काम सुरु असल्याचे निदर्शनास आले आहे. उक्त भूमीद्वारे व या संपादीकरणाचे कामास
नवी मुंबई महानगरपालिकेकडून असाय परवानगी देणेत आलेली नाही. त्यामुळे राखणीकरीता जागेवर
आपणागामात सुरु असलेले ऐकडीचे उद्योगकाम व संपादीकरणाचे काम या विद्यमान कामाकरीता
मा. अंतर्भावकरी, जागे यांचे ना हस्त घेतले आहे का ? याबाबत त्वरीत खुलासा करणेत यावा. तसेच पुढील
जावेश होईपर्यंत राखणीकरीता त्वरीत राखणीकरीता घेतले जावे. अन्यथा आपणागामाकडून महानगर प्रादेशिक व नगर स्वच्छ
अधिकारण. 1995 मधील तरतुदीनुसार पुढील कारणातून प्रस्तावित करणेत येईल याची कृपया नोंद घ्यावी.

आपला
(संजय श. बांगडेत)

सहायक संचालक, नगर स्वच्छ
नवी मुंबई महानगरपालिका

20/05
22/09

- प्रत : 1) मुख्य भूमि व भूमापन अधिकारी, शिक्का लि. पंजा, वरील यस्तुस्थितीच्या अनुषंगाने सविस्तर
अभिप्रायासाठी संज्ञेह ओपित.
2) उप आयुक्त (अतिक्रमण), नवी मुंबई महानगरपालिका.
3) मो. श्यामेश्वर, वास्तुविशाल

21/11/02
नवी मुंबई महानगरपालिका

शिक्का लि.
भूमि विभागात शिक्काबाबत
दिनांक 21-11-02

DIMENSIONSTM

ARCHITECTS INTERIOR & LANDSCAPE DESIGNERS

Reg. No. CA 94/17690 CA/98/22491

Head Office: Plot No. 99, Sector - 8, Sagar Vihar, Vashi, Navi Mumbai - 400703

Tel. (O) - 65103577, 32580825, 27823141, 27823341, 27823441. Fax - 27823641

Branch Office: 621, Great Eastern Galleria, Plot No. 20, Sector No. 4, Nerul,

Navi Mumbai - 400706. Tel. (O) - 2771 2232, Fax: 27717431

Date: 20.11.2008

To:

Asst. Director (Town Planning),

Navi Mumbai Municipal Corporation,

C.B.D.-Belapur, Navi Mumbai.

Ref.: Your letter dated 20th November 2008 bearing no
.NMMC/TPO/3542/2008.

Sir,

We are in receipt of your letter dated 20th November 2008 bearing no. NMMC/TPO/3542/2008 in respect of development work carried out on Plot No. 3 & 4, Sector - 30/31, CBD Belapur, Navi Mumbai allotted to Ms. Iraisaa Developers Pvt. Ltd. and accordingly we have to address you as under:

Your letter dated 22.09.2008 bearing no. NMMC/TPO/A-9183/3110/2008, you have already granted us the permission for the construction of temporary structure of site office on the said plot.

My client Ms. Iraisaa Developers Pvt. Ltd. has been allotted the said Plot No. 3 & 4, Sector - 30/31, CBD Belapur, Navi Mumbai on as it is where it is basis and upon some specific terms and conditions which are mentioned in the Tripartite Agreement dated 11.09.2008. The Copy of which is attached herewith for your reference.

As per the clause No. 6 on Page no. 4 of the said Tripartite Agreement, it is clearly mentioned that the said Plot has been allotted by CIDCO Ltd. to my client on as is where is basis and with a condition that final area of the Plot will be

नगररचना विभाग
नवी मुंबई महानगर पालिका
आवक क्र ५४५५
तारीख २१/११/०८

26/11/08

29.11.08

4/92

80 443

ascertained after the land is leveled / reclaimed, cutting is done and demarcation of the plot is prepared and accordingly after paying Excavation Royalty to the collector, Thane my client have started the leveling of the said Plot without affecting the basic nature of said Plot by leveling hill undulation up to 2 Ft.

It is pertinent to note that partial development and existing road on the said Plot has been already done by the CIDCO before the allotment and transfer of the said Plot to my client and my client have also retained all the trees on the said Plot.

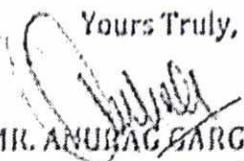
It is also necessary to bring to your kind notice the fact that no drastic cutting of Hill scape or hill have been carried out or done by client.

As per clause no. 3 on page no. 4 of the Tripartite agreement it is clearly indicated and directed by CIDCO Ltd, the Development of the Infrastructure on the said Plot will be the responsibility of Ms. Icarus Developers Pvt. Ltd.

We are attaching herewith the copies of the said tripartite Agreement and the receipt of royalty paid for excavation to the Collector, Thane for your kind perusal.

We are hereby requesting you to kindly grant us the permission for leveling of land on the said Plot for demarcation and development of Infrastructure as after the said work is done the CIDCO will issue us the final demarcation of the said Plot and ascertain the area of the said Plot and after which only we shall apply for the building permission to HDMC.

Yours Truly,


MR. ANURAG SARG,

M/s. Dimensions, Architects

Enclosed:

- 1) Tripartite agreement
- 2) Permission from office of Collector/dy. Collector/tahsildar for excavation.

जा. क्र. नमुंनपा/नराधि/३६७८/२००८
दिनांक: ०५/१२/२००८

प्रति,
मुख्य भूमि व भूमापन अधिकारी,
सिडको लि. सिडको भवन,
सी.बी.डी. घेलापूर, नवी मुंबई.

विषय : भूखंड क्र. ३ व ४, सेक्टर क्र. ३०/३१, सी.बी.डी. घेलापूर, नवी मुंबई पंचायत
विकास कामाबाबत...

संदर्भ : १) जा. क्र. नमुंनपा/नराधि/३५७२/२००८, दि. २०/११/२००८
२) मे. इंराइसा डेव्हलपर्स प्रा. लि. यांचे वास्तुविशारद यांचे पत्र दि. २१/११/२००८

महोदय,

भूखंड क्र. ३ व ४ सेक्टर क्र. ३०/३१, सी.बी.डी. घेलापूर, नवी मुंबई या सिडकोने मे. इंराइसा डेव्हलपर्स प्रा. लि. यांना पितरीत केलेल्या भूखंडावर सुरु असलेले टेकडीचे खांदकाम व सपाटीकरणे काम खांदविषयाबाबत मे. इंराइसा डेव्हलपर्स प्रा. लि. यांना संदर्भिय पत्रान्वये कळविण्यात आले होते. सदर पत्राची छत आयनातही अभिप्रायासाठी अग्रेषित करण्यात आली आहे. मात्र आपले अभिप्राय अद्याप या कार्यालयाला प्राप्त झालेले नाहीत.

प्रस्तुत प्रकरणात मे. इंराइसा डेव्हलपर्स यांचे वास्तुविशारद मे. डायनेमिक्स प्रा. लि. दि. २१/११/२००८ रोजीच्या पत्राद्वारे नवी मुंबई महानगरपालिकेच्या संदर्भिय पत्रास उत्तर दिले असून त्यामध्ये मांडेव्हलपर्स यांनी सदर खांदकाम करून जमीन समपातळीत (Levelling) करणेबाबत सिडकोच्या तृतीयेपर्यंत मांडेकरणात मनुद केले असल्याचे कळविले आहे. तसेच या खांदकामाकरिता जिल्हाधिकारी, ठाणे यांचेकडे संपत्ती जमा करण्यात आल्याचेही कळविले आहे. सदर पत्र व त्या सोबतच्या सादर इतर कामपत्रांच्या प्रती या पत्रालाच आयनात पाठविणेत येत आहेत.

त्या अनुषंगाने प्रस्तुत भूखंडावर मे. इंराइसा डेव्हलपर्स प्रा. लि. यांचे मांडे झालेल्या तसेच प्रस्तावित असलेल्या खांदकाम/सपाटीकरणेस सिडकोची मान्यता आहे किंवा कते? अस्तित्वात असलेल्या प्रकरणात सिडकोने पर्यावरणाच्या दृष्टीकोनातून आवश्यक परवानग्या घेतल्या आहेत का? तसेच उक्त जमीनवरील नुक्यालवणे तसेच खांदकाम करून करण्यात येणारी प्रस्तावित पातळी याबाबतची सविस्तर माहिती (Data) एवढीच नव्हे तर नकाशांसह या कार्यालयास त्वरीत उपलब्ध करून देणेत यावी, जेणेकरून प्रस्तुत प्रकरणात पुढील निर्णय घेणे महानगरपालिकेस शक्य होईल.

5/12/08

आपला,
(संजय श. शिंदे)
सहाय्यक संचालक, नवी मुंबई महानगरपालिका

प्रत : वरिष्ठ नियोजनकार (१२.५ टक्के गा.पि.वो.)
सिडको लि. सिडको भवन, घेलापूर, नवी मुंबई.
वर नमूद केल्यानुसार आवश्यक अभिप्रायासाठी अग्रेषित.

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५/२०/१
सिडको

शहर व औद्योगिक विकास महामंडळ (महाराष्ट्र) मर्यादित

नांदणीकृत कार्यालय :
'निर्मल', दुसरा मजला, नरीमन पॉईंट,
मुंबई - ४०० ०२९,
दूरध्वनी : (स्वागत कक्ष) ००-९१-२२-५६५० ०९००
००-९१-२२-५६५० ०९२८
फॅक्स : ००-९१-२२-२२०२ २५०९ / ५६५० ०९३३

मुख्य कार्यालय :
'सिडको' भवन, सी.बी.डी, वेलापूर,
नवी मुंबई - ४०० ६१४,
दूरध्वनी : ००-९१-२२-५५९१ ८१००
फॅक्स : ००-९१-२२-५५९१ ८१६६

संदर्भ क्र.:

दिनांक :

सिडको/भूमी/साटयो/शाहाबाज/2008/288

11-12-2008

प्रति,
श्री. संजय शां. वनाईत
सहाय्यक संचालक, नगररचना,
नवी मुंबई महानगरपालिका.

विषय :- वेलापूर, सेक्टर - 30, 31 भूखंड क्र. 3 व 4 च्या
विकासाबाबत.

संदर्भ:- आपल्या कार्यालयाचे पत्र क्र. नमुनपा/नरवि/3678/
2008 दि. 5-12-2008.

महोदय,

कृपया संदर्भाधिन पत्र पहावे.

प्रस्तुत पत्रात उपस्थित केलेल्या मुद्दयांबाबतचे अभिप्राय खालीलप्रमाणे. सिडकोच्या
भूमी विभागामार्फत साडेचारा टक्के योजनेअंतर्गत वाटप करण्यात आलेल्या वेलापूर
सेक्टर-30, 31 मधील भूखंड क्र. 3 व 4 च्या संदर्भात भाडेपट्टा करारनामा व त्रिपक्षीय
करारनामा करण्यात आला त्यात भूधारक / विकासकास अनुक्रमे अट क्र. 10 (इतर अटी)
व अट क्र. 6 अन्वये जमीनीचे संपाटीकरण करून सिमांकन करण्याची अट बंधनकारक
आहे. तसेच जमीनीची पातळी, पर्यावरण इत्यादी तदनुषंगीक बाबींबाबतही अटी अंतर्भूत
आहेत. करारनाम्याची प्रत व नकाशाची प्रत अवलोकनासाठी / माहितीसाठी सोबत
जोडलेली आहे.

कळावे.

आपला विश्वासू


मुख्य भूमी व भूमापन अधिकारी

नगररचना विभाग
नवी मुंबई महानगर कार्यालय
आवक क्र ६०३३
तारीख ११/१२/०८

श्री. गुणवंत
३३/१२/०८
११/१२/०८

446 33 11/11/11

शहर व औद्योगिक विकास महामंडळ (महाराष्ट्र) मर्यादित

नोंदणीकृत कार्यालय :

'निर्मल', दुसरा मजला, नरीमन पॉइंट,

मुंबई - ४०० ०२१.

दूरध्वनी : ००-२१-२२-२३०२ २४६९ / २३०२ २४६९

फॅक्स : ००-२१-२२-२३०२ २४६९

CIDCO/PLNG/SP(SS)08/ 1367

संदर्भ क्र :

To,
The Asst. Director (Town Planning),
Navi Mumbai Municipal Corporation,
CBD-Belapur,
NAVI MUMBAI 400 614.

Sub : Development on Plot No.3 & 4, sector 30/31,
CBD-Belapur, Navi Mumbai.

Ref: 1) Letter from ADTP, NMMC dated 15/12/2008.

2) Letter dated 11/12/2008 by CL&SO.

3) Notifications issued by Government of India.

Ministry of Environment & Forest dtd. 14/09/2008.

Dear Sir,

Vide reference 1) above, ADTP, NMMC addressed a letter to CL&SO with a copy to the undersigned is examined. It may be noted that the required reply has already been sent to you by CL&SO who is Nodal Officer of 12.5% scheme

In this regard it is to inform that land under reference is part of area identified for 12.5% scheme. Plot No.3 & 4 is carved out of large layout in sector 30 & 31 of CBD-Belapur node

As the land is undulated the layout is prepared for getting the land leveled properly and accordingly representative of Plot.No.3 & 4 are advised by CIDCO to take action for leveling of land.

CIDCO is the Planning Authority under MR&TP act for development of Navi Mumbai excluding areas under jurisdiction of NMMC. However, the present area under reference is falling under NMMC jurisdiction, which is yet to be developed. Hence, leveling of land on behalf of CIDCO is being carried at the site under reference. It may be noted that there appears no specific provision in the notifications, dated 14th September, 2008 issued by Government of India to insist upon CIDCO or any other planning authority to take permission for leveling of land, for the development of city.

It is also for information that, once the land is leveled and plot is confirmed by CIDCO, the applicant shall approach NMMC for taking development permission as per provisions of MR&TP Act. We hope that this will clarify issued raised in your letter dated 15th December, 2008

Thanking you,

नगररचना विभाग
नवी मुंबई महानगर नालिका,
आयक क्र ६३०९
नारीस

22/12/2008

22/12/2008
22/12/2008
22/12/2008

Yours faithfully,

P. Suresh Babu
Senior Planner (CS)

५५७

१२/०७

शहर आणि औद्योगिक विकास महामंडळ (महाराष्ट्र) मर्यादित.



श्री. गजलाल, सी.बी.डी.
वेल्डिंग, नवी मुंबई - ४०० ६१४.
दिनांक १०/४/२००६

मा. मुख्य शूनि व भूयापन अधिकारी, शिडफने गॉर्गेकडोड देवक पत्र
क.शिडको/शूनि/१२३/२००६ दिनांक २/४/०६ प्रमाणे
गॉर्गेकडोड ता. २००६ जि. ३०/३९ नवी मुंबई येथील साडेवारा टक्के योजनेनुसार
श्री. गजलाल, सी.बी.डी. येथील प्लॉट नं. ३०/३९ या प्लॉट
व्यतीत पर्वणाच्या भूखंडाचा ताबा या भूखंडाच्या अनुषंगाने केलेल्या करारनाम्यातील सर्व
अटी व शर्तीस अशिन राहून तसेच साडेवारा टक्के योजनेच्या सर्व अटी आणि वेळोवेळी
करण्यात येणा-या नियमांचे पालन करण्याच्या शर्तीवर त्याची तय्यार केलेल्या भूखंडाचे ठिकाण
जिल्हा नोंदीस नोंद घेऊन जाणे व जाऊन आज दि. १०/४/०६ रोजी भूयापक यांनी
याचपत्रे व से प्रत्यक्ष पाडिले व सर्व भूखंडाचा ताबा घेतला. ताब्याचाचत कोणतही
प्रकारची तक्रार नाही.

भूखंडाचा तपशील

जिल्हा	तालुका	गाव	सेक्टर क्र.	उपसेक्टर क्र.	भूखंड क्र.	भूखंडाचे क्षेत्रफळ चौ.मी.
३०	३०	केळवूर	३०/३९	-	०३	२६००-००

सी.ताबेपावती विनांक

शेजी लिफ्टन विली.

FOR INFRASTRUCTURE DEVELOPMENT PVT LTD
[Signature]
Asstt. Manager/Directr

शहर आणि औद्योगिक विकास महामंडळ
(महाराष्ट्र) मर्यादित गॉर्गेकडोड
Asstt. Lands & Survey Officer (B)
CIDCO LTD, Navi Mumbai.

६.४.०६
१३८० २००६
६ १९६

449 56

44

**OFFICE OF THE CHIEF CONSERVATOR OF FORESTS & DIRECTOR,
SANJAY GANDHI NATIONAL PARK, BORIVALI (EAST), MUMBAI-400 066**
Phone: 022 2886 0389, 0362, 4567; email: sgnpmumbai@gmail.com

Subject: In the matter of O.A. No. 364 of 2019
filed in the Hon'ble National Green
Tribunal ...
K. Kumar Conscious Citizen Forum
Versus
Maharashtra State Govt. & Others
Re.
No. D-II/Land/ **1510** of 2019-20.
Borivali-East, Mumbai, Date: **03 / 08 / 2019**

To,
The Deputy Conservator of Forests,
Thane Forest Division, Thane.

Ref.: 1. State Govt.'s letter No. S-30/2019/F.N.
467/F-3, dated: 29.07.2019
2. This Office No. D-II/Land/1403, dt.
23.07.2019

In compliance of the letter referred to at Ref.1 in the subject matter and the point of discussion laid down in the minutes of the meeting held under the chairmanship of the Additional Chief Secretary (Revenue) on 24.07.2019, the information and comments of this office on the points discussed is as follows:

The information pertaining to this Office, in the said subject matter in vernacular language, has already been submitted to your office alongwith Index map showing the boundaries of the area under the jurisdictional control of this Division and the location of the hills mentioned in the subject matter. Detailed information about the same is being submitted herewith for the hills which partly fall in the jurisdiction of this Division.

Parts of Powai Hill and Dindoshi Hill falls in this Division. The area involved in part of Chandivali Hill does not fall in this Division.

3. Construction will involve cutting of trees and disturb the forest land. No non-forestry development activity is permitted on the forest lands included in the Powai Hill & Dindoshi Hill. The lands in possession of this Office on these hills are classified as 'Reserved Forests' under the Indian Forest Act, 1927 after their acquisition under the Maharashtra Private Forests (Acquisition) Act, 1975 and are also notified as a 'Protected Area' under section 38 of the Wildlife Protection Act, 1972 as a 'National Park'.

Hence permissions for any construction or

SA 450

any tree cutting, without the permission of the Central Govt. and the Hon'ble Supreme Court is ruled out.

6. Quarrying along the hill is destroying the bio-diversity, forest and affecting the water bodies. Ministry of Environment, Forest and Climate Change (MoEF&CC) granted mining rights which are subject matter of challenge. Reliance has been placed on order of this Tribunal dated 28.02.2017 in Nanik Rupani & Anr. Vs. Secretary MoEF & Ors. and order dated 08.01.2016 in M/s. Nanu Estates Pvt. Ltd. vs. Sayeed Tayeeb & Ors, restraining cutting of hills.

No quarrying is being carried out on any forest land of this Division included in the area of Powai or Dindoshi Hills. The Chandivali Hill is not a part of the Wildlife Division.

Information regarding status of each Hill is being reproduced herein below for favour of information.

1. Powai Hill

The part of northern & western aspects of this hill, included in area acquired for catchment area of Vihar Lake by the then Bombay Municipal Corporation in 1937, has been handed over to the Forest Department for its management as Reserved Forests in 1942 under section 38 of the Indian Forest Act, 1927. These areas stood acquired as 'Reserved Forests' and as a property of the State Government upon the promulgation of the Maharashtra Private Forests (Acquisition) Act, 1975 on 30.08.1975. The said areas have not been assigned any survey number and are shown as part of the Vihar Lake. The said areas also have the status of 'National Park' under the Wildlife Protection Act, 1972 and no non-forestry development activity is permitted on the forest lands in the possession of this Division.

2. Chandivali Hill

Area to the west of Chandivali Hill which had been quarried earlier has been used by the Slum Rehabilitation Authority (SRA) for development of tenements for rehabilitation of slum evacuees of this Division as ordered to by the Hon'ble High Court Mumbai in the matter of the W.P. No. 305 of 1995. The ownership of this area is not with this Division. Accordingly, the Chandivali Hill does not fall in the jurisdiction of this Division.

3. Dindoshi Hill

457 58

The said Hill is situated in village Malad and part of this hill has been finally acquired under the provisions of the Maharashtra Private Forests (Acquisition) Act, 1975 vide the consent terms dated 03.12.1979 between the original owner and the State of Maharashtra in Misc. Petition No. 1465 of 1975. An area of 848 acres 20 gunthas 12 annas on the northern aspect and part western aspect of this hill is in possession of this Division.

The area in possession of this Division has encroachments of scattered tribal hamlets viz. Nimboni Pada, Barik Payari, Bhatukli Pada, Dukkarbhujji Pada and Kakadache Paani wherein 179 families are present. As also 25 families have encroached in the slum settlement near Malad Water Reservoir.

Vide the said Consent Terms, an area of 640 acre 12 gunthas 4 annas extent had been excluded from the acquisition proceedings and was not to be considered or claimed as 'forests' by the Forest Department. Accordingly this Division has no control or jurisdiction on this non-forest area.

However, an area of 100 metres width, all along the boundary of the acquired area has been included in the notified Eco-Sensitive Zone of the Sanjay Gandhi National Park on this hill vide Notification no. 3645(E), dated: 05.12.2016 and the said area is governed by the provisions of this notification.

(Dinesh Singh)

Assistant Conservator of Forests,
Protection (Wildlife)

For Chief Conservator of Forests & Director,
Sanjay Gandhi National Park, Borivali

Copy submitted to:

1. The Additional Principal Chief Conservator of Forests (Conservation), Maharashtra State, Nagpur for favour of information.
2. Copy to the Under Secretary (Forests), Revenue & Forest Department, Mantralaya, Mumbai for favour of information & necessary action.



452

52

**OFFICE OF THE ADDITIONAL COLLECTOR
MUMBAI SUBURBAN DISTRICT**

Administrative Bldg. 9th Floor, Near Chetana College, Govt. Colony, Bandra(E), Mumbai 400 051,

NO.AC/DESK-IV/MNL/KAVI- 939/2019-20

DATE: 30/07/2019

To,

Deputy Conservative of Forest
Thane Forest Division,
Lal Bahadur Shastri Road, Naupada,
Vishnu Nagar, Thane West, Thane- 400602

Subject:- Regarding submission of Stone Quarry Report

Reference :- 1) Hon. National Green Tribunal, New Delhi Application No 364/2019
K Kumar Conscientions Citizens Forum
Vs
Govt Of Maharashtra & Others.

2) Meeting of Hon. Additional Chief Secretary Revenue dated 24/07/2019

As per directions given by Hon. Additional Chief Secretary (Revenue) in the meeting refered above, the report regarding stone quarrying along Powai hill, Chandivali hill and Dindoshi hill is submitted herewith.

As per order dated 24 April 2003 in notice of motion No. 173/2003 in Writ Petition No. 305/1995, stone quarries along Dindoshi hill are closed since April 2003. As per the site visit report of 2016 Sumbitted in PIL 17/2006 Bombay Environmental Action Group Vurses Collector of Mumbai Suburban District no stone quarries were found along Powai and Chandivali hills which were closed since long. Thereafter no new permissions are given to quarries along the said hills in Mumbai Suburban District.

Wadde

Addl. Collector
Mumbai Suburban District

454

MUNICIPAL CORPORATION OF GREATER MUMBAI

No.:CHE/DP/09797/WS

Sub:- Before the National Green Tribunal
Principal Bench, New Delhi
Original Application No.364/2019
Along with Record of O.A.No.15/2018(WZ)
K.Kumar, Conscious Citizen ForumApplicant(s)
Versus
State of MaharashtraRespondent(s)

- Ref:-**
- 1) Letter from Under Secretary, Revenue & Forest Department U/No.एन-३०/२०१९/प्र.क.४६७/फ-३ महसूल व वन विभाग दि.१९.७.२०१९.
 - 2) Letter from Dy. Conservator of Forest, Thane Forest Department U/No.कस-१/२०/जमीन/२९८९ दि.२०.७.२०१९.
 - 3) MGC/G/1473 dtd.23.7.2019.

A meeting was called on 24.7.2019. In the meeting it was directed to submit the details regarding the hills as appeared in the order with respect to provision of D.P./ Regulation. The details of the same are as follows:-

The information regarding these hills, provisions in the regulation shall be submitted to the Committee within 7 days. The next meeting is scheduled on 3.8.2019 at 4.30 p.m.

The details of zone/ reservations of various hill areas mentioned are as follows:-

- Powai Hill and Chandivali Hill- As can be seen from the plan the part of Powai Hill and Chandivali Hill are shown as 'Natural Area' where development can only be allowed within the approval of MOEF.
- Worli Hill area part of which is shown as existing amenity shown for existing amenity of EOS1.5 (Garden/ Park), EMS5.1 (Reservoir) and reservation ROS1.5 (Garden/ Park):
- Part of Antop Hill which is in excluded part initially as per proposal under Section 26 of M.R.&T.P.Act,1966 was shown ROS1.5 (Garden/ Park), now under Section 30 is proposed as ROS2.8 (Botanical Garden).
- Malabar Hill- part of Malbar Hill is shown as existing amenity of EOS2.6 (Recreation Ground), EOS2.7 (Green Belt), EMS5.5 (Hydraulic Engineer Department's Facilities), ESA4.7 (Tower of Silence).

155 62

- The part area of Dindoshi Hill as per D.P. 2034 under Section 26 of M.R.&T.P.Act,1966 was marked as NDZ, as per Section 30 of M.R.&T.P.Act,1966 proposed to be shown as Special Development Zone (SDZ), which is in excluded part.

From the above, it can be seen that, while preparation of the Development Plan a adequate precautions have taken to maintain such areas. The area of hilltops of Powal and Chandivali are observed to be marked as Natural Areas. The provision 3.7 of Regulation 34 for Natural Area as per DCPR 2034 is as follows:-

"3.7 Natural Areas (N A)

It is an environmentally sensitive zone amenable to buildable development with the approval of the Competent Authority where following facilities may be permissible

- a) Board walks in mangroves, trekking facilities, Public Sanitary Conveniences for visitors, Sewerage Pumping Station.
- b) Uses permissible as per the notifications issued by the Ministry of Environment and Forest, if any, as amended from time to time.

Note: - 1. Structures constructed in NA, with due sanction of Competent Authority, before coming into force of these regulations stand protected.

2. Reservation proposed in Natural Area shall be allowed to be developed at par with other zones subject to approval of the Competent Authority and subject to compliance of conditions as mentioned in the notifications issued by the Ministry of Environment and Forest, if any, as amended from time to time."

Further the areas of the hills are marked as reservations of Public Open Spaces or existing amenity of public open spaces or designated as per various existing amenity as detailed above. The part area of Dindoshi Hill is marked as SDZ. The provision of SDZ reads as follows:-

"Special Development Zone (SDZ):-*Special Development Zone (SDZ) is a zone which is to be developed predominantly for society at large with emphasis on Affordable Housing, POS and necessary Social Infrastructures."*

Further it is to mention here that as per the provisions of Regulation 69 of DCPR 2034 special provision for Environmental Impact Assessment is made. The said provision reads as follows:-

"69. Environment Impact Assessment (EIA)

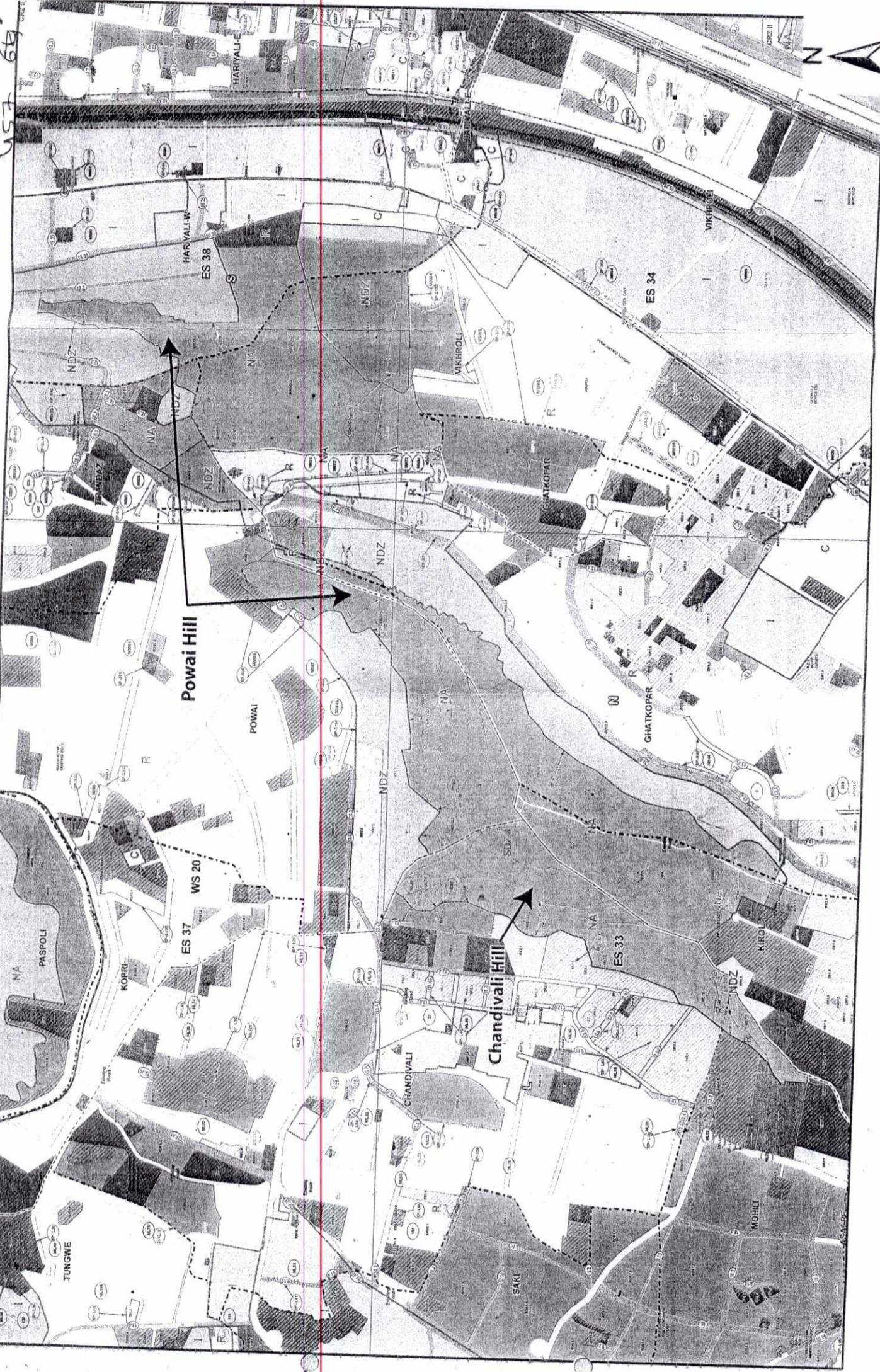
This Regulation shall be applicable to developments as specified in provisions of amended Environmental Impact Assessment Notification No.S.O.1533

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dated 14.09.2006 as amended from time to time. The compliance of conditions of NOC/Remarks shall be the responsibility of the owner/developer/project proponent."

As per the said regulation it is mandatory to obtain NOC from the concerned Authority as per Notification No.S.O.1533 dated 14.09.2006 as amended from time to time whenever applicable. From the above it can be seen that appropriate precautions have been taken in the preparation of Development Plan/ framing Regulation for development of areas falling in various land use zone reservations for public purposes such as Public Open Spaces and/ or marked with the existing amenities, so that the sanctity of such area will be maintained. The copies of the Development Plan showing the said area is attached here with for perusal.

This note is issued with the approval of Hon.M.C.


(R.B.Zope)
Ch.Eng.(D.P.)



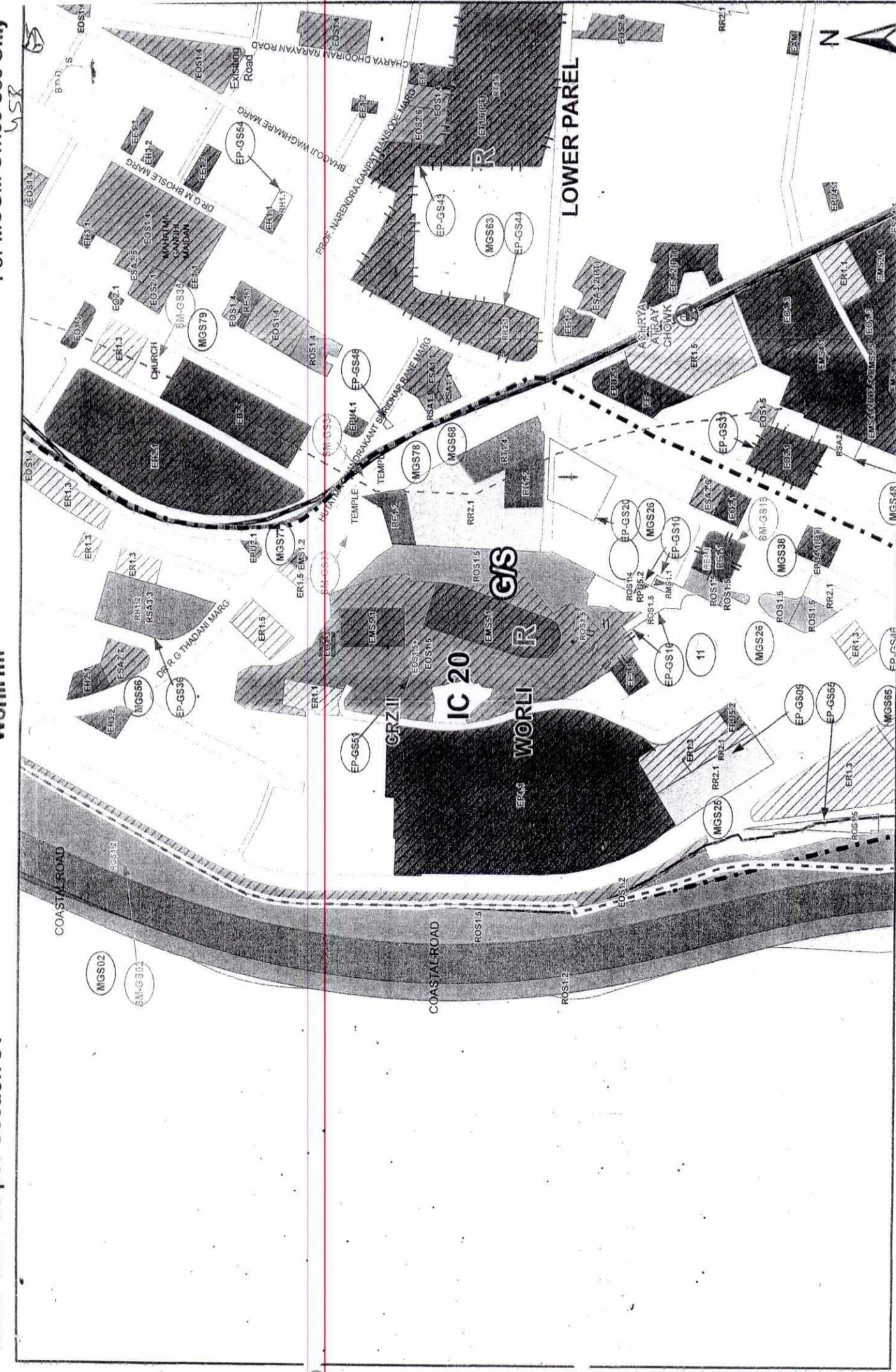


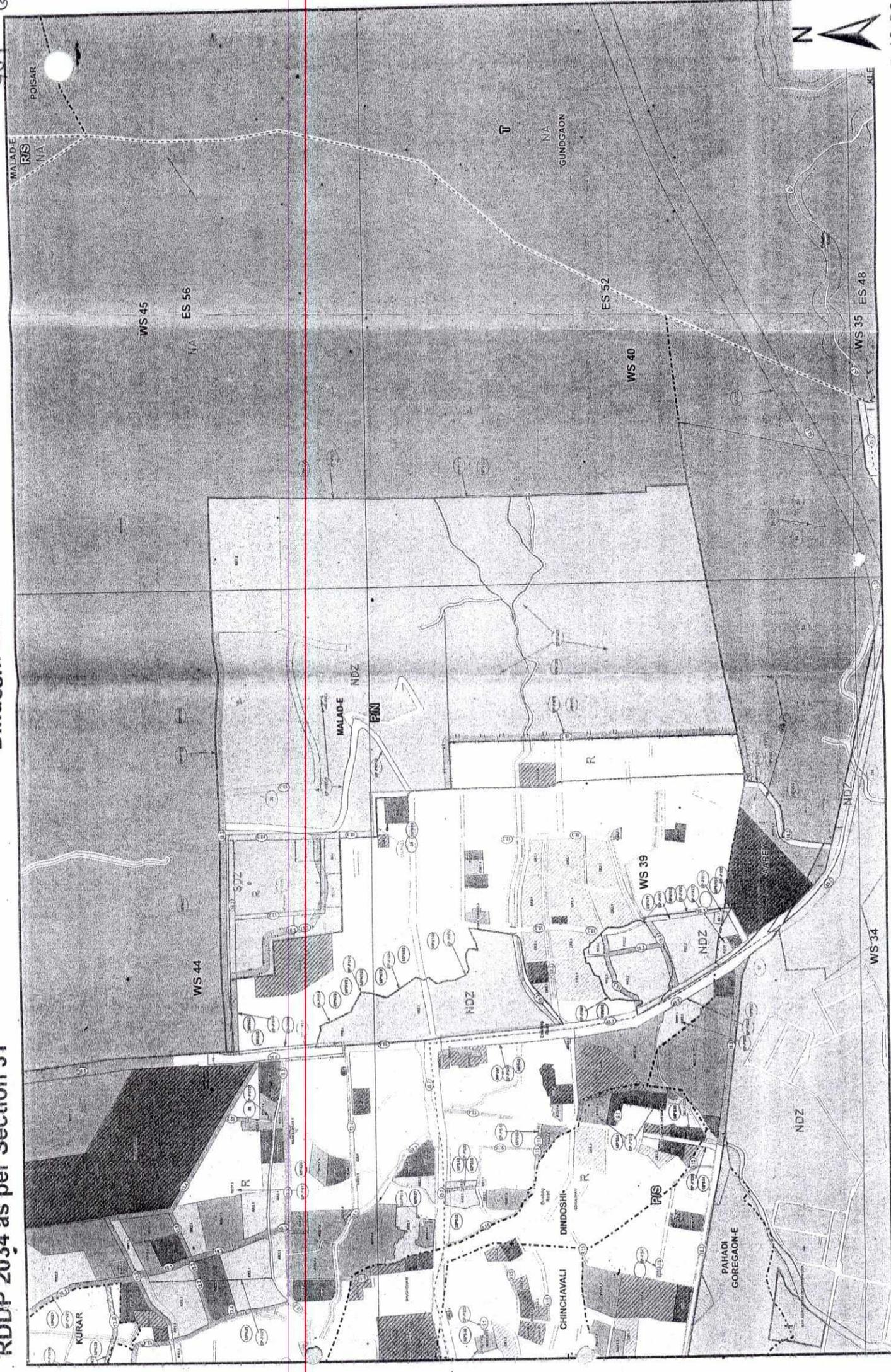




Fig.0.2 Existing Road

Dindoshi Hill

RDDP 2034 as per Section 31





ठाणे महानगरपालिका

महानगरपालिका भवन, प्रयोगशाळा रोड, चंदनवाडी, पाचपागडाडी, ठाणे - ४००६०३
THE MUNICIPAL CORPORATION OF THE CITY OF THANE

संदर्भ क्र. ठाणे/श/वि/वि/१००१-१/२३२३

दिनांक ०३/०८/२०१९

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To,
Principal Chief Conservator Of Forest (Hoff)
Mantralay, Maharashtra
Mumbai

SUB :- Report on Minutes of Meeting held on 24/07/2019, regarding NGT - K.
Kumar Conscious Citizen Forum Case.

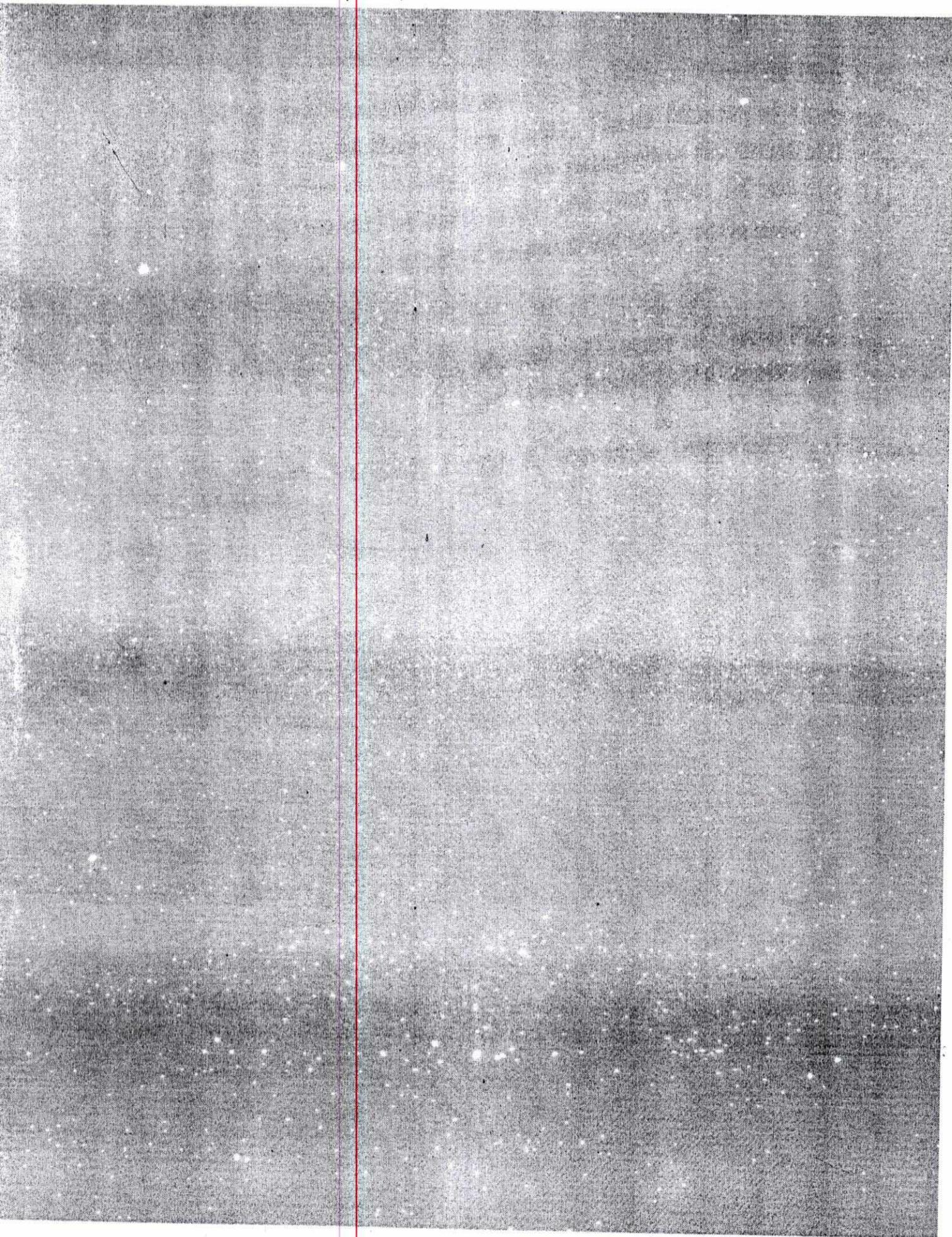
REF :- Forest & Revenue Department, Mumbai letter S-30/2019/CR-467/F-3
Dated 19/07/2019

Respected Sir,
With reference to above subject detailed report about the part of Parsik
Hills area within jurisdiction of T.M.C. is as follows :

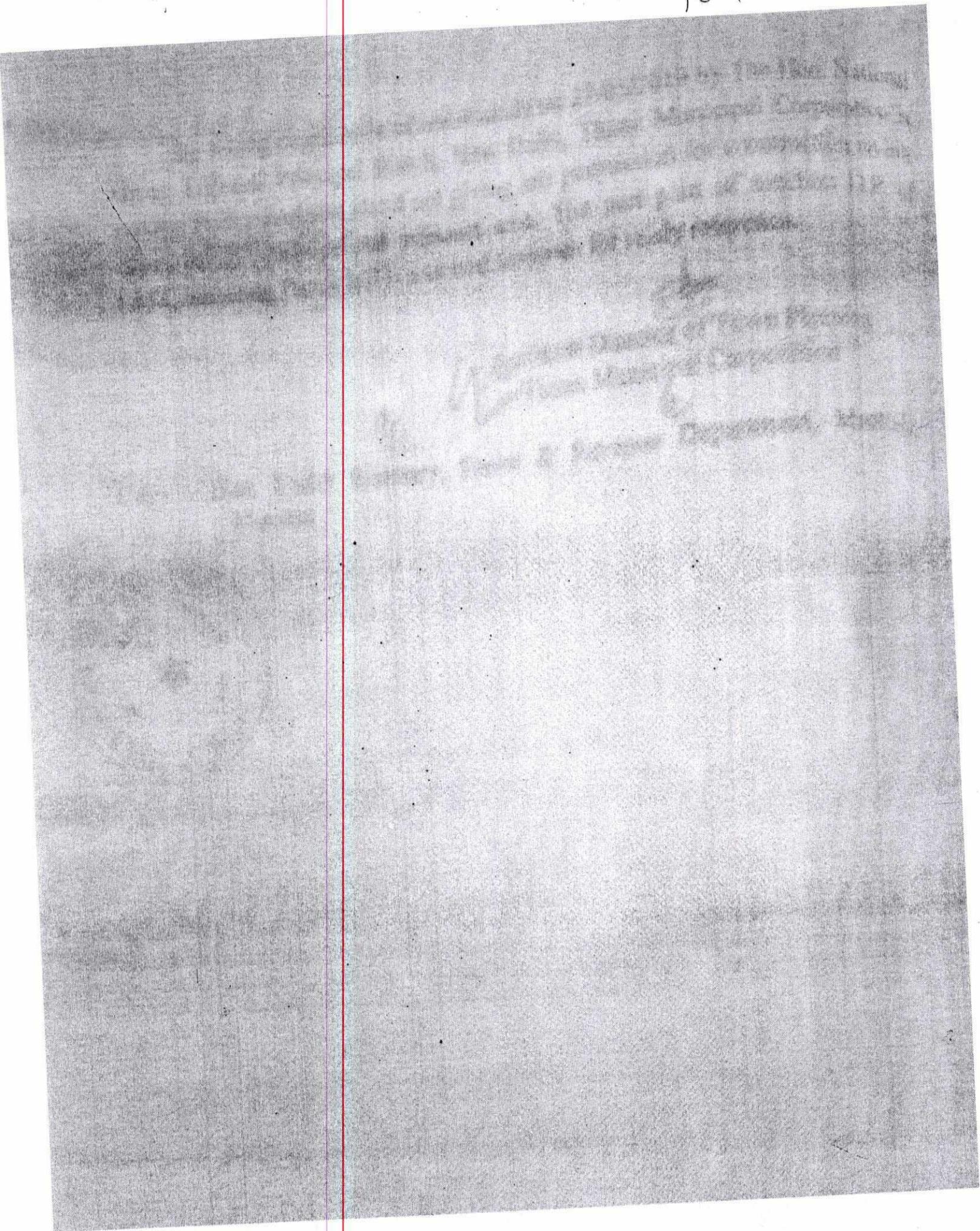
Sr. No.	Hon. National Green Tribunal Principal Bench, New Delhi.	Concern Department	Report
04	City and Industrial Development Corporation, Mumbai is allotting the land to individuals without considering the impact on environment.	CIDCO, MCGM, Navi Mumbai Mahanarpalika, Thane Municipal Corporation.	T.M.C. has not allotted any land to any Individuals
07	It is submitted that to prevent further destruction of bio-diversity and the hills, there is need to debar any further construction adjacent to hill slopes and hilltops. Hills with slope of 25° can not be permitted to be cut. By this yard stick, following hills are required to be protected.	CIDCO, MCGM, Navi Mumbai Mahanarpalika, Thane Municipal Corporation.	Part of the Parsik Hill is in jurisdiction of T.M.C. & As per sanctioned Development plan 80% Parsik hill is in Forest zone where development is not Permissible, remaining area is in residential zone. In sanctioned D.C.R.-1994 of TMC there are no specific restrictive provisions for development on Hill slopes However as per directions issued by Maharashtra Government under Sec.154 of MRTP Act Dated 14 Nov.2017, peripheral area of 100 feet along Hill should be ear marked for non buildable works like Open spaces, Roads etc.

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विकास योजनेमध्ये टेकडी लागतच्या १०० फुट क्षेत्राचा समावेश विकसनक्षम विभागात न करणेबाबत.

महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ चे कलम १५४ अन्वये निदेश.

महाराष्ट्र शासन
नगर विकास विभाग,

मादाम कामा रोड, हुतात्मा राजगुरु चौक,

मंत्रालय, मुंबई ४०० ०३२.

शासन निर्णय क्रमांक : टिपीएस-१८१७/अनौस-१०/१७/नवि-१३

दिनांक : १४ नोव्हेंबर, २०१७.

महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ मधील तरतूदीनुसार नियोजन प्राधिकरणांच्या कार्यक्षेत्रासाठी विकास योजना तयार करणेत येतात. पुणे जिल्ह्यातील कात्रजघाटातील टेकड्या फोडून होणाऱ्या अनधिकृत बांधकामांच्या अनुषंगाने मा.राष्ट्रीय हरित प्राधिकरण, पुणे यांच्याकडे दाखल अप्लिकेशन क्र.४/२०१४ मध्ये मा.न्यायालयाने दि.१९/०५/२०१५ रोजी आदेश पारित करून डोंगर माथ्यावर तसेच टेकडीच्या उताराच्या खालच्या भागापासून १०० फुट अंतरापयंत बांधकामास परवानगी देण्यात येऊ नये अशा सूचना राज्यातील सर्व महानगरपालिका / नगरपालिका यांना देण्यात याव्यात असे आदेश पारित केलेले आहेत. डोंगरमाथा तसेच डोंगरउतारावरील १.५ पेक्षा तीव्र उताराच्या जमोनीवर कोणताही विकास अनुज्ञेय होत नसल्याबाबत यापूर्वीच विकास नियंत्रण नियमावलीमध्ये तरतूद समाविष्ट आहे. मा. राष्ट्रीय हरित प्राधिकरण यांचे दि.१९/०५/२०१५ रोजीचे आदेश विचारात घेऊन राज्यातील सर्व नियोजन प्राधिकरणांना महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ चे कलम १५४ नुसार पुढीलप्रमाणे निदेश देण्यात येत आहेत.

निदेश

- १) नियोजन प्राधिकरणांनी त्यांच्या कार्यक्षेत्राकरीता विकास योजना तयार करतांना / सुधारित करतांना टेकड्यालागतच्या १०० फुट परिसरात विकास झालेला नसल्यास ते क्षेत्र नाविकास विभागात / खुल्या स्वकामाच्या आरक्षणाकरीता दर्शविणेबाबतची कार्यवाही करावी.
- २) टेकड्यालागतच्या १०० फुट क्षेत्रात यापूर्वीच अधिकृत विकास झाला असल्यास त्यामध्ये बाढीव बांधकामासाठी अतिरिक्त च.क्ष.नि. अथवा टिडीआर अनुज्ञेय करू नये.
- ३) मजूर विकास योजनेत टेकडीलागतचे १०० फुट क्षेत्र विकसनक्षम विभागात असल्यास या क्षेत्रासह लागतच्या सलग जमोनीत विकास परवानगी अनुज्ञेय करतवेळी या १०० फुटांमध्ये केवळ Non Buildable चापर जसे खुली जागा, रस्तो इ. अनुज्ञेय करावेत.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार ये नांवाने,

Pawar
Rajendra
Mahadeo

(रा.म.पवार)

अवर सचिव, महाराष्ट्र शासन

Printed and Published by Pawan Kumar Mahadeo at the Government of Maharashtra, Mumbai. Printed and Published by Pawan Kumar Mahadeo at the Government of Maharashtra, Mumbai. Printed and Published by Pawan Kumar Mahadeo at the Government of Maharashtra, Mumbai. Printed and Published by Pawan Kumar Mahadeo at the Government of Maharashtra, Mumbai.

MAHARASHTRA POLLUTION CONTROL BOARD

Regional Office, Navi Mumbai

Tel No. 27576034
Fax No. 2756 2132
Email: ronavimumbai@mpcb.gov.in



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

NO. MPCB/RO-NM/TB-190816-FB-0105

Date: 16/08/2019

To,
The Chief Conservator of Forest,
Thane.

Sub.:- Information in respect of NGT Petition no. 364/2019 K Kumar
Conscious Citizen Forum V/S State Government.

Ref.:- Meeting held on 14.08.2019 at Hon'ble ACS (Revenue) reg...

Sir,

As per the direction given by Hon'ble ACS (Revenue) during meeting on point no. 5, submitting herewith that, MPC Board has carried out survey of 101 Stone Crushers in respect of Air Pollution problem in the vicinity of Parsik Hill at Navi Mumbai. It was found that the pollution level was higher than Board's prescribed limit. Board has not renewed consents to the said units due to non-submission of CIDCO NOC to crusher units (copies enclosed). Now, the said designated crusher units are close down their activities.

In respect to quarries Board has not given any permission for operation of quarries activities. As per Board circular dtd 24.03.2017 quarry activity up to 05 Hectors area comes under the pervue of District Authority: However, as per the NGT order dtd 14.11.2017 it was directed to MPCB not grant consent to Stone Quarry unit without Environment Clearance. Hence, Board has not granted any permission to Quarry activities. Details in respect of quarries is pertaining with District Authority.

In view of above, non-operational stone crusher's activities, quarry activities and non-availability of Power supply monitoring of Air quality was not carried out from above said area. As per present Ambient Air Quality Index shows moderate. CAAQMS data sheet is enclosed for ready reference.

This is submitted for your information and onward submission in the NGT draft.

Thanking You,

Yours faithfully,

(Dr. Anant Harshvardhan)
Regional officer, Navi Mumbai

D.A.:- As above

Copy submitted for favor of information to:-

The Member Secretary, MPCB, Sion, Mumbai.

Copy f.w.c. to:-

1. Regional Officer (HQ), MPCB, Sion, Mumbai.
2. Law officer, MPCB, Sion, Mumbai.

Copy to:-

Sub-Regional Officer, Navi Mumbai-I & II, MPC Board, Navi Mumbai for information.

उप प्रादेशिक कार्यालय, नवी मुंबई-१

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अ. क्र.	स्टोनक्रशरचे नांव	संमतीपत्राची वेधता	वातावरणातील हवेची गुणवत्ता-मर्यादा- एस.पी.एम.-६०० $\mu\text{g}/\text{m}^3$		कारवाई	कारणे
			जुने पृथःकरण अहवाल	नवे पृथःकरण अहवाल		
१	संजीवनी कंस्ट्रक्शन, सर्व्हे नं. ३७६/३७७	१५/०३/२०१६	आर.एस.पी.एम. - १०७ mg/m^3 १७.०७.२०१२		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	१) परिसरात पक्का रस्ता बनविला नाही. २) विन्ड ब्रेकींग वॉल बांधलेली नाही. ३) वृक्ष लागवड कमी प्रमाण असल्याने
२	मे.पी.सी.सी. इन्फ्रास्ट्रक्चर प्रा. लि., सर्व्हे नं. ३७६	मागील दोन वर्षांपासून बंद आहे.			कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
३	गुरुप्रेरणा स्टोन क्रशिंग, सर्व्हे नं. ३८७	३१/१२/२०१६			कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
४	एकनाथ राघो तांडेल (महावीर लिक), सर्व्हे नं. ३८७	३०/०९/२०१६		आर.एस.पी.एम.- १३७० mg/m^3 , एस.पी.एम.- १४२५ mg/m^3 . १९/११/२०१३	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
५	सुरेश शंकर नाईक, सर्व्हे नं. ३८७	३०/०९/२०१६			कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
६	पी. के. ट्रेडर्स, सर्व्हे नं. ३८७	३०/०९/२०१६		आर.एस.पी.एम.- १९४० mg/m^3 , एस.पी.एम.- १९५५ mg/m^3 . १९/११/२०१३	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
७	लक्ष्मण धर्मा	३०/०९/२०१६			कारणे दाखवा	वरील

	पाटील, सर्व्हे नं. ३८७			नोटीस दि. ०९/०८/२०१३	प्रमाणे
८	चंदर बाळया कोली, सर्व्हे नं. ३८७	३०/०९/२०१४		प्रस्तावित आदेश दि. १२/०८/२०१३	वरील प्रमाणे
९	सी.बी.गुढीनो, सर्व्हे नं. ३८७	३१/०५/२०१३		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१०	मे.एस.एम. हमजा आणि कं., सर्व्हे नं. ३८७	३०/०९/२०१६		प्रस्तावित आदेश दि. १२/०८/२०१३	वरील प्रमाणे
११	विलास शांताराम नाईक, सर्व्हे नं. ३८७	३०/०९/२०१६		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१२	मारुती बाळू पाटील, सर्व्हे नं. ३८७	३०/०९/२०१६		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१३	मोहन मोरेश्वर भोईर, सर्व्हे नं. ३८७	३०/०९/२०१६		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१४	पांडुरंग गणपत ठाकूर, सर्व्हे नं. ३८७	३१/०३/२०१६		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१५	जासेफ अँण्ड कं, सर्व्हे नं. ३८७	३०/०९/२०१६		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१६	सुभाष गंगाराम दळवी, सर्व्हे नं. ३८७	३०/०९/२०१६		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१७	विनोद शंकर सांनटक्के, सर्व्हे नं. ३८७	३१/१२/२०१५		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१८	भागू दाजी जाधव, सर्व्हे नं. ३८७	३०/०६/२०१६		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१९	वासुदेव मारोती भोईर, सर्व्हे नं. ३८७	३०/०९/२०१६		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
२०	पाटील स्टोन क्रशिंग कं.,	३०/०९/२०१६	आर.एस.पी.एम.- १५२१ mg/m ³ ,		

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	सर्व्ह नं. ३८७		एस.पी.एम. - १८१७ mg/m ³ . २७/११/२०१३		
२१	जलील युसुफ फक्की, (रॉयल स्टोन) सर्व्ह नं. ३८७	३०/०९/२०१६			
२२	जनादन बाळू पाटील, सर्व्ह नं. ३८७	३१/०३/२०१४			
२३	आमृत तिमया धोजे, सर्व्ह नं. ३८७	३०/०६/२०१५			
२४	अनिल शांताराम नाईक, सर्व्ह नं. ३८७	३०/०७/२०१८			
२५	रामदास नारायण पाटील, सर्व्ह नं. ३८७	३०/०९/२०१६			
२६	यादव बाळू पाटील, सर्व्ह नं. ३८७	३०/०९/२०१६			
२७	मे. रॉयल स्टोन क्र. (अझिम फक्की), सर्व्ह नं. ३८७	३०/०९/२०१६			
२८	रामनाथ चंगा जोशी, सर्व्ह नं. ३८७	३०/११/२०१६			
२९	मे. रामन टॉरमेंट लि., सर्व्ह नं. ३८७	३०/०९/२०१२	आर.एस.पी.एम. - ८५ mg/m ³ , एस.पी.एम. - ६८६ mg/m ³ , २३.०१.२०१२		
३०	रामा बामा मढवी, सर्व्ह नं. ३८७/२०३	३०/०९/२०१६			
३१	वंजारी खाणकामगार	३०/०९/२०१६		३०.०१.२०१३	

	म.सह., सर्वे नं.३८७/२०३					
३२	अमृत ओंकारसिंग मेढेकर, सर्वे नं. २०३	३०/०९/२०१६		आर.एस.पी.एम. - २४० mg/m ³ , एस.पी.एम. - २५६ mg/m ³ , १३.११.२०१३		
३३	नारायण बाळाजी पाटील, सर्वे नं. २०३	३०/०९/२०१६				
३४	पंढरीनाथ शालिक भोईर, सर्वे नं. २०३	३०/०९/२०१६				
३५	पंडीत अनंत पाटील, सर्वे नं. २०३	३१/१२/२०१५				
३६	विजय पांडुरंग म्हाजे, सर्वे नं. २०३	३०/०९/२०१६				
३७	मनोज बबन पाटील, सर्वे नं. २०३	३०/०९/२०१६		आर.एस.पी.एम.- २७५ mg/m ³ , एस.पी.एम.- २९२ mg/m ³ , १२/११/२०१३		
३८	राजेश बबन पाटील, सर्वे नं. २०३	३०/०९/२०१६	आर.एस.पी.एम. - ५६३ mg/m ³ , एस.पी.एम. - ५९७ mg/m ³ ,			
३९	विवेक इ गानेश्वर पाटील, सर्वे नं. २०३	२३/०३/२०१५				
४०	भारत स्टोन इंडस्ट्रीज, सर्वे नं. २०३	३०/०९/२०१६		आर.एस.पी.एम. - ७८६ mg/m ³ , एस.पी.एम. - ८४७ mg/m ³ , १८/११/२०१३		
४१	अशाक घोरपडे (मॉडर्न	३०/०९/२०१६				

	स्टोन), सर्व्ह नं. २०३				
४२	पी.एम.पाटील अॅण्ड के., सर्व्ह नं. २०३	३१/०५/२०१७			
४३	लक्ष्मण सिताराम पाटील, सर्व्ह नं. २०३	३०/०९/२०१६			
४४	कमळाकर काशिनाथ पाटील, सर्व्ह नं. २०३	३०/०९/२०१६			
४५	पांडुरंग उंदीर, बारसे, सर्व्ह नं. २०३	३०/०९/२०१६			
४६	प्रणिल एंटरप्रायजेस, सर्व्ह नं. १६३	३१/०३/२०१६			
४७	बाबुराव विठू म्हाजे, सर्व्ह नं. १६३	३०/०९/२०१६			
४८	अंबे स्टोन क्रशिंग कं., सर्व्ह नं. ३८७	३०/०९/२०१६	आर.एस.पी.एम.- १८७ mg/m ³ , एस.पी.एम. - १७० mg/m ³ , ०२.०२.२०१२		
४९	डी.पी.म्हाजे, सर्व्ह नं. १६३	३०/०९/२०१६			
५०	प्रतिभा स्टोन इंडस्ट्रीज, सर्व्ह नं. १६३	३०/०९/२०१६			
५१	नारायण गणपत पाटील, सर्व्ह नं. १६३	३०/०९/२०१६			
५२	धनाजी शंकर ठाकुर. सर्व्ह नं. १६३	३०/०९/२०१६			
५३	एकनाथ गंगाराम दळवी, सर्व्ह नं. १६३	३०/०९/२०१६			

६६	लक्ष्मी स्टोन, सर्व्ह नं. ३२३	३०/०९/२०१६				
६७	पी.की.पटेल, सर्व्ह नं. ३२३	३०/०९/२०१६				
६८	सदाशिव धोंडू सुर्वे, सर्व्ह नं. ३२३	३०/०९/२०१६				
६९	सिलव्हर स्टोन, सर्व्ह नं. १६३	३०/०९/२०१६	आर.एस.पी.एम.- ७० mg/m ³ , एस.पी.एम.- १९९ mg/m ³ , १७.०१.२०१३			
७०	अरुण गणपत म्हाज, सर्व्ह नं. ३२३	३०/०९/२०१६				
७१	गिरनार स्टोन, सर्व्ह नं. २०३	३०/०९/२०१६		१४.०१.२०१३		
७२	अ.के.भाईर (पॅक एसोसिएट), सर्व्ह नं. १८३	३०/०९/२०१६				
७३	हरिश्चंद्र दशरथ घरत, सर्व्ह नं. १८३	३०/०९/२०१६				
७४	दशरथ दत्तु घरत, सर्व्ह नं. १८३	३०/०९/२०१६				
७५	जी.सी.पाटील, सर्व्ह नं. १८३	३०/०९/२०१६				
७६	सदानंद लक्ष्मण पाटील, सर्व्ह नं. १८३	३०/०९/२०१६				
७७	रामचंद्र लक्ष्मण पाटील, सर्व्ह नं. १८३	३०/०९/२०१६		आर.एस.पी.एम.- ८५२ mg/m ³ , एस.पी.एम.- १००० mg/m ³ , २६/११/२०१३		
७८	जी.एल. कंस्ट्रक्शन प्रा.लि. सर्व्ह नं. २०३	३१/१२/२०१२ (नुतनी करणासाठी अर्ज केलेला आहे.)	आर.एस.पी.एम.- १७७ mg/m ³ , एस.पी.एम.- १८५ mg/m ³ , ११.१२.२०१२			
७९	भारत	३१/१२/२०१६	आर.एस.पी.एम.-			

475

82

	कंस्ट्रक्शन प्रा. लि. सर्व्ह नं. २०३		४१२ mg/m ³ , एस.पी.एम.- ४५२ mg/m ³ , ०६.११.२०१२			
८०	साई सिटी स्टोन क्वारी, सर्व्ह नं. ३८७, तुर्भे	३०/०६/२०१५		आर.एस.पी.एम.- २६९८ mg/m ³ , एस.पी.एम.- २९८३ mg/m ³ , २०/११/२०१३		
८१	गिरीजा स्टोन क्रशिंग कं., सर्व्ह नं. २०३	३१/०३/२००९		आर.एस.पी.एम.- ३१२ mg/m ³ , एस.पी.एम.- ४०६ mg/m ³ , १८/११/२०१३		
८२	उत्तम स्टोन अॅण्ड क्वारी, सर्व्ह नं. ३८७			आर.एस.पी.एम.- २६१० mg/m ³ , एस.पी.एम.- २७८० mg/m ³ , २७/११/२०१३		

उप प्रादेशिक कार्यालय, नवी मुंबई-२

अ. क्र.	स्टोनक्रशरचे नांव	संमतीपत्राची वैधता	वातावरणातील हवेचा गुणवत्ता- मर्यादा- एस.पी.एम.-६०० ug/m ³		कारवाई	कारणे
१	मे. संजय स्टोन क्रशर कंपनी. सर्व्ह नं. २३०, विष्णू नगर, दिघा, नवी मुंबई.	३०/०६/२०१९.	११६ दि. १३/१२/१२	६८३ दि. २१/१०/१३	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	४) परिसरात पक्का रस्ता बनविला नाही. ५) विन्ड ब्रेकींग वॉल बांधलेली नाही. ६) वृक्ष लागवड कमी प्रमाण असल्याने
२	मे. मंगलसिंग अँड कंपनी. सर्व्ह नं. ७८/अ इलठाण पाडा, दिघा. नवी मुंबई.	२८/०२/२०१९	१९८ दि. ६/१२/१३	४३६ दि. २१/११/१३	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
३	मे. राम स्टोन क्वारी, सर्व्ह नं. ७८/अ, इलठाण पाडा, दिघा,	२८/०२/२०१९	--	सदर स्टोन क्रशर हे मंगलसिंग अँड कं.	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे

नवी मुंबई.			एकाच परिसरात आहेत.			
४	मे. पटेल क्वारी, सर्व्हे नं. १०२ चिंचवली, दिघा, नवी मुंबई	३१/१०/२०१४	११९ दि.१६/१०/१२	२६१६ दि.२३/१०/१३	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
५	मे. रात्र स्टोन कंपनी, सर्व्हे नं. २३० विष्णुनगर, दिघा, नवी मुंबई	२८/०२/२०२१	१४७ दि.१४/१२/१२	२७८ दि.२९/१०/१३	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
६	मे. अश्विनी इन्फ्रा डेव्हलपमेंट प्रा.लि. क्यू नं. ३ व ९, एमआयडीसी ए ब्लॉक. महापे, नवी मुंबई	३१/१२/२०१६	४६८ दि.२०/११/१३	२५५३ दि.१२/११/१३	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
७	मे. मटेरीअल पायोनिरिंग कन्स्ट्रक्शन कं. सर्व्हे नं. ७६, एमआयडीसी क्वारी झ गोन, पावने गांव, टीटीसी, महापे, नवी मुंबई.	३१/१२/२०१५	४८२ दि.१३/०२/१३	१३२३ दि.१२/११/१३	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
८	म. जी.एच. अजवाणी, सर्व्हे नं. ९४/अ, अडवली, भुतवली, महापे. जि. ठाणे	३१/०१/२०१८	६७४ दि. ०७/०१/२०१३	दि. १२/१२/१३ परिसरातील हवेचे नमुने घेतले असून अहवाल प्रलंबित आहे.	प्रस्तावित आदेश दि. १२/०८/२०१३	वरील प्रमाणे
९	मे. अजवाणी इन्फ्रास्ट्रक्चर प्रा.लि., प्लॉट नं. ६ व ७, सर्व्हे नं. ७६,	३१/०१/२०१८	१४६ दि. २०/११/२०१२	दि. २६/११/२०१३ परिसरातील हवेचे नमुने	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे

	एमआयडीसी, महापे.			घेतले असून अहवाल प्रलंबित आहे.		
१०	मे. माकत इंजिनियरिंग कॉन्स्ट्रक्शन, क्वारी नं.१, ब्लॉक अ, एमआयडीसी महापे.	३१/१२/२०१७	६९४ दि. ३१/०२/२०१३	दि. २६/११/२०१३ परिसरातील हवेचे नमुने घेतले असून अहवाल प्रलंबित आहे.	प्रस्तावित आदेश दि. १२/०८/२०१३	वरील प्रमाणे
११	मे. पंचाकुर स्टोन क्वारी, प्लॉट नं. क्यु. ७, सर्वे नं. ७६, एमआयडीसी, महापे.	३१/१२/२०१३	५२ दि. १९/०१/२०१३	६७३ दि. २८/११/१३	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१२	मे. श्रीराम स्टोन क्रशींग कंपनी, सर्वे नं. ९४/अ, अडवली, भुतवली गाव महापे जिल्हा-ठाणे	३१/१०/२०१३	--	दि. १२/१२/१३ परिसरातील हवेचे नमुने घेतले असून अहवाल प्रलंबित आहे.	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१३	मे. उमा स्टोन सर्वे नं. ९४, (अ), अडवली भुतवली गांव, शीळ रोड, महापे, जिल्हा-ठाणे	३१/०९/२०१७	२४६ दि. १९/११/२०१२		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१४	मे. मुकेश एंड कंपनी सर्वे नं. ९४, (अ), अडवली भुतवली	३१/०१/२०२०	१०४ दि. ११/१२/२०१२		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे

	गांव, शीळ रोड, महापे, जिल्हा-ठाणे.					
१५	मे. रघुवंश स्टोन माईन्स. सर्वे नं. ९४, (अ), अडवली भुतवली गांव. शीळ रोड, महापे, जिल्हा-ठाणे.	३१/१२/२०१९	--	--	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१६	मे. मनाज स्टोन कंपनी. सर्वे नं. १०४, भंडारली, जिल्हा- ठाणे.	३१/१०/२०१८	५२६ दि. १३/१२/२०१२		कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१७	मे. एन. जी. अजवाणी सर्वे नं. ९४/अ, अडवली, भुतवली, महापे जिल्हा- ठाणे.	३१/०३/२०१८		दि. १२/१२/१३ पारसरातील हवेचे नमुने घेतले असून अहवाल प्रलंबित आहे	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१८	मे. महावीर स्टोन अँड मेटल सप्लाय, सर्वे क्र १०४ए भंडारली, जिल्हा-ठाणे	३१/१२/२०२०	--	--	कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे
१९	मे. प्रभात क्वारी सर्वे क्र. १०४, भंडारली	३०/०४/२०२०			कारणे दाखवा नोटीस दि. ०९/०८/२०१३	वरील प्रमाणे

MAHARASHTRA POLLUTION CONTROL BOARD

826
479

Phone : 2267195032
Fax : 22277880684



CENTRAL LABORATORY
Nirmal Bhavan, Plot No.3, P-3 TTC MIDC, Sheel-Mahape Road, Mahape

Date : 16/01/17

REPORT NO:
MPCB/CLAB/STK/16/0316

ANALYSIS REPORT - AAQM

Industry Name	: Diamond Stone Crusher, Sr. No.163, Pawane Village, TTC MIDC	Industry Code	: -
Consent No	: -	Type Of Industry	: Stone Crusher
Dt. of Sample Collection	: 06/01/2017	Location Details	: Near Diamond Stone Crusher
Sample Id	: SRONM1/AAQ/16/00551	Dt. of Receipt	: -
Sample Location	: Ind/Resl/Ru	Dt. of Calibration	: -
Collected By	: Pradeep Anand Rao Khuspe	Temperature	: -
Dt. of Submission	: 09/01/2017	Wind Speed	: -
Sampling Instrument No	: -		
Whether Condition	: Clear		
Wind Direction	: -		

Parameter	Sampling Time	Result	Average
NH3	01/06/0017 13:00 to 01/06/0017 17:00	0	
	01/06/0017 21:00 to 01/07/0017 01:00	0	
	01/07/0017 05:00 to 01/07/0017 09:00	0	0
NOx	01/06/0017 13:00 to 01/06/0017 17:00	34	
	01/06/0017 17:00 to 01/06/0017 21:00	22	
	01/06/0017 21:00 to 01/07/0017 01:00	16	
	01/07/0017 01:00 to 01/07/0017 05:00	0	
	01/07/0017 05:00 to 01/07/0017 09:00	16	
RSPM	01/07/0017 09:00 to 01/07/0017 13:00	7	15.833333333333333
	01/06/0017 13:00 to 01/06/0017 21:00	280	
	01/06/0017 21:00 to 01/07/0017 05:00	116	
	01/07/0017 05:00 to 01/07/0017 09:00	116	170.66666666666666
SO2	01/06/0017 13:00 to 01/06/0017 17:00	0	
	01/06/0017 17:00 to 01/06/0017 21:00	3	
	01/06/0017 21:00 to 01/07/0017 01:00	4	
	01/07/0017 01:00 to 01/07/0017 05:00	2	
	01/07/0017 05:00 to 01/07/0017 09:00	2	
	01/07/0017 09:00 to 01/07/0017 13:00	3	2.3333333333333333

1. All results are in microgram/m³
2. BDL : "Below Detectable Limit".
3. UoM : "Unit of Measurement".
4. NA : "Not Analysed".

Reviewed By

I/C CENTRAL LABORATORY
MPCB, Mahape, Navi Mumbai

**Electronic Report does not require Signature

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MHARASHTRA POLLUTION CONTROL BOARD

Phone : 2267195032
Fax : 22277880684

CENTRAL
LABORATORY

Nirmal Bhavan, Plot No3,
F-3 TTC MIDC, Sheel-
Mahape Road, Mahape

REPORT NO:
MPCB/CLAB/AAQ/15/0404

Date : 15/03/16

ANALYSIS REPORT - AAQM

Industry Name	: Akshay stone crusher,	Industry Code	: -
Consent No	: -	Type Of Industry	: -
Dt. of Sample Collection	: 18/02/2016		
Sample Id	: SRONM1/AAQ/15/00538		
Sample Location	: Ind/Resi/Ru	Location Details	: Akshay stone crusher,
Collected By	: Venkat Govindrao Bhatane		
Dt. of Submission	: 20/02/2016	Dt. of Receipt	: -
Sampling Instrument No	: -	Dt. of Calibration	: -
Whether Condition	: Clear	Temperature	: -
Wind Direction	: SE-to-NW	Wind Speed	: -

Parameter	Sampling Time	Result	Average
RSPM	02/19/2016 07:03 to 02/19/0016 15:03	370	
	02/18/0016 23:03 to 02/19/2016 07:03	151	
	02/18/0016 15:03 to 02/18/0016 23:03	181	234
SPM	02/19/2016 07:03 to 02/19/0016 15:03	2561	
	02/18/0016 23:03 to 02/19/2016 07:03	1573	
	02/18/0016 15:03 to 02/18/0016 23:03	635	1589.6666666666666666

1. All results are in microgram/m3
2. BDL : "Below Detectable Limit".
3. UoM : "Unit of Measurement".
4. NA : "Not Analysed".

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MPCB, Mahape, Navi Mumbai

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Phone : 2267195032
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CENTRAL
LABORATORY

Nirmal Bhavan, Plot No.3,
P-3 TTC MIDC, Sheel-
Mahape Road, Mahape

REPORT NO:
MPCB/CLAB/GENENV/15/0421

Date : 15/03/16

ANALYSIS REPORT - AAQM

Industry Name	: Mahavir Construction CO, Survey No. 387, TTC MIDC, Navi Mumbai	Industry Code	: -
Consent No	: -	Type Of Industry	: stone crusher
Dt. of Sample Collection	: 20/02/2016		
Sample Id	: SRONM1/AAQ/15/00540		
Sample Location	: Ind/Resi/Ru	Location Details	: Nr. stone crusher area
Collected By	: Venkat Govindrao Bhatane		
Dt. of Submission	: 23/02/2016	Dt. of Receipt	: -
Sampling Instrument No	: -	Dt. of Calibration	: -
Whether Condition	: Clear	Temperature	: 33
Wind Direction	: West-to-East	Wind Speed	: -

Parameter	Sampling Time	Result	Average
RSPM	02/21/2016 06:00 to 02/21/0016 14:00	1055	
	02/20/0016 22:00 to 02/21/2016 06:00	1710	
	02/20/0016 14:00 to 02/20/0016 22:00	1047	1270.6666666666666666
SPM	02/21/2016 06:00 to 02/21/0016 14:00	8616	
	02/20/0016 22:00 to 02/21/2016 06:00	7916	
	02/20/0016 14:00 to 02/20/0016 22:00	5656	7396

1. All results are in microgram/m³
2. BDL : "Below Detectable Limit".
3. UoM : "Unit of Measurement".
4. NA : "Not Analysed".

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MPCB, Mahape, Navi Mumbai

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MAHARASHTRA POLLUTION CONTROL BOARD

89
482

CENTRAL
LABORATORY

Nirmal Bhavan, Plot No.3,
P-3 TTC MIDC, Sheel-
Mahape Road, Mahape

Phone: 2267195032
Fax: 22277880684

Date: 15/03/16

REPORT NO:
MPCB/CLAB/NWMP/15/0229

ANALYSIS REPORT - AAQM

Industry Name	: Survey No. 203, bonsari village, turbhe, navi mumbai	Industry Code	: -
Consent No	: -	Type Of Industry	: stone crusher
Dt. of Sample Collection	: 18/02/2016		
Sample Id	: SRONMI/AAQ/15/00539	Location Details	: bonsari village, turbhe, navi mumbai
Sample Location	: Ind/Resi/Ru		
Collected By	: Venkat Govindrao Bhatane	Dt. of Receipt	: -
Dt. of Submission	: 20/02/2016	Dt. of Calibration	: -
Sampling Instrument No	: -	Temperature	: -
Whether Condition	: Clear	Wind Speed	: -
Wind Direction	: East-to-West		

Parameter	Sampling Time	Result	Average
RSPM	02/19/0016 07:00 to 02/19/0016 15:00	166	
	02/18/0016 23:00 to 02/19/2016 07:00	1832	
SPM	02/18/0016 15:00 to 02/18/0016 23:00	507	835
	02/19/0016 07:00 to 02/19/0016 15:00	752	
	02/18/0016 23:00 to 02/19/0016 07:00	2538	
	02/18/0016 15:00 to 02/18/0016 23:00	926	1405.3333333333333

1. All results are in microgram/m³
2. BDL : "Below Detectable Limit".
3. UoM : "Unit of Measurement".
4. NA : "Not Analysed".

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MPCB, Mahape, Navi Mumbai

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483

90

Ambient Air Quality Monitored at Airoli

Location : Airoli fire station

Type : Rural & other Areas

Program Name : CAAQMS

Status: Inoperation

Frequency: Continuous Monitoring

AQI	Quality classification	Remarks	Colour code
0-50	Minimal Impact	Good	
51-100	Minor breathing discomfort to sensitive people	Satisfactory	
101-200	Breathing discomfort to the people with lung, heart disease, children and older adults	Moderate	
201-300	Breathing discomfort to people on prolonged exposure	Poor	
301-400	Respiratory illness to the people on prolonged exposure	Very Poor	
>401	Respiratory effects even on healthy people	Severe	

Print

Concentration of Air Pollutants											
Sr.No.	Date	SO2 µg/m ³			NOx µg/m ³			RSPM µg/m ³			AQI
Standards		80.00			80.00			100.00			
June											
1	01-06-2019	47			59			96			
2	02-06-2019	48			60			99			
3	03-06-2019	48			61			95			
4	04-06-2019	47			60			60			
5	05-06-2019	48			60			92			
6	06-06-2019	48			60			91			
7	07-06-2019	48			60			95			
8	08-06-2019	49			60			98			
9	09-06-2019	49			60			102			101
10	10-06-2019	47			60			95			
Total		Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	
10		47	49	47.90	59	61	60.00	60	102	92.30	

484 PH

Ambient Air Quality Monitored at Nerul

Location : Dr.D.Y. Patil College Building Nerul
 Program Name : NAMP
 Frequency: Two days in a week

Type : Residential
 Status: In operation

AQI	Quality classification	Remarks	Colour code
0-50	Minimal Impact	Good	
51-100	Minor breathing discomfort to sensitive people	Satisfactory	
101-200	Breathing discomfort to the people with lung, heart disease, children and older adults	Moderate	
201-300	Breathing discomfort to people on prolonged exposure	Poor	
301-400	Respiratory illness to the people on prolonged exposure	Very Poor	
>401	Respiratory effects even on healthy people	Severe	

Print

Concentration of Air Pollutants														
Sr.No.	Date	SO ₂ µg/m ³			NO _x µg/m ³			RSPM µg/m ³			SPM µg/m ³			AQI
Standards		80.00			80.00			100.00			---			
June														
1	03-06-2019	22			43			63			117			
2	06-06-2019	18			41			77			143			
3	10-06-2019	19			48			68			126			
4	13-06-2019	15			43			68			126			
5	17-06-2019	16			35			83			156			
6	20-06-2019	19			41			46			81			
7	24-06-2019	17			45			58			105			
8	27-06-2019	17			42			42			73			
Total		Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	
8		15	22	17.88	35	48	42.25	42	83	63.12	73	156	115.88	

485
92

Ambient Air Quality Monitored at Rabale

Location :T.B.I.A, Rabale
 Program Name :NAMP
 Frequency:Two days in a week

Type :Industrial
 Status:In operation

AQI	Quality classification	Remarks	Colour code
0-50	Minimal Impact	Good	
51-100	Minor breathing discomfort to sensitive people	Satisfactory	
101-200	Breathing discomfort to the people with lung, heart disease, children and older adults	Moderate	
201-300	Breathing discomfort to people on prolonged exposure	Poor	
301-400	Respiratory illness to the people on prolonged exposure	Very Poor	
>401	Respiratory effects even on healthy people	Severe	

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Concentration of Air Pollutants							
Sr.No.	Date	SO2 µg/m ³	NOx µg/m ³	RSPM µg/m ³	SPM µg/m ³	CO2 µg/m ³	AQ I
Standards		80.00	80.00	100.00	---	---	
June							
1	04-06-2019	18	37	55	102	NA	
2	07-06-2019	18	41	34	59	NA	
3	11-06-2019	18	45	52	92	NA	
4	14-06-2019	15	42	46	76	NA	
5	18-06-2019	16	41	48	87	NA	
6	21-06-2019	20	43	56	100	NA	
7	25-06-2019	18	49	51	89	NA	
8	28-06-2019	17	48	49	85	NA	
Total		Min Max Avg	Min Max Avg	Min Max Avg	Min Max Avg	Min Max Avg	
8		15 20 17.50	37 49 43.25	34 56 48.88	59 102 86.25	- - -	

486 923

Ambient Air Quality Monitored at MPCB-Nirmal Bhavan, Mahape

Location : Central lab Building, MPCB Navi Mumbai
 Program Name : NAMP
 Frequency: Two days in a week

Type : Industrial
 Status: In operation

AQI	Quality classification	Remarks	Colour code
0-50	Minimal Impact	Good	[Green]
51-100	Minor breathing discomfort to sensitive people	Satisfactory	
101-200	Breathing discomfort to the people with lung, heart disease, children and older adults	Moderate	[Yellow]
201-300	Breathing discomfort to people on prolonged exposure	Poor	
301-400	Respiratory illness to the people on prolonged exposure	Very Poor	
>401	Respiratory effects even on healthy people	Severe	[Red]

Print

		Concentration of Air Pollutants						AQI					
Sr.No.	Date	SO2 µg/m³	NOx µg/m³	RSPM µg/m³	SPM µg/m³	CO2 µg/m³	AQI						
Standards		80.00	80.00	100.00	---	---							
June													
1	01-06-2019	15	52	52	88	NA	[Green]						
2	05-06-2019	18	53	67	120	NA	[Green]						
3	08-06-2019	21	58	58	101	NA	[Green]						
4	12-06-2019	17	53	52	90	NA	[Green]						
5	15-06-2019	18	43	52	76	NA	[Green]						
6	19-06-2019	18	55	52	91	NA	[Green]						
7	22-06-2019	16	57	58	104	NA	[Green]						
8	26-06-2019	17	51	53	99	NA	[Green]						
9	29-06-2019	18	51	54	95	NA	[Green]						
Total		Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg
9		15	21	17.56	43	58	52.56	52	67	55.33	76	120	96.00

482

9/11

Ambient Air Quality Monitored at Airoli

Location :Airoli fire station
 Program Name :CAAQMS
 Frequency:ContinuousMonitoring

Type :Rural & other Areas
 Status:Inoperation

AQI	Quality classification	Remarks	Colour code
0-50	Minimal Impact	Good	
51-100	Minor breathing discomfort to sensitive people	Satisfactory	
101-200	Breathing discomfort to the people with lung, heart disease, children and older adults	Moderate	
201-300	Breathing discomfort to people on prolonged exposure	Poor	
301-400	Respiratory illness to the people on prolonged exposure	Very Poor	
>401	Respiratory effects even on healthy people	Severe	

Print

Concentration of Air Pollutants											
Sr.No.	Date	SO2 µg/m ³			NOx µg/m ³			RSPM µg/m ³			AQI
Standards		80.00			80.00			100.00			
May											
1	01-05-2019	44			55			134			123
2	04-05-2019	45			57			137			125
3	05-05-2019	46			57			119			113
4	06-05-2019	45			56			113			109
5	08-05-2019	46			57			107			105
6	09-05-2019	45			56			97			97
7	11-05-2019	45			57			100			
8	12-05-2019	46			58			107			105
9	13-05-2019	45			57			111			107
10	14-05-2019	46			58			110			107
11	15-05-2019	47			60			113			109
12	16-05-2019	48			59			117			111
13	17-05-2019	47			60			127			118
14	18-05-2019	61			59			48			76
15	19-05-2019	49			60			110			107
16	20-05-2019	47			59			101			101
17	21-05-2019	48			60			106			104
18	22-05-2019	48			58			198			165
19	23-05-2019	47			60			103			102
20	25-05-2019	48			60			109			106
21	26-05-2019	47			59			122			115
22	27-05-2019	48			61			127			118
Total		Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	
22		44	61	47.18	55	61	58.32	48	198	114.36	

488 OPS

Ambient Air Quality Monitored at Nerul

Location :Dr.D.Y. Patil College Building Nerul

Type :Residential

Program Name :NAMP

Status:In operation

Frequency:Two days in a week

AQI	Quality classification	Remarks	Colour code
0-50	Minimal Impact	Good	
51-100	Minor breathing discomfort to sensitive people	Satisfactory	
101-200	Breathing discomfort to the people with lung, heart disease, children and older adults	Moderate	
201-300	Breathing discomfort to people on prolonged exposure	Poor	
301-400	Respiratory illness to the people on prolonged exposure	Very Poor	
>401	Respiratory effects even on healthy people	Severe	

Print

Concentration of Air Pollutants														
Sr.No.	Date	SO ₂ µg/m ³			NO _x µg/m ³			RSPM µg/m ³			SPM µg/m ³			AQI
Standards		80.00			80.00			100.00			---			
Aprii														
1	01-04-2019	22			43			52			94			54
2	04-04-2019	20			51			64			109			55
3	08-04-2019	22			49			62			111			56
4	11-04-2019	19			58			52			94			57
5	15-04-2019	15			34			46			83			58
6	18-04-2019	21			52			60			120			59
7	22-04-2019	21			52			54			99			60
8	25-04-2019	17			51			69			118			61
9	29-04-2019	20			54			42			76			62
June														
10	03-06-2019	22			43			63			117			63
11	06-06-2019	18			41			77			143			64
12	10-06-2019	19			48			68			126			65
13	13-06-2019	15			43			68			126			66
14	17-06-2019	16			35			83			156			67
15	20-06-2019	19			41			46			81			68
16	24-06-2019	17			45			58			105			69
17	27-06-2019	17			42			42			73			70
Total		Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	
17		15	22	18.82	34	58	46.00	42	83	59.18	73	156	107.71	

96 489

Ambient Air Quality Monitored at Rabale

Location :T.B.I.A, Rabale
 Program Name :NAMP
 Frequency:Two days in a week

Type :Industrial
 Status:In operation

AQI	Quality classification	Remarks	Colour code
0-50	Minimal Impact	Good	
51-100	Minor breathing discomfort to sensitive people	Satisfactory	
101-200	Breathing discomfort to the people with lung, heart disease, children and older adults	Moderate	
201-300	Breathing discomfort to people on prolonged exposure	Poor	
301-400	Respiratory illness to the people on prolonged exposure	Very Poor	
>401	Respiratory effects even on healthy people	Severe	

Print

Concentration of Air Pollutants							
Sr.No.	Date	SO2 µg/m ³	NOx µg/m ³	RSPM µg/m ³	SPM µg/m ³	CO2 µg/m ³	AQ I
Standards		80.00	80.00	100.00	---	---	
April							
1	02-04-2019	22	65	53	95	NA	57
2	05-04-2019	24	67	61	109	NA	60
3	09-04-2019	21	42	55	108	NA	59
4	12-04-2019	17	64	62	110	NA	60
5	16-04-2019	21	67	61	110	NA	60
6	19-04-2019	20	70	56	104	NA	60
7	23-04-2019	22	62	62	112	NA	60
8	26-04-2019	14	37	49	94	NA	58
9	30-04-2019	21	67	68	108	NA	60
June							
10	04-06-2019	18	37	55	102	NA	60
11	07-06-2019	18	41	34	59	NA	57
12	11-06-2019	18	45	52	92	NA	58
13	14-06-2019	15	42	46	76	NA	58
14	18-06-2019	16	41	48	87	NA	59
15	21-06-2019	20	43	56	100	NA	58
16	25-06-2019	18	49	51	89	NA	60
17	28-06-2019	17	48	49	85	NA	60
Total		Min Max Avg	Min Max Avg	Min Max Avg	Min Max Avg	Min Max Avg	
17		14 24 18.94	37 70 52.18	34 68 54.00	59 112 96.47	- - -	

Pg. 400/12490
~~14/10/15~~

490

Ambient Air Quality Monitored at MPCB-Nirmal Bhavan, Mahape

Location : Central lab Building, MPCB Navi Mumbai

Type : Industrial

Program Name : NAMP

Status: In operation

Frequency: Two days in a week

AQI	Quality classification	Remarks	Colour code
0-50	Minimal Impact	Good	
51-100	Minor breathing discomfort to sensitive people	Satisfactory	
101-200	Breathing discomfort to the people with lung, heart disease, children and older adults	Moderate	
201-300	Breathing discomfort to people on prolonged exposure	Poor	
301-400	Respiratory illness to the people on prolonged exposure	Very Poor	
>401	Respiratory effects even on healthy people	Severe	

Print

Concentration of Air Pollutants																	
Sr.No.	Date	SO2 µg/m ³			NOx µg/m ³			RSPM µg/m ³			SPM µg/m ³			CO2 µg/m ³			AQI
Standards		80.00			80.00			100.00			---			---			
Total		Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	
0		14	24	18.94	-	-	-	34	68	54.00	59	112	96.47	-	-	-	