

VOLUME I

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE
APPEAL NO. 9 OF 2016 (WZ)



Dileep B. Nevatia

...Appellant

Versus

Union of India &Ors.

...Respondents

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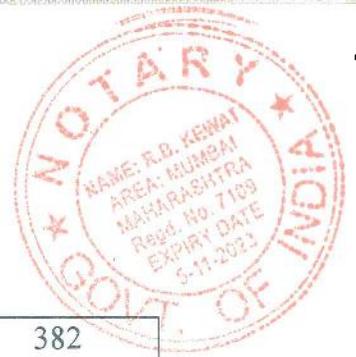
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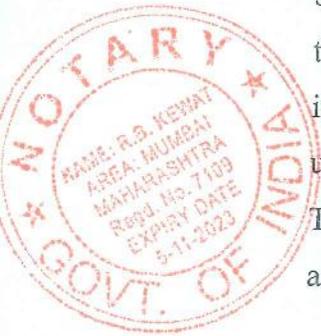
**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 6, SETTING OUT
THE STATUS OF THE PROJECT AND ENVIRONMENTAL IMPACT
MITIGATION MEASURES TAKEN BY RESPONDENT NO. 6**

I, Yatin Sakhalkar, Superintending Engineer, Engineering Division of the Respondent No. 6, having my office at MMRDA Building, Block B, Bandra Kurla Complex, Mumbai – 400 051, do hereby state on solemn affirmation as follows:

1. I am authorized by the Respondent No: 6 to make the present Affidavit on its behalf.
2. I say that on 24 August 2020, the present appeal was heard (via video conferencing) by this Hon'ble Tribunal. I was informed by the advocates representing Respondent No. 6 that during this hearing the Respondent No. 6 was orally directed to update the Tribunal of the status of the Mumbai Trans Harbour Link (MTHL or Project) before the next date of hearing on 21 September 2020. The MTHL and the approval dated 25 January 2016 given by the Respondent No. 1 under the Coastal Regulation Zone (CRZ) Notification, 2011 (2011 CRZ Notification) are the subject matter of the present Appeal.
3. At the outset, I say that this affidavit is being made despite severe limitation in working of the Respondent No. 6 and its officers during the lock down phase as well as during the 'Mission Begin Again' phase. The COVID-19 pandemic has resulted in restrictions on public transport, local trains and metros and also restrictions in the staff who can attend the office, keeping in

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mind social distancing norms. This has resulted in severe limitation in obtaining relevant information, reports, updates etc. with regards to the Project from the concerned contractors and/or site officers. It is under these limitations that this affidavit setting out the status of the Project, and written submissions are being filed. It would be therefore in the interest of justice that further time be granted to the Respondent No.6 to place on record all information which, in view of the pandemic the Respondent No. 6 has been unable obtain. However, in deference to the directions of this Hon'ble Tribunal this limited affidavit setting out the status dated 19 September 2020 as well as the written submissions have been filed.



4. I say that I have previously filed three affidavits in reply on behalf of the Respondent No. 6 – 4 May 2016 (**First Affidavit**), 10 February 2017 (**Second Affidavit**) 23 March 2017 (**Third Affidavit**) and 29 January 2018 (**Fourth Affidavit**). I repeat and reiterate the contents of the said First Affidavit, Second Affidavit, Third Affidavit and Fourth Affidavit. These affidavits are to be treated as a part of this present affidavit.

PHYSICAL PROGRESS OF CONSTRUCTION

5. I say that as of 31 August 2020 the physical progress of the construction of the project is as under:
- i. Respondent No. 6 issued letters of acceptance dated 17 November 2017 for construction of Packages – 1, 2 and 3 of the Project to various contractors. The broad scope of the individual packages is as follows:
 - a. **Package-1:** For construction of a 10.380 km long bridge section (Chainage 0+000 – Chainage 10+380) across the Mumbai bay including Sewri Interchange. The time of completion of the package is 1643 days (about 54 months).
 - b. **Package-2:** For Construction of a 7.807 km long bridge section (Chainage 10+380 – Chainage 18+187) across the Mumbai bay including Shivaji Nagar Interchange). The time of completion of the package is 1643 days (about 54 months)

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c. **Package-3:** For construction of a 3.613 km long viaduct section (Chainage 18+187 – Chainage 21+800) including interchanges at State Highway-54 and at National Highway-4B near Chirle in Navi Mumbai. The time of completion of the package is 1279 days (about 42 months).

Copies of the letters of acceptance dated 17 November 2017 are marked and annexed to this affidavit as '**Exhibit A**'.

ii. On 23 March 2018, the contractors were notified about the commencement of works of Package-1, Package-2, and Package-3. Copies of the commencement of work notices all dated 23 March 2018 are marked and annexed to this affidavit as '**Exhibit B**'.

iii. On 23 March 2020, because of the COVID-19 pandemic, the Government of Maharashtra imposed a lockdown with immediate effect till 31 March 2020, as a result of which all construction activities on the Project were suspended. A copy of the said notification dated 23 March 2020 is marked and annexed to this affidavit as '**Exhibit C**'. The lockdown was extended, by notification, from to time. I crave leave to refer upon these notifications issued in this regard.

iv. Subsequently, based on permissions received from the District Collector Rajgad and guidelines of the Government of Maharashtra, the Respondent No. 6 directed the contractors for Package 2 and 3, vide its letter dated 16 April 2020 and 18 April 2020, to commence essential pre-monsoon activities. Copies of the said letter dated 16 April 2020 and 18 April 2020 are marked and annexed to this affidavit as '**Exhibit D**'.

v. Similarly, based on permissions received from the District Collector Mumbai, Respondent No. 6 directed the contractor for Package 1, vide its letter dated 17 April 2020, to commence essential pre-monsoon activities. A copy of the said letter dated 17 April 2020 is marked and annexed to this affidavit as '**Exhibit E**'.

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- vi. Subsequent to these orders, the Government of Maharashtra progressively relaxed the restrictions *inter alia* regarding the number of persons who could attend private and government offices. Currently, as per order dated 31 August 2020 the relevant regulations are as under:
- Vis-à-vis all State Government offices, 100% of Group A and B Officers can attend. 30% or 30 persons (whichever is more) of other staff can attend.
 - Private offices may operate up to 30% strength as per requirement, keeping in mind social distancing norms.
- A copy of the said notification dated 31 August 2020 is marked and annexed herewith as 'Exhibit F'.
- vii. It may be noted that because of the aforesaid restrictions, lack of adequate manpower and the monsoon season, the work on the Project has not commenced in full force.

6. As of 31 August 2020, the status of the construction work is as follows:

Activity	Unit	Total Scope	Completion	Completion in %
Temporary Jetty	Meter	5582	5582	100 %
Pile Foundations	Number	2035	1104	54 %
Open Foundations – Land/ Interchange	Number	308	213	69 %
Piles Caps	Number	506	150	30 %
Piers	Number	1043	286	27 %
Pier Caps	Number	1043	81	8 %
Precast Segments	Number	10,991	773	7 %

Photographs showing the status of the Project as of 31 August 2020 is marked and annexed herewith as 'Exhibit G'. The monthly progress report for the

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months of February 2020 till August 2020 is marked and annexed herewith as 'Exhibit H'.

STEPS TAKEN TO PROTECT FLORA AND FAUNA

7. I say that in the present Appeal, the Appellant has *inter alia* alleged that the Project:

- a. Violates Order of the Bombay High Court dated 19 March 2014 in Public Interest Litigation No. 87 of 2013 which imposes a total ban on destruction and reclamation of wetlands [*Ground H, page 83, Volume I, Memo of Appeal and Annexure A-15, page 160, Vol. II, Memo of Appeal*].
- b. Violates Order of the Bombay High Court dated 6 October 2005 in Writ Petition (L) No. 3246 of 2004 (converted to Public Interest Litigation No. 87 of 2006) passed to ensure the conservation and rejuvenation of mangroves in the State, as the Impugned CRZ Clearance permits construction of the MTHL in the prohibited CRZs and eco-sensitive areas of Mangroves [*Ground S, page 85, Volume I, Memo of Appeal*].
- c. Violates the 2011 CRZ Notification [*Grounds Z, AA, FF, GG pages 87, 88, Volume I, Memo of Appeal*].
- d. Will disrupt the along-beach currents/ under-currents and cause massive sand loss downstream of the pillars / piers, thus eroding of all mudflats, mangroves and coastline around the MTHL [*Ground DD, page 87, Volume I Memo of Appeal*].
- e. Affects the integrity of the coast, mangroves, corals, sand dunes, mudflats, national and marine parks and nesting grounds of birds [*Ground EE, pages 87 – 88, Volume I Memo of Appeal*].
- f. Threaten the survival or allegedly threatened and endangered migratory birds and mangroves [*Ground HH, page 88, Volume I Memo of Appeal*].

Project does not violate orders of the Hon'ble Bombay High Court

8. I say that the Respondent No. 6 filed Notice of Motion No. 307 of 2016 in Public Interest Litigation No. 87 of 2006 (earlier Writ Petition (L) No. 3246

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of 2004) *inter alia* requesting the Hon'ble Court to grant leave to the Respondent No. 6 to carry out construction of the Project in accordance with the Impugned CRZ Clearance, order dated 27 January 2010 previously passed by the Hon'ble Court and the Phase -- I approval dated 22 January 2016 granted by the Respondent No. 1 by diverting 47.17 hectares of forest land. A copy of the said Notice of Motion No. 307 of 2016 is marked and annexed herewith as 'Exhibit I'.

9. I say that on 28 November 2016 the Hon'ble Bombay High Court passed an order permitting the Respondent No. 6 to carry out construction of the Project. A copy of the said order dated 28 November 2016 is marked and annexed herewith as 'Exhibit J'. Therefore, I say that the Project does not violate the Bombay High Court dated 6 October 2005 in Writ Petition (L) No. 3246 of 2004 (converted to Public Interest Litigation No. 87 of 2006) and 19 March 2014 in Public Interest Litigation No. 87 of 2013.

10. Without prejudice to the above, I say that the order dated 19 March 2014 passed in Public Interest Litigation No. 87 of 2013 concerns the destruction of wetlands. I say that the Project does not involve the destruction and reclamation of wetlands and hence the said order dated 19th March, 2014, passed by the Hon'ble Bombay High Court, will in any event not be applicable in the facts of the present case.

11. I say that the Respondent No. 6 is also filing written submission dated 19 September 2020, in which the Respondent No. 6 has dealt in detail as to why the Project does not violate the orders of the Hon'ble Courts as alleged by the Appellant.

Project does not violate the 2011 CRZ Notification

12. I say that the Appellant has wrongly alleged that the Project violates the 2011 CRZ Notification. The purpose of both the 2011 CRZ Notification and the 2006 EIA Notification is not to stall development, but to have a development while ensuring protection of the environment and to mitigate any damage caused to the environment. In any event the Impugned CRZ Clearance

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addresses all aspects of the environment protection prior to the grant of the said clearances.

13. I say that as per clause 3(iv) of the 2011 CRZ Notification the construction of a trans-harbour sea link in CRZ Zones is permissible. Clause 4 (i) (b) of the 2011 CRZ Clearance stipulates that projects which are listed under the CRZ Notification 2011 and also attract the 2006 EIA Notification, for such projects, clearance under the 2006 EIA Notification only shall be required subject to being recommended. Clause 4.1(ii)(a) provided that all those activities which were not listed in the 2006 EIA Notification shall require the clearance of Respondent No 1 under the 2011 CRZ Notification as per the procedure laid down in Clause 4.2 therein

14. Clause 8(i) provides that the development or construction activities in different categories of CRZ shall be regulated by the concerned Coastal Zone Management Authority ("CZMA") in accordance with the norms mentioned therein. As per Clause 8(i)(f), in CRZ - I areas the construction of a trans-harbour sea link and without affecting the tidal flow of water between the LTL and HTL is specifically permitted. Further, as far as construction in CRZ-IV is concerned, activities impinging on the sea and tidal influenced water bodies are to be regulated in the manner mentioned therein be regulated.

15. I deny that the said CRZ Notification 2011 does not permit construction of a sea link in the CRZ-I(A) as alleged or otherwise. I say that while it is permissible in the CRZ-I(B) area it is also permissible in the CRZ-I(A) area as is evident from the 2011 CRZ Notification itself. The Appellant has agreed that the said Project falls in an area between Low Tide Line and High Tide Line and hence the water body across which the Project is being constructed is obviously a "Tidal Influenced Water Body". Therefore, the Appellant is now estopped from contending that the Project is not a sea link and alleging that the same is covered under the 2006 EIA Notification. I say that Clause 8(i)(f)(i)(e) of the 2011 CRZ Clearance clearly mentions that no new construction shall be permitted in CRZ-I, except, construction of trans



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harbour sea link. It is therefore evident that under the 2011 CRZ Notification construction of a trans harbour sea link is permissible.

16. It is, further, denied that construction of the Project is not permissible in CRZ-IV areas as alleged or otherwise. Clause (8)(i)(IV) of the CRZ Notification 2011 clearly states that "*The activities impugning on the sea and tidal influenced water bodies will be regulated...*". Therefore, the construction of the Project in the CRZ-IV area is permissible and is subject to regulation. In fact, in order to regulate the construction of the Project the Respondent No. 1 has stipulated certain conditions in the Impugned CRZ Clearance.

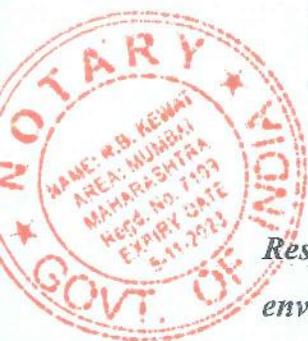
17. I say that the Respondent No. 6 is also filing written submission dated 19 September 2020, in which the Respondent No. 6 has dealt in detail as to why the Project does not violate the 2011 CRZ Notification as alleged by the Appellant. I repeat and reiterate the contents of the written submissions in this regard.

Respondent No. 6 is taking all required measures to mitigate impact on the environment

18. I say that the Appellant has wrongly contended that the Project will *inter alia* impact mudflats, mangroves, national and marine parks, threaten the survival of endangered migratory birds, for the reasons detailed hereinafter.

19. I say that the Respondent No. 6 had submitted a detailed Environmental Management Plan (EMP), which forms part of Chapter 5 of the Rapid Environmental Impact Assessment Report (**Rapid EIA Report**) submitted by the Respondent No. 6 [*Exhibit D, page 579, First Affidavit*]. The EMP sets out in some detail the environmental management plan [*Table 5.1, page 759, First Affidavit*], the environmental monitoring plan [*Table 5.2, page 764, First Affidavit*] of the Respondent No. 6 to mitigate the impact of the Project on the environment, and the cost estimates for these measures [*Table 5.2, page 769, First Affidavit*].

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20. The Impugned CRZ Clearance granted to the MTHL vide order dated 25 January 2016 [*Annexure A-1, page 97, Vol. II, Memo of Appeal*] granted by the Respondent No. 1, set out several specific and general conditions that are to be complied with.
21. The General Consultant of the Project sent a letter dated 15 January 2020 to the Respondent No. 6, enclosing therewith a checklist detailing the compliance with conditions set out in the Impugned CRZ Clearance and Respondent No. 4's letter dated 25 November 2015. A copy of the said letter dated 15 January 2020 along with the enclosures is marked and annexed herewith as 'Exhibit K'. The checklist *inter alia* clearly shows that following measures are being taken to mitigate any impact of the Project on the environment.



	Attribute / Condition	Measures
1.	Compensatory Mangrove Restoration [See entry 2 of table at page 98, Vol. II, Memo of Appeal and specific condition (i), page 333, Vol. III, Memo of Appeal]	Chief Conservator of Forests (Mangroves Cell) has been entrusted with restoration of over 200 hectares. Payments of around Rs. 5.05 crores have been made by the Respondent No. 6 to the Chief Conservator of Forests for these measures. Copies of the letter dated 9 May 2016 and 17 October 2016 proving payment of the aforesaid amount is marked and annexed herewith as 'Exhibit L' and 'Exhibit M', respectively. The General Consultant sent a letter to the Respondent No. 6 dated 6 December 2019 annexing a report of the Chief Conservator of Forests (Mangroves Cell) dated 4 December 2019 stating that an amount of Rs. 2,79,83,939/- had already been spent and towards what activities this amount had been spent. This report also stated where the remaining amount of Rs. 2,76,67,879/- would be spent over a period of 6 years. The report also identified the 200 hectares of land that

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		<p>had been identified for compensatory afforestation. A copy of the said letter dated 6 December 2019 along with report dated 4 December 2019 is marked and annexed herewith as 'Exhibit N'.</p> <p>The Mangrove Cell has completed plantation on 105 hectares in degraded land in various locations such as Palghar and Mumbai Suburban. It will be completing plantation of balance 118 hectares in Palghar.</p> <p>I therefore say that the allegation of the Appellant that the mangroves, national and marine parks are being affected is ill-founded.</p>
2.	<p>Mitigation of marine water pollution caused due to surrounding industries</p> <p>[See entry 5 of table at page 99, Vol. II, Memo of Appeal]</p>	<p>Payment of Rs. 5,80,17,000/- made to IIT Bombay towards water pollution study & designing of Effluent Treatment Plant for improvement in water quality in Mahul Creek.</p> <p>The report of IIT Bombay is being shared with the MCGM for further compliance and implementation of mitigation measures. I crave leave to rely upon and refer to this report as and when produced.</p> <p>Copies of the letters dated 26 December 2016 and 06 September 2017 showing payment of Rs. 2,86,35,000.00 and Rs. 2,93,82,000.00 are marked and annexed herewith as 'Exhibit O' and 'Exhibit P', respectively</p>
3.	<p>Contribution to the Mangroves Fund</p> <p>[See entry 6 of table at page 99, Vol. II, Memo of Appeal]</p>	<p>Respondent No. 6 has made payment of Rs. 86,31,00,000/- to the Mangrove and Marine Biodiversity Conservation Foundation of Maharashtra. These funds are being used by the Foundation for the following activities</p>



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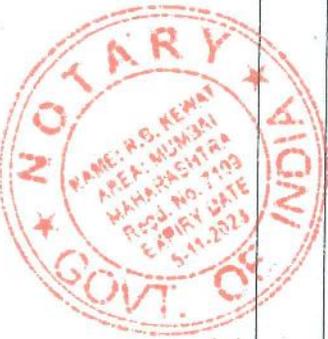
		Activity	Estimated cost (in Rs. Crores)
		Creeklet drainage arrangement	1.0
		Mangrove Research & Training Centre	16.75
		Generation of Knowledge Base Study of the pressure on Mangrove Eco System in MMR	1.0
		Mangrove Sanctuary	4.60
		Mangrove & Marine Eco System Interpretation Centre	10.0
		Mangrove Protection Framework	22.96
		High Resolution Mapping of Mangrove Forests in MMR	2.0
		Mangrove Conservation/Removal of Stressors	3.0
		Corpus Fund to Mangrove Foundation	25.0
		TOTAL	86.31
		<p>Letter dated 11 September 2020 received from the Mangrove and Marine Biodiversity Conservation Foundation confirming that it has received Rs. 86,31,00,000/- and the activities it will be utilised towards is marked and annexed herewith as 'Exhibit Q'.</p> <p>I therefore say that the allegation of the Appellant that the mangroves are being affected is ill-founded.</p>	
4.	Habitat quality assessment and monitoring and	Payment of Rs. 31,92,73,240/- made to Mangrove and Marine Biodiversity Foundation towards Implementation of Flamingos & Birds related	

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<p>appointment of Bird Monitor</p> <p>[See entries 8 and 9 of table at page 99, Vol. II, Memo of Appeal]</p>	<p>mitigation measures and birds monitoring program for the MTHL project.</p> <p>A copy of the letter dated 25 September 2017 enclosing a cheque for an amount of Rs. 31,92,73,240/- is marked and annexed herewith as 'Exhibit R'</p> <p>The Foundation has in turn appointed the Respondent No. 7 who has prepared its report for the period of October 2019 to March 2020 on '<i>Monitoring and Mitigating the Impacts of Mumbai Trans-Harbour Link on Flamingos and Other Avifauna and Formulating a Conservation Blueprint for the Sewri-Nhava Seascape</i>'. A copy of this report is marked and annexed herewith 'Exhibit S'.</p> <p>As per this Report the Respondent No. 7 (BNHS) conducted a study in four inland wetland sites includes Training Ship Chanakya (TSC), Bhandup Pumping Station (BPS), Non Residential Indian (NRI) complex and Belpada mangrove and three mudflat sites (low tide feeding sites) - Thane Creek, mudflats of Sewri and Nhava-Sheva to <i>inter alia</i> estimate the abundance and distribution of flamingos and other avifauna by conducting various population monitoring surveys. The Respondent No. 7 <i>inter alia</i> observed:</p> <ul style="list-style-type: none"> ▪ A gradual increase in avifaunal species richness and abundance during the term of the study (3.1; <i>internal page 9</i>). ▪ Species richness of migratory birds increased from October 2019 to February 2020 (3.1, <i>internal page 10</i>)
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		<ul style="list-style-type: none"> ▪ A reduction in biodiversity and abundance was observed compared to October 2018 – March 2019. However, the Respondent No. 7 has noted that it could be assumed that the avifauna has started using other suitable sites. Further the Respondent No. 7 has noted that this is generally due to human control and not specifically to the Project (<i>internal pages 11 and 12</i>). ▪ Fewer flamingos were found in the mudflats of Sewri and Nhava-Sheva as compared to compared to upstream around the Thane Creek. However, the Report does not draw any negative impact due to the Project (<i>internal pages 14 and 15</i>). In fact, it states that the Greater Flamingo is not affected by the construction disturbances (<i>internal page 18</i>) ▪ Though construction could be impacting overall population of waders, the Common Redshankat species is not affected by the construction activities and that birds can learn and identify predictable patterns of human activities that do no pose any threat to them (<i>internal pages 17-18</i>) ▪ It is not possible to ascertain if the impact on avifauna is temporary or permanent. This can only be ascertained after 5 years of post-construction monitoring (<i>internal page 18</i>) <p>I therefore say that the allegation of the Appellant that the Project will affect resident and migratory birds is contrary to facts and must be disregarded.</p>
5.	Protection of flamingos	The 4 th Meeting of the Environmental Monitory Committee constituted by this Respondent (as required and stipulated in the Impugned CRZ Clearance) was held on 24 January 2020. A copy of the said minutes is marked and annexed as 'Exhibit T'. Dr. Apte of the



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BNHS was question on the study with respect to correlation between the arrival of flamingos and ongoing construction. The extract of the minutes of these meetings is extracted here:

"4. The Committee inquired about the outcome of study with respect to correlation between delayed arrival of flamingos this year and ongoing construction of MCHS. Dr. Apte informed that the delayed arrival is not due to the project but it is due to the extended monsoon (upto November 2019) which issue will be addressed in the BNHS updates. The update is issued every six months and the final report will be based on these updates. Dr. Apte further explained that it is too early to comment, identify about the trend and it will take at least few more seasons to establish the trends."

Further, the contractors have maintained a record of flamingos arriving at the Sewri near the project site since March 2018. Photographs taken of the flamingos between the period of May 2018 to February 2020 near the project site are marked and annexed as 'Exhibit U'. I crave leave to rely upon a video of flamingos near the project site. Due to hearings currently being conducted virtually, a copy of this video is being emailed to the Tribunal separately.

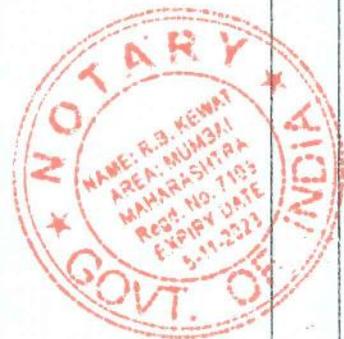
The said video and the photographs clearly show the presence of substantial number of flamingos thereby belying the contentions of the Appellant and clearly shows that the same are incorrect and contrary to the facts on record.

Y. Saket



		Further all construction equipment are fully fitted with mufflers and exhaust silencers to contain the Noise Levels. Machinery used for construction is properly maintained to minimize the air and noise emissions. These photographs are marked and annexed as 'Exhibit V'. A perusal of the photographs clearly show that it is in these measures taken to minimize the impact of construction that the flamingos are present in such large numbers.
6.	Obtaining all permissions from concerned authorities prior to commencement of project [See Specific Condition (v) page 100, Vol. II, Memo of Appeal]	I say that the Respondent also received necessary approvals from the Archaeological Survey of India, Bhabha Atomic Research Centre, Central Water and Power Research Station Jawaharlal Nehru Port Trust, Mumbai Port Trust, Maharashtra Maritime Board, Central Railways and Mumbai JNPT Port Road Company Limited (and SPV of National Highways Authority of India), have been obtained. Copies of the approvals / in-principle approvals received from the (i) Archaeological Survey of India dated 4 April 2005, (ii) Bhabha Atomic Research Centre dated 12 March 2013, (iii) Central Water and Power Research Station dated 31 January 2005, (iv) Jawaharlal Nehru Port Trust dated 4 March 2013, (v) Mumbai Port Trust dated 30 March 2013 (vi) Maharashtra Maritime Board dated 31 August 2012 (vii) Central Railways dated 18 January 2016 and (viii) Mumbai JNPT Port Road Company Limited dated 25 December 2015 are marked and annexed herewith as 'Exhibit W', 'Exhibit X', 'Exhibit Y', 'Exhibit Z', 'Exhibit AA', 'Exhibit BB', 'Exhibit CC' and 'Exhibit DD', respectively.
7.	Diversion of 47.417 hectares of forest land	The Respondent No. 6 has made payment made to Deputy Conservator of Forest, Alibaug towards compensatory afforestation of 47.417 hectares. Letter dated 22 March 2016 showing that an amount of Rs.

U. Sakshi



[See *Specific Condition (vii)* page 100, Vol. II, Memo of Appeal] 6,59,27,886/- was paid to Deputy Conservator of Forest, Alibaug is marked and annexed herewith as 'Exhibit EE'.

The Respondent No. 6 also obtained an 'in-principle' Stage-I Clearance dated 22 January 2016 from the Respondent No. 1 for diversion of the said 47.417 hectares of forest land. A copy of the said clearance is marked and annexed herewith as 'Exhibit FF'.

On 26 February 2014 the District Collector Raigad passed an order designating 47.417-hectares of previously non-forest land as forest land for compensatory afforestation. Marked and annexed herewith as 'Exhibit GG' is the order dated 26 February 2014.

On 27 December 2016 the Respondent No. 6 applied for the Stage-II clearance. On 6 March 2017 the Respondent No. 6 sent a letter setting out requirements Respondent No. 6 had complied with for being granted the Stage-II clearance. The Chief Conservator of Forests in turn sent a letter dated 2 November 2018 to the Respondent No. 1 setting out compliance by Respondent No. 6 of the conditions for grant of the Stage-II clearance. A copy of the said letter dated 2 November 2018 is marked and annexed as 'Exhibit HH'. I say that the Stage-II Clearance is awaited.

I further say that the Chief Conservator of Forests by its order dated 22 May 2017 CCF noting that since the conditions set out in the Stage-I Clearance dated 22 January 2016 and conditions required by other authorities had been complied with, Respondent No. 6 was permitted to cut trees and mangroves in the



W. Sakel

		47.417-hectare area and commence work in the said area, subject to conditions set out in the order. A copy of the said order dated 22 May 2017 is marked and annexed as ' Exhibit II '.
8.	Protection of mud flats and mangroves	<ul style="list-style-type: none"> ▪ With a view to minimize and protect the mud flats, a temporary jetty supported on steel piles with a total length of about 5.5 kms. (including lengths on Mumbai and Navi Mumbai sides in inter tidal areas) had been erected for transportation of men and machinery at the constructed location in inter tidal areas. This is in compliance of the clearance to ensure that the impact on the mud flats, if any, would be completely minimized. ▪ During the construction of temporary jetty, special care has been taken to ensure that mudflats are not disturbed, and the execution team are given clear and detailed instructions during the toolbox talk at site. A barrier has been installed to protect the mudflats against any damage during construction. A photograph is annexed at 'Exhibit JJ' herewith to show the installation of the barrier. ▪ Special lighting system has been provided to ensure that the birds and aquatic life who are sensitive to light are not affected in any manner whatsoever. Warm white coloured 3000 K. temperature lights has been provided in the temporary jetty. These eco-friendly lights have been used specially because the Project is passing through Sewri mudflats which is an ecologically sensitive area. Marked and annexed as 'Exhibit KK' are photographs showing the special lighting system. All necessary steps for the purpose of protection of all ecologically sensitive areas whether it is mangroves, mudflats or the bird and aquatic life have been taken in consultation with various

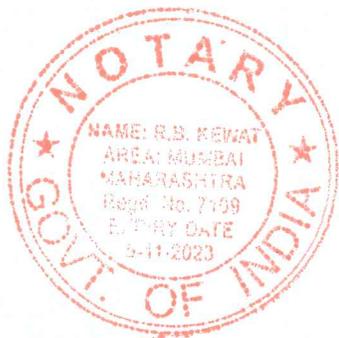


Utsav

		<p>authorities. These measures protect the environment and are meant for the purpose of ensuring that there is no serious damage caused to the ecologically sensitive areas.</p>
9.	Impact of construction on tidal hydrodynamics	<p>The Technical Report No. 5164 of March 2014 was submitted by Central Water and Power Research Station (CWPRS) towards the Hydraulic Model Studies for the proposed Mumbai Trans Harbour Link Project [<i>Annexure A-48, page 407, Vol. III, Memo of Appeal</i>].</p> <p>I say that that Chapter 8 of the Report clearly states that the Project will not have any adverse impact on the overall tidal hydrodynamics in the area under consideration. This recommendation/finding at page 37 of the CWPRS Report [<i>page 451, Vol. III, Memo of Appeal</i>] is reproduced here:</p> <p><i>“The development of 22 km Long Mumbai Trans Harbour Link (MTHL) bridge by Mumbai Metropolitan Regional Development Authority (MMRDA) proposed between Seweri on Island city (Mumbai) and Chirle on Main land across the entire Thane creek will not have adverse impact on overall tidal hydrodynamics of the region under consideration and as such is recommended.”</i></p>
10.	Construction of noise barriers after construction of the Project	<p>Even after the construction is completed noise barriers are supposed to be used in the length of the bridge passing through flamingo sides to cause minimum disturbance to the migratory birds and for the same purpose special lighting will be used on the bridge.</p>



U. S. K.



22. I say that the Respondent No. 6 has incurred a total of Rs. 135,68,07,548/-, as detailed above, towards compliance with the Impugned CRZ Clearance and Environmental impact reduction as of 31 August 2020.

23. I therefore say that the allegations of the Appellant that the MTHL project will negatively impact the flora and fauna is misconceived and does not present the entire picture. I reiterate that the Respondent No. 6 has taken all requisite and necessary steps to ensure that the flora and fauna in and around the area where construction is being undertaken is not negatively impacted and that all requirements as mandated by the Respondent No. 1 (MOEF&CC) and 4 (MCZMA) are being satisfied.

19 September 2020
Place: Mumbai

Anindya
For M/s. Khaitan & Co.

Yatin Sakhalkar

Affiant / Deponent
**SUPERINTENDING ENGINEER
(MTHL, PIU)
MMRDA**

Advocates for the Respondent No. 6

VERIFICATION

I, Yatin Sakhalkar, age: 50 years, the Superintending Engineer of the Respondent No. 6, having my office at MMRDA Building, Block E, Bandra Kurla Complex, Mumbai – 400 051, representing and signing on behalf of the Respondent No. 6, do hereby solemnly affirm and state on oath that the contents of Paragraph numbers 1, 3 to 11 and 18 to 23 above are true to my personal knowledge or information that I believe to be true and what is stated in paragraphs numbers 2, 12 to 17 are based on legal advice which I believe to be true. No material fact has been suppressed. In witness whereof I have signed here at Mumbai, on the date mentioned below.

Dated:

Yatin Sakhalkar

Yatin Sakhalkar
Affiant/ Deponent
For Respondent No. 6

**SUPERINTENDING ENGINEER
(MTHL, PIU)
MMRDA
BEFORE ME**

Rambhawan B. Kewat

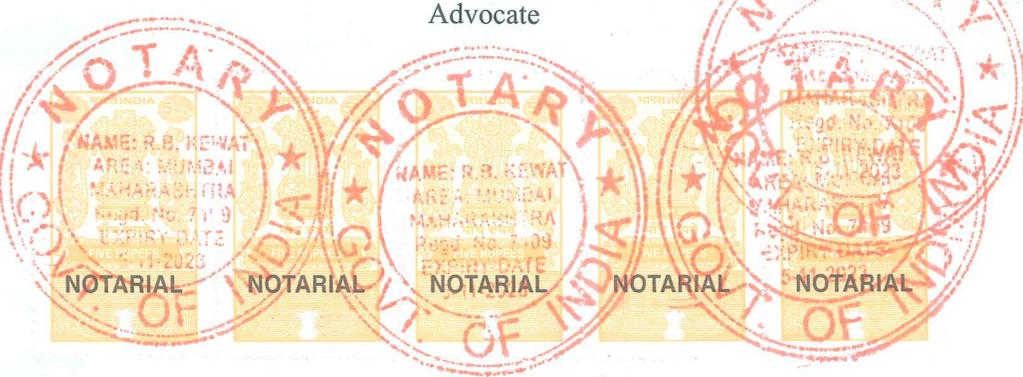
RAMBHAWAN B. KEWAT
Regd. No. 7199
ADVOCATE AND NOTARY
15-A, Jimmy Bldg., 1st Floor,
Room No. 10, Parel Station Road,
Parel (E), Mumbai - 400 012

I know the affiant

Anindya
Advocate



SEEN ORIGINAL AUTHORITY LETTER POWER
ATTORNEY BOARD RESOLUTION
DATED 18/9/2020 IN FAVOUR OF
MR. YATIN SAKHALKAR



NOTED & REGISTERED
Sr. No. 5417 Page No. 49
Date. 19/9/2020



EXHIBIT A



मुंबई महानगर प्रदेश विकास प्राधिकरण
MUMBAI METROPOLITAN REGION
DEVELOPMENT AUTHORITY

Letter of Acceptance

No. MMRDA/MTHL/PKG-1/LOA/11-17

MTHL (PIU),
Date: 17.11.2017

To,
L&T-IHI Consortium
(M/S Larsen & Toubro Limited, India & M/S IHI Infrastructure Systems Co., Ltd, Japan)
Nuclear and Special Bridges BU,
L&T Construction, C/O Larsen and Toubro Limited,
Mount Poonamalee Road, Manapakkam, P.B.N.979,
Chennai- 600089, Tamil Nadu, INDIA.
Phone: +91-44-3319 2905,
Email: pn@intecc.com.

Attention: **Mr.P.Niranjana** (Bidder's Authorised Representative)

Subject: Procurement of Mumbai Trans Harbour Link Project (Package-1) Construction of 10.380km long bridge section (CH 0+000 –CH 10+380) across the Mumbai Bay including Sewri Interchange under Identification No. MMRDA/ENG1/000752

Ref:

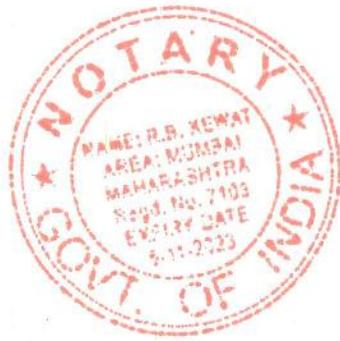
1. Your Letter of Technical Bid dated 14.07.2017
2. Your Letter of Price Bid dated 17.07.2017
3. MMRDA Letter No. ED/MTHL/Clarification/Technical points/Pkg-1/10-17 dated 17/10/17
4. L&T- IHI Letter No. B-17-001-T-052 dated 21st October 2017
5. MMRDA Letter No. MTHL/MMRDA/L&T-IHI/Clarification/02/Pkg-1/10-17 dated 27/10/17
6. L&T- IHI Letter No. B-17-001-T-054 dated 27th October 2017

1. This is to notify you that your Bid submitted on 17th July 2017 has been considered for award of the Contract for Package-1 subject to the following:
 - a. All clarifications submitted by you vide your **Letter No.B-17-001-T-052 dated 21st October 2017** are accepted.
 - b. We acknowledge the reduction offered by you in your Accepted Contract Amount vide your Letters dated 21st October 2017 and 27th October 2017, due to the reduction in the GST after the submission of Bid. You have informed that INR 3,803,389,831.00 corresponding reduction in GST form to your bid price at the rate of GST prevailing on 22nd August 2017. All the effects due to the modifications to the GST and/or other Laws after the Base date shall be regulated through the Sub Clause, 13.7- "Adjustment for Changes in Legislation" of the General Conditions of Contract.

--2/-

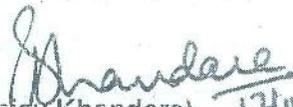
Bandra-Kurla Complex, Bandra (East), Mumbai - 400 051.

OFF : 2659 0080 EPABX : 2659 0001 / 4000 • FAX : 2659 5914 / 2659 1264 • WEB SITE : <http://www.mmrda.maharashtra.gov.in>



-2-

2. Taking into consideration the above points, your Bid submitted on 17th July 2017 for execution of Package-1 of the Mumbai Trans Harbour Link Project, Identification Number: MMRDA/ENG1/000752 for the Accepted Contract Amount of INR is 53,148,814,703 (Indian Rupees Fifty Three Billion One Hundred Forty Eight Million Eight Hundred Fourteen Thousand Seven Hundred Three Only) + (plus) USD 263,463,262 (US Dollars Two Hundred Sixty Three Million Four Hundred Sixty Three Thousand Two Hundred Sixty Two only) + (plus) JPY 10,036,370,798 (JPY Ten Billion Thirty Six Million Three Hundred Seventy Thousand Seven Hundred Ninety Eight Only) + (plus) Euro 6,152,336 (Euro Six Million One Hundred Fifty Two Thousand Three Hundred Thirty Six only) as corrected and modified in accordance with the Instructions to Bidders, is hereby accepted by our Authority. The equivalent Accepted Contract Amount in INR is 76,372,961,024 (Indian Rupees Seventy Six Billion Three Hundred Seventy Two Million Nine Hundred Sixty One Thousand Twenty Four only) including provisional sum. This amount shall be subject to the reduction offered by you as contained in para 1 (b) above.
3. You are requested to furnish the Performance Security as soon as possible, but within 28 days after receiving this Letter of Acceptance, in accordance with the Conditions of Contract, using for that purpose the relevant Performance Security Form included in Section IX, Annex to the Particular Conditions - Contract Forms, of the Bidding Documents. The performance Security will be in the form of a "Bank guarantee" from a Scheduled Commercial Bank in India in the amount(s) of Five percent (5%) of the Accepted Contract Amount and in the same proportions of the currency(ies) of the Accepted Contract Amount. {Refer Sub-Clause 4.2-Performance Security, Part A-Contract Data, Particular Conditions (PC)}.
4. This Letter of Acceptance is issued in 2 copies (both originals). You are hereby requested to acknowledge the receipt of this Letter of Acceptance by signing one copy and returning the same to the undersigned. This shall confirm the acceptance of the offer and the Terms and Conditions by your Consortium.


 (Sanjay Khandare) 17/11/17
 Additional Metropolitan Commissioner

Accepted

(Authorized Signatory of L&T-IHI Consortium)





मुंबई महानगर प्रदेश विकास प्राधिकरण 22
MUMBAI METROPOLITAN REGION
DEVELOPMENT AUTHORITY

Letter of Acceptance

No. MMRDA/MTHL/PKG-2/LOA/11-17

MTHL (PIU)
Date: 17.11.2017

To,
DAEWOO – TPL Joint Venture,
(M/s DAEWOO Engineering & Construction Co. Ltd. and
M/s Tata Projects Ltd.)
11th Floor, Hiranandani Knowledge Park, Technology Street,
Powai, Mumbai- 400076,
Maharashtra, India.
Phone no :+91-2267402900
Email: Wook.choi@daewooenc.com

Attention: Mr. Wook Choi (Bidder's Authorised Representative)

Subject: Procurement of Mumbai Trans Harbour Link Project (Package 2) Construction of 7.807 km long bridge section (CH 10+380 – CH 18+187) across the Mumbai Bay including Shivaji Nagar interchange under Identification No. MMRDA/ENG1/000753

Ref:

1. Your Letter of Technical Bid TPLJV/UI-RBP/MMRDA/MTHL-11/03/804 dated 17th July 2017
2. Your Letter of Price Bid TPL JV/UI-RBP/MMRDA/MTHL-I/03/808 dated 18th July 2017
3. MMRDA Letter No. ED/MTHL/Clarification/Technical points/Pkg-2/10-17 dated 17/10/17
4. DAEWOO TPL JV's letter No. Nil dated 18/10/17
5. DAEWOO TPL JV's letter No. Nil dated 27/10/17
6. DAEWOO TPL JV's letter No. Nil dated 02/11/17
7. MMRDA Letter No. ED/MTHL/Clarification/Technical points/Pkg-2/02/11-17 dated 09/11/17
8. DAEWOO TPL JV's letter No. Nil dated 9/11/2017
9. DAEWOO TPL JV's letter no OM17-373 dated 16/11/2017

1. This is to notify you that your Bid submitted on 18th July 2017, has been considered for award of the Contract for Package-2 subject to the following:
 - a. All clarifications submitted by you, other than that for GST reduction, vide your letter dated 18/10/2017 are accepted.
 - b. We acknowledge the reduction in price offered by you in your Accepted Contract Amount vide your letter dated 16/11/2017 due to the reduction in the GST after submission of the Bid along with the reduction of up to INR 277.87 Crores on the Bid Price given by you under clear dissent and protest and which is subject to the conditions mentioned in your letter under reference no. 9 without prejudice to Daewoo-TPL JV's rights under the Tender Conditions / Contract. All the effects due to the modifications to the GST and/or other laws after the base date shall be regulated through the Sub-Clause 13.7- "Adjustments for changes in legislation" of the General Conditions of the Contract.

---2/-

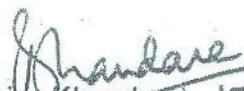
Bandra-Kurla Complex, Bandra (East), Mumbai - 400 051.

OFF : 2659 0080 EPABX : 2659 0001 / 4000 • FAX : 2659 5914 / 2659 1264 • WEB SITE : <http://www.mmrda.maharashtra.gov.in>



-2-

2. Taking into consideration the above points, your Bid submitted on 18th July 2017, for execution of Package-2 of the Mumbai Trans Harbour Link Project, identification number: MMRDA/ENG1/000753 for the Accepted Contract Amount of INR 38,157,214,609 (Thirty Eight Billion One Hundred Fifty Seven Million Two Hundred Fourteen Thousand Six Hundred Nine Only) + (Plus) USD \$ 153,633,958 (USD One Hundred Fifty Three Million Six Hundred Thirty Three Thousand Nine Hundred Fifty Eight only) + (Plus) 13,952,414,960 (JPY Thirteen Billion Nine Hundred Fifty Two Million Four Hundred Fourteen Thousand, Nine Hundred Sixty only), as corrected and modified in accordance with the Instructions to Bidders, is hereby accepted by our Authority. The equivalent Accepted Contract Amount in INR is 56,126,061,553 (Fifty-Six Billion One Hundred Twenty-Six Million Sixty-One Thousand Five Hundred Fifty-Three only) including provisional sum. This amount shall be subject to the reduction offered by you as contained in para 1 (b) above.
3. You are requested to furnish the Performance Security as soon as possible, but within 28 days after receiving this Letter of Acceptance, in accordance with the Conditions of Contract, using for that purpose the relevant Performance Security Form included in Section IX, Annex to the Particular Conditions - Contract Forms, of the Bidding Documents. The performance Security will be in the form of a "Bank guarantee" from a Scheduled Commercial Bank in India in the amount(s) of Five percent (5%) of the Accepted Contract Amount and in the same proportions of the currency(ies) of the Accepted Contract Amount. {Refer Sub-Clause 4.2-Performance Security, Part A-Contact Data, Particular Conditions(PC)}.
4. This Letter of Acceptance is issued in 2 copies (both originals). You are hereby requested to acknowledge the receipt of this Letter of Acceptance by signing one copy and returning the same to the undersigned. This shall confirm the acceptance of the offer and the Terms and Conditions by your Joint Venture.


 (Sanjay Khandare) 17/11/17
 Additional Metropolitan Commissioner

Accepted

(Authorized Signatory of DAEWOO-TPL JV)





मुंबई महानगर प्रदेश विकास प्राधिकरण
MUMBAI METROPOLITAN REGION
DEVELOPMENT AUTHORITY

Letter of Acceptance

No. MMRDA/MTHL/PKG-3/LOA/11-17

MTHL (PIU)
Date: 17.11.2017

To,
Larsen & Toubro Limited,
Nuclear and Special Bridges BU,
L&T Construction,
Mount Poonamalee Road,
Manapakkam, P. B. N. 979,
Chennai – 600 089, Tamil Nadu, INDIA.
Phone: +91-44-33192905,
Email: pn@Lntecc.com.

Attention: **Mr.P.Niranjana** (Bidder's Authorised Representative)

Subject: Procurement of Mumbai Trans Harbour Link Project (Package-3) Construction of a 3.613 km long viaduct section (CH 18+187 – CH 21+800) including interchanges at State Highway-54 and at National Highway-4B near Chirle in Navi Mumbai under Tender No. MMRDA/ENG1/000754

Ref:

1. Your Letter of Technical Bid dated 14.07.2017
2. Your Letter of Price Bid dated 17.07.2017
3. MMRDA letter No. ED/MTHL/Clarification/Technical Points/Pkg-3/10-17 dated 17/10/2017
4. L&T letter No.B-17-001-T-053 dated 21st October 2017
5. MMRDA letter No. ED/MTHL/Clarification/Pkg-3/02/10-17 dated 27th October 2017
6. L&T letter No.B-17-001-T-055 dated 27th October 2017

1. This is to notify you that your Bid submitted on 18th July 2017 has been considered for award of the Contract for Package-3 subject to the following:
 - a. All the clarifications given by you in your Letter No. **B-17-001-T-053** dated **21st October 2017** are accepted.
 - b. We acknowledge the reduction in price offered by you in your Letters dated 21st October 2017 and 27th October 2017, due to the reduction in the GST after the submission of Bid. You have informed that INR 480,981,444.00 corresponding reduction in GST form to your bid price. All the effects due to the modifications to the GST and/or other Laws after the Base date shall be regulated through the Sub Clause, 13.7- "Adjustment for Changes in Legislation" of the General Conditions of Contract.

---2/-

Bandra-Kurla Complex, Bandra (East), Mumbai - 400 051.

OFF : 2659 0080 EPABX : 2659 0001 / 4000 • FAX : 2659 5914 / 2659 1264 • WEB SITE : <http://www.mmrdamaharashtra.gov.in>



-2-

2. Taking into consideration the above points, your Bid submitted on 18th July 2017 for execution of Package-3 of the Mumbai Trans Harbour Link Project, identification number: **MMRDA/ENG1/000754** for the Accepted Contract Amount of **INR 9,625,772,749 (Indian Rupees Nine Billion Six Hundred Twenty-Five Million Seven Hundred Seventy-Two Thousand Seven Hundred Forty-Nine Only) + (plus) USD 7,944,013 (US Dollars Seven Million Nine Hundred Forty-Four Thousand Thirteen Only)** as corrected and modified in accordance with the Instructions to Bidders, is hereby accepted by our Authority. The equivalent Accepted Contract Amount in INR is **10,137,901,023 (Indian Rupees Ten Billion One Hundred Thirty-Seven Million Nine Hundred One Thousand Twenty-Three Only) including Provisional Sum**. This amount shall be subject to the reduction offered by you as contained in para 1 (b) above.
3. You are requested to furnish the Performance Security as soon as possible, but within 28 days after receiving this Letter of Acceptance, in accordance with the Conditions of Contract, using for that purpose the relevant Performance Security Form included in Section IX, Annex to the Particular Conditions - Contract Forms, of the Bidding Documents. The performance Security will be in the form of a "Bank guarantee" from a Scheduled Commercial Bank in India in the amount(s) of Five percent (5%) of the Accepted Contract Amount and in the same proportions of the currency(ies) of the Accepted Contract Amount {Refer Sub-Clause 4.2-Performance Security, Part A-Contact Data, Particular Conditions(PC)}.
4. This Letter of Acceptance is issued in 2 copies (both originals). You are hereby requested to acknowledge the receipt of this Letter of Acceptance by signing one copy and returning the same to the undersigned. This shall also confirm the acceptance of the offer and Terms and Conditions by your Company.


 (Sanjay Khandare) 17/11/17
 Additional Metropolitan Commissioner

Accepted

(Authorized Signatory of M/s. L&T Ltd.)

YHS

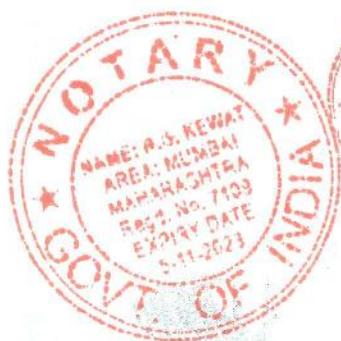


EXHIBIT B

o/c
26

AECOM

PADECO



TYLIN

General Consultant for Mumbai Trans Harbour Link Project

Ref No: MTHL/GC/L&T-IHI/CONT/2018/002

23rd March 2018

To,
L&T-IHI Consortium
MTHL Pkg-01 Project Office
305 & 306 – 3rd Floor, B – Wing
Nava Bharat Estate,
P D' Mello Road,
Opp. Sewri Railway Station,
Sewri West, Mumbai – 400 015

Kind Attention: Mr. P. Niranjana (Authorised Representative)

Project: Procurement of Mumbai Trans Harbour Link Project (Package-1) - Construction of 10.380 km long bridge section (CH 0+000 to CH10+380) across the Mumbai Bay including Sewri Interchange. Contract No.: MMRDA/ENG1/000752 dated 26th December 2017

Sub: Sub-Clause 8.1-Commencement of Work

Ref: Contract Agreement No. MMRDA/ENG1/000752 dated 26th Dec 2017 (Shall be referred as "Contract")

Sir,

1. We acknowledge the receipt of the following requisite documents as per the relevant clauses.
 - a. Performance Bank Guarantee as per Sub-Clause 4.2 of Contract.
 - b. Advance Payment Security as per Sub-Clause 14.2 of Contract.
2. The Contract Agreement for this Package 1 has been signed on 26/12/2017 and concurred by JICA.
3. The Employer has the financial arrangements for this project which consist of funds from MMRDA and Japan International Cooperation Agency (JICA Loan Agreement No. ID-P255).
4. Mobilisation Advance Payment as per Clause 14.2 has been released to you on 12th and 15th March 2018.
5. The land shall be handed over to you as specified in the Contract Agreement.

You are hereby notified that the Commencement Date referred to in Sub-Clause 8.1 of the General Conditions of Contract shall be **23rd March 2018**. You are requested to commence the Design and Construction execution of the Works with due expedition and without delay.

This letter is issued with the approval of the Competent Authority of MMRDA.

Thanking you.
Yours faithfully,

Dr. S H Robin Sham
Dr. S H Robin Sham, CBE
(BSc, PhD, DIC, FCGI, FRSA, CEng, FICE, FStructE, FHKIE)
The Engineer
MTHL Project

L&T-IHI CONSORTIUM

Received Date: 23/3/18

CC: The Chief Engineer, MMRDA.
Superintendent Engineer – MMRDA - Mr. Sakhalkar
Executive Engineer – MMRDA – Mr. Bhisikar



AECOM

PADECO

General Consultant for Mumbai Trans Harbour Link Project

Ref. No: MTHL/GC/DWTPL/CONT/2018/002

23rd March 2018

To,

DAEWOO-TPL Joint Venture

(M/s DAEWOO Engineering & Construction Co. Ltd. And M/s Tata Projects Ltd.)

11th Floor, Hiranandani Knowledge Park, Technology Street,

Powai, Mumbai-400076, Maharashtra, India.

Phone no: =91-2267402900

Kind Attention: Mr. Min Geun Kim (Authorised Representative)

Project: Procurement of Mumbai Trans Harbour Link Project (Package 2) Construction of 7.807 km long bridge section (CH 10+380 –CH 18+187) across the Mumbai Bay including Shivaji Nagar Interchange-Contract No.: MMRDA/ENG1/00753 dated 19th January 2018.

Sub: Sub-Clause 8.1-Commencement of Work**Ref:** Contract Agreement No. MMRDA/ENG1/000753 dated 19th January 2018 (Shall be referred as "Contract")

Sir,

1. We acknowledge the receipt of the following requisite documents as per the relevant clauses.
 - a. Performance Bank Guarantee as per Sub-Clause 4.2 of Contract.
 - b. Advance Payment Security as per Sub-Clause 14.2 of Contract.
2. The Contract Agreement for this Package 2 has been signed on 19/01/2018 and concurred by JICA.
3. The Employer has the financial arrangement for this project which consist of funds from MMRDA and Japan International Cooperation Agency (JICA Loan Agreement No. ID-P255).
4. Mobilisation Advance Payment as per Clause 14.2 has been released to you on 15th March 2018.
5. The land shall be handed over to you as specified in the Contract Agreement.

You are hereby notified that the Commencement Date referred to in Sub-Clause 8.1 of the General Conditions of Contract shall be **23rd March 2018**. You are requested to commence the Design and Construction execution of the Works with due expedition and without delay.

This letter is issued with the approval of the Competent Authority of MMRDA.

Thanking you.

Yours faithfully,


Dr. S H Robin Sham, CBE
 (BSc, PhD, DIC, FCGI, FRSA, CEng, FICE, FStructE, FHKIE)
 The Engineer
 MTHL Project

CC: The Chief Engineer, MMRDA.

Superintendent Engineer – MMRDA - Mr. Varaskar

Executive Engineer – MMRDA – Mr. Vishal Jambhale

Project Office: A-1 Unit No. 115, MMRDA Building, First Floor, Near Wadala RTO, Wadala East, Mumbai 400037



28

AECOM

ADECO

General Consultant for Mumbai Trans Harbour Link Project

Ref No: MTHL/GC/L&T/CONT/2018/005

23rd March 2018

To,
Larsen & Toubro Limited
L&T Construction, C/ O Larsen and Toubro Ltd,
Mount Poonamall Road, Manpakkam,
PBN 979 Chennai-600089, Tamil Nadu, INDIA.

Project: Procurement of Mumbai Trans Harbour Link Project (Package 3), Construction of 3.613 km long viaduct section (CH 18+187 – CH 21+ 800) including interchanges at State Highway-54 and at National Highway-4B near Chirle in Navi Mumbai Contract No.: MMRDA/ENG/000754 dated 26th December 2017.

Sub: Sub-Clause 8.1-Commencement of Work

Ref: Contract Agreement No. MMRDA/ENG1/000754 dated 26th December 2017 (Shall be referred as "Contract")

Sir,

1. We acknowledge the receipt of the following requisite documents as per the relevant clauses.
 - a. Performance Bank Guarantee as per Sub-Clause 4.2 of Contract.
 - b. Advance Payment Security as per Sub-Clause 14.2 of Contract.
2. The Contract Agreement for this Package 3 has been signed on 26/12/2017 and concurred by JICA.
3. The Employer has the financial arrangement for this project which consist of funds from MMRDA and Japan International Cooperation Agency (JICA Loan Agreement No. ID-P255).
4. Mobilisation Advance Payment as per Clause 14.2 has been released to you on 12th and 14th March 2018.
5. The land shall be handed over to you as specified in the Contract Agreement.

You are hereby notified that the Commencement Date referred to in Sub-Clause 8.1 of the General Conditions of Contract shall be **23rd March 2018**. You are requested to commence the Design and Construction execution of the Works with due expedition and without delay.

This letter is issued with the approval of the Competent Authority of MMRDA.

Thanking you,
Yours faithfully,

Dr. S H Robin Sham, CBE
(BSc, PhD, DIC, FCGI, FRSA, CEng, FICE, FStructE, FHKIE)
The Engineer
MTHL Project



23/3

CC: The Chief Engineer, MMRDA.
Superintendent Engineer – MMRDA - Mr. Varaskar
Executive Engineer – MMRDA – Mr. Vishal Jambhale



EXHIBIT C

29

GOVERNMENT OF MAHARASHTRA

Department of Revenue and Forest, Disaster Management,
Relief and Rehabilitation, Mantralaya, Mumbai- 400 032
No: DMU/2020/CR. 92/DisM-1, Dated: 23rd March 2020

NOTIFICATION

COVID -19 – The Epidemic Diseases Act, 1897- Lockdown – Orders

Reference:

1. The Epidemic Diseases Act, 1897
2. The Disaster Management Act, 2005
3. Government Notification, Public Health Department, No. Corona-2020/CR-58/Aarogya-5, Dated- 13th March 2020, 14th March 2020, 15th March 2020

No: DMU/2020/CR. 92/DMU-1- Whereas the State Government is satisfied that the State of Maharashtra is threatened with the spread of Covid-19 Virus, which has already been declared as a pandemic by World Health Organization, and it is therefore necessary to take certain further emergency measures to prevent and contain the spread of virus, the Government in exercise of the powers conferred under Section 2 of The Epidemic Diseases Act, 1897, read with all other enabling provisions of The Disaster Management Act, 2005, **hereby notify lockdown in the entire State of Maharashtra with Immediate effect till 31st of March, 2020**, prescribing the following regulations and measures during the said period:

1. All state borders shall be sealed other than for movement of essential and perishable commodities.
2. All public transport services including inter-city MSRTC buses and Metro will not be permitted. Taxis with not more than two persons besides driver, auto-rickshaws with not more than one passenger besides driver are permitted only for the purposes specified in the order. However, transport of passengers for accessing emergency medical services shall be permitted. Plying of private vehicles shall be restricted only to the extent

Handwritten signatures in blue ink.



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- of procuring essential commodities, health services and activities permitted under this order, and with only one person besides driver.
3. Operation of all inter-state bus and passenger transport services (including private vehicles) including those by private operators shall stand suspended.
 4. Every person who is required to observe home quarantine shall strictly observe the same failing which he/she will be liable for penal action and shifted to government quarantine.
 5. Residents shall stay at home and come out only for permitted activities while strictly observing social distancing norms and abiding the conditions stated at para 2 above.
 6. Any congregation of more than 5 persons in public places is prohibited.
 7. All shops including commercial establishments, offices and factories, workshops, godowns etc. shall close their operations. However, production and manufacturing units which require continuous process & pharmaceuticals, API etc will be permitted. Further, manufacturing units engaged in production of essential commodities like dal and rice mills, food and related units, dairy units, feed and fodder units etc. may function will also be permitted to operate.
 8. Government offices, shops and establishments permitted to operate during this period with barest minimum staff and shall take steps to ensure social distancing such as painting of foot marks at distances of 3 feet from each other near check out counters. They shall also ensure proper sanitation in their premises and ensure availability of hand sanitizers/hand washing facilities.
 9. The following shops/establishments providing essential goods and services shall be excluded from the above restrictions:
 - a) Banks/ATMs, insurance, FinTech services and related activities.
 - b) Print and electronic media
 - c) IT and ITeS, including telecom, postal, internet and data Services
 - d) Supply chain and transport of essential commodities
 - e) Export and Import of agricultural goods and products, and all commodities.

By roll *yes*



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- f) E-Commerce (delivery) of essential goods including food, pharmaceutical and medical equipment
 - g) Sale of food items, groceries, milk, bread, fruits, vegetables, eggs, meat, fish and their transportation and warehousing activities
 - h) Bakery and veterinary establishments for the pets
 - i) Take-away/ home delivery at restaurants
 - j) Hospitals, pharmacies and optical stores, pharmaceuticals manufacturing & their dealers and their transportation
 - k) Petrol pumps, LPG gas, oil agencies, their godowns and their related transport operations
 - l) All security and facility management services including those provided by private agencies to institutions providing essential services
 - m) Private establishments that support the provisioning of essential services or the efforts for containment of COVID-19
 - n) The supply chain relating to above.
 - o) All enforcing authorities to note that fundamentally strict restrictions relate to movement of people but not to goods and commodities as a matter of principle.
10. The Departments/Offices of the State Government and its Public Sector Undertaking (PSU) providing services shall be functional only to the extent of providing essential services.
 11. All religious places of any denomination shall be closed by issuing suitable prohibitory orders.
 12. During the lockdown period, steps will be taken to ensure that there is no disruption in the supply of essential commodities to the people.
 13. All elective surgeries shall be re-scheduled in all private and Government hospitals to enhance the availability of health care facilities to COVID-19 patients.
 14. All Divisional Commissioners, Municipal Commissioners and Collectors are directed to identify vacant places near hospitals for housing health staff in case of necessity.

H. M. K. *MS*



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15. The Collectors of following districts which are at presently Corona disease free shall issue orders prohibiting any vehicular movements into their districts, Viz. Wardha, Bhandara, Gondia, Chandrapur, Gadchiroli, Satara, Sangli, Kolhapur, Solapur, Buldhana, Amravati, Akola, Washim, Nashik, Dhule, Nandurbar, Jalgaon, Beed, Jalna, Osmanabad, Parbhani, Hingoli, Latur, Nanded and Sindhudurg. This shall not apply to medical emergencies.
16. All the District Collectors, District Superintendents of Police, Commissioners of Police, Municipal Commissioners of Corporations and other competent authorities in respect of the concerned institutions, organizations and establishments are hereby authorized and directed to take all necessary measures in a humane and judicious manner for enforcement and implementation of the aforesaid regulations and measures.
17. Any person, institution, organization violating any provision of these regulations shall be dealt under the provisions of The Epidemics Diseases Act 1897, The Disaster Management Act 2005, other relevant Acts and regulations there under.
18. No suit or legal proceedings shall lie against any person for anything done or intended to be done in good faith under these regulations.
19. All earlier orders issued by the various authorities will be aligned with this order by the enforcement agencies.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF
MAHARASHTRA

Ajay Mehta
(AJAY MEHTA)

CHIEF SECRETARY
GOVERNMENT OF MAHARASHTRA

Copy to:

- 1) Principal Secretary, to Hon'ble Governor of Maharashtra, Rajbhavan, Mumbai
- 2) Principal Secretary to Hon'ble Chief Minister, Government of Maharashtra
- 3) Secretary to Hon'ble Deputy Chief Minister, Government of Maharashtra
- 4) Private Secretaries of All Hon'ble Minister / Minister of State, Mantralaya
- 5) All Additional Chief Secretaries / Principal Secretaries / Secretaries of Government of Maharashtra, Mantralaya

MS



33

- 6) Director General of Police
- 7) Principal Secretary, Public Health Department, Mantralaya
- 8) Secretary, Medical Education, Mantralaya
- 9) All Divisional Commissioners in the State
- 10) All Commissioners of Police in the State
- 11) All Commissioners of Municipal Corporations in the State
- 12) All District Collectors
- 13) All District Superintendents of Police in the State

CC:

The Manager, Government Printing Press with a request to publish the Government Notification in the extraordinary issue of Maharashtra State Gazette



EXHIBIT D



No. MMRDA/MTHL-PIU/work Permission/1060/04-2020

MTHL-PIU

Date : 16th April, 2020

To,

The Engineer, General Consultant

M/s AECOM Asia Company Ltd. – PADECO Co. Ltd. - Dar Al-Handasah Consultants – TY Lin International Consortium
6th Floor, MMRDA Old office Building,
Bandra-Kurla Complex, Bandra (E), Mumbai - 400051

DAEWOO-TPL Joint Venture

M/s. DAEWOO Engineering & Construction
Co. Ltd. and M/s Tata Projects Ltd.
11th Floor, Hiranandani Knowledge Park,
Technology Street, Powai, Mumbai – 400076

Larsen & Toubro Limited

L&T Construction, C/O Larsen & Toubro Ltd.,
Mount Poonamali Road, Manpakkam, PBN 979
Chennai-600089, Tamil Nadu, INDIA.

Sub: Mumbai Trans Harbour Link (Package-2 & 3)

- **Permission to complete the pending construction activities required to be accomplished at safe stage before onset monsoon during lockdown period.**

- Ref:**
1. MMRDA's Circular No. Est/Covid-19-001/2020 dated 31/3/2020
 2. MMRDA's letter No. MMRDA/MTHL-PIU/Lockdown/ 1053 /03-2020 dated 1/4/2020
 3. MMRDA's letter No. MMRDA/MTHL-PIU/Drone Videography/1058/04-2020 dated 14/4/2020
 4. Marathi letter dated 15 April 2020 issued by Collector, Raigad

Sirs,

1. The Employer, vide letter referred at Sr. No. 3 above had requested Collector Raigad to permit the Contractors to complete the essential pre-monsoon construction activities in accordance with lockdown notification issued by Govt. of Maharashtra. Copy of Employer's said letter was also marked to the GC and the Contractors.
2. The Collector, Raigad has issued a permission letter allowing pre-monsoon activities of all projects, including MTHL, in her jurisdiction. A copy of letter (referred at Sr. No. 4) is attached herewith or your ready reference.
3. You are, therefore, requested to start the essential pre-monsoon construction activities as stipulated in the letter issued by Collector, Raigad. All the instructions stipulated in the

Mumbai Metropolitan Region Development Authority

Page 1 of 2

Bandra-Kurla Complex, Bandra East, Mumbai 400 051
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<https://mmrda.maharashtra.gov.in>



aforesaid letter shall be strictly complied with.

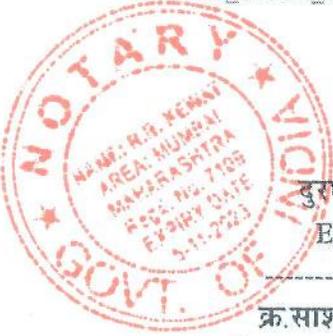
4. Apart from the above, all the directives issued by Govt. of India and Govt. of Maharashtra from time to time in respect of lockdown as well as to contain the spread of COVID-19 shall be strictly followed.
5. Contractor(s) are requested to submit the report to the Employer once the work is resumed so that the Employer can report to the Collector, Raigad as mentioned in the aforesaid letter.
6. The Engineer is also hereby requested to instruct the GC's Site Teams of respective packages to supervise the work with all necessary care and following all the directives issued by Govt. of India and Govt. of Maharashtra from time to time in this regard.
7. This is for information and further necessary action please.

Thanking you,

Yours faithfully,

(Dr. D.T.Thube)
Chief Engineer, MTHL-PIU

Encl:- Copy of Marathi letter dated 15 April 2020
issued by Collector, Raigad



महाराष्ट्र शासन

जिल्हाधिकारी तथा जिल्हादंडाधिकारी यांचे कार्यालय रायगड-अलिबाग

दुरध्वनी क्रमांक :- 02141-222118/222097/222001 फॅक्स क्रमांक: 02141-222025/227451

Email : collector_raigad@maharashtra.gov.in

Email dcraigad@gmail.com

क्र.साशा/कार्या-1/ब-5/आ.व्य./करोनाविषाणू/प्रतिबंधात्मक उपाययोजना/2020

दि. 15/04/2020

अतितात्काळ

प्रति,

1. प्रकल्प संचालक, भारतीय राष्ट्रीय महामार्ग प्राधिकरण, पनवेल
2. वरीष्ठ महाव्यवस्थापक, भारत संचार निगम लि.पनवेल
3. अधिक्षक अभियंता, सा.बां.विभाग, कोंकण भवन, नवी मुंबई
4. कार्यकारी अभियंता, सा.बां.विभाग, अलिबाग, महाड, पनवेल
5. कार्यकारी अभियंता, राष्ट्रीय महामार्ग, पेण
6. कार्यकारी अभियंता, महाराष्ट्र राज्य रस्ते विकास महामंडळ, रायगड.
7. कार्यकारी अभियंता, बांधकाम विभाग, रा.जि.प.अलिबाग
8. कार्यकारी अभियंता, ग्रामीण पाणीपूरवटा विभाग, रा.जि.प.अलिबाग
9. कार्यकारी अभियंता, खारभूमी सर्वेक्षण व विकास यंत्रणा, पेण
10. अधिक्षक अभियंता, महाराष्ट्र राज्य विद्युत वितरण कंपनी, पेण
11. मुख्य कार्यकारी अधिकारी, नगरपरिषद/नगरपंचायत (सर्व)
12. गटविकास अधिकारी, पंचायत समिती (सर्व)
13. जिल्हा शिक्षणाधिकारी (प्राथमिक व माध्यमिक) रा.जि.प.अलिबाग
14. कार्यकारी अभियंता, पत्तन अभियांत्रिकी विभाग, कोंकण भवन, नवी मुंबई
15. उपमुख्य अभियंता, मध्य रेल्वे, जुईनगर
16. अधिक्षक अभियंता, सिडको (प.व.क.)
17. Chief Engineer, MTHL-PIU, MMRDA

विषय:- पावसाळ्यापूर्वीची देखभाल व दुरुस्तीचे कामे तातडीने पूर्ण करणेबाबत.

संदर्भ :- राज्य शासनाचे अधिसूचना क्रमांक DMU/2020/CR-92/ DisM-1/ Dated 25th March, 2020.

राज्य शासनाचे अधिसूचना दि.25/03/2020 रोजी निर्गमित केलेल्या अधिसूचनेनुसार मान्सून पूर्व तयारीच्या कामांना अधिसूचनेतील मुद्या क्रमांक 6 के नुसार संचारबंदीमध्ये सुट देण्यात आलेली आहे. मान्सून पूर्वतयारी अंतर्गत नालेसफाई, रस्ते, पूल दुरुस्ती, रस्त्यांच्या साईडपट्टींचा भराव करणे, शाळांच्या खोल्या दुरुस्ती करणे, पिण्याच्या पाण्याच्या पाईप लाईन, विहीरींची दुरुस्ती करणे, विद्युत वितरण अखंडीत राहण्यासाठीची आवश्यक दुरुस्तीचे कामे, खारबांध-बंदिस्तीचे कामे इ.पावसाळ्यापूर्वी करावयाच्या अत्यावश्यक कामांच्या देखभाल व दुरुस्तीची कामे पुर्ण होणे आवश्यक आहे.

सदर कामे करताना कोरोना विषाणूचा (कोविड-19) प्रादुर्भाव रोखण्यासाठी मजूर/कामगारांकडून प्रतिबंधात्मक उपाययोजनां करून घ्याव्यात. कामगारांनी मास्क परिधान करणे, सॅनिटायझर वापरणे, हॅण्ड वॉशने हात धुणे, सामाजिक अंतर ठेवणे इ.उपाययोजनां कराव्यात. कंत्राटदारामार्फत कामगारांसाठी हॅण्डवॉश, साबण, सॅनिटायझर, मास्क इ.सुविधा प्रत्यक्ष कामाच्या ठिकाणी उपलब्ध करून देण्यात याव्यात. कामगारांची ने-आण करताना सुरक्षितता बाळगावी व सामाजिक अंतर ठेवावे. कामाच्या ठिकाणी कामगारांची जास्त गर्दी होणार नाही व काम करतानादेखील सामाजिक अंतर राहिल, याची दक्षता घ्यावी. वरीलप्रमाणे कोविड-19 विषयी सुरक्षेचे उपाय योजनां करून सदर कामे पावसाळ्यापूर्वी पूर्ण करावीत.

उक्त नमूद व इतर महत्वाची कामे पावसाळ्यापूर्वी पूर्ण होणे आवश्यक असल्याने सदर कामे तात्काळ सुरु करावीत. व केलेल्या कार्यवाहीचा अहवाल या कार्यालयास सादर करावा.


(निधी चौधरी)

जिल्हाधिकारी रायगड

प्रत माहिती व आवश्यक त्या कार्यवाहीस्तव

1. मा.विभागीय आयुक्त, कोंकण विभाग, कोंकण भवन, नवी मुंबई
2. मा. पोलीस आयुक्त, नवी मुंबई
3. मुख्य कार्यकारी अधिकारी, रायगड जिल्हा परिषद, अलिबाग
4. जिल्हा पोलीस अधिक्षक, रायगड अलिबाग





No. MMRDA/MTHL-PIU/Permission/Resume Work/1064/04-2020

MTHL-PIU

Date : 18th April, 2020

To,

The Engineer, General Consultant
M/s AECOM Asia Company Ltd. – PADECO Co.
Ltd. - Dar Al-Handasah Consultants –
TY Lin International Consortium
6th Floor, MMRDA Old office Building,
Bandra-Kurla Complex, Bandra (E),
Mumbai - 400051

DAEWOO-TPL Joint Venture
M/s. DAEWOO Engineering & Construction
Co. Ltd. and M/s Tata Projects Ltd.
11th Floor, Hiranandani Knowledge Park,
Technology Street, Powai,
Mumbai – 400076

Sub: Mumbai Trans Harbour Link (Package-2)

- Regarding the order issued by Govt. of Maharashtra on 17/4/2020

- Ref:**
1. MMRDA's Circular No. Est/Covid-19-001/2020 dated 31/3/2020
 2. MMRDA's letter No. MMRDA/MTHL-PIU/Lockdown/ 1053 /03-2020 dated 1/4/2020
 3. MMRDA's letter No. MMRDA/MTHL-PIU/Drone Videography/1058/04-2020 dated 14/4/2020
 4. MMRDA's letter No. MMRDA/MTHL-PIU/Permission/Resume Work/1060/04-2020 dated 16/04/2020
 5. Daewoo-TPL JV's letter No. MTHL/DW-TPL/GC/LT/PJC/2020-1708 dated 16/04/2020
 6. Daewoo-TPL JV's letter No. MTHL/DW-TPL/GC/LT/PJC/2020-1710 dated 17/04/2020
 7. MMRDA's letter No. MMRDA/MTHL-PIU/Permission/Resume Work/ 1061/ 04-2020 dated 17/04/2020
 8. Daewoo-TPL JV's letter No. MTHL/DW-TPL/GC/LT/PJC/2020-1714 dated 17/04/2020
 9. Govt. of Maharashtra's order No. DMU/2020/CR.92/DisM-1 dated 17/4/2020

Sirs,

1. In continuation to the letter referred at Sr. No. 4 issued by the Employer, please find attached herewith an order dated 17/04/2020 regarding the Consolidated Revised Guidelines issued by the Govt. of Maharashtra about the measures to be taken for containment of COVID-19 in the State.
2. In respect of Contractor's letter referred at Sr. No. 8 above, it is requested to follow the stipulations in the aforesaid order and resume construction activities.

Thanking you,

Yours faithfully,

(Dr. D.T. Thube)
Chief Engineer, MTHL-PIU

Encl:- Govt. of Maharashtra's Order dated 17/4/2020

Mumbai Metropolitan Region Development Authority

Bandra-Kurla Complex, Bandra East, Mumbai 400 051
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<https://mmrda.maharashtra.gov.in>



No. MMRDA/MTHL-PIU/Pkg-3/Permission/Resume Work/1065/04-2020

MTHL-PIU

Date : 18th April, 2020

To,

The Engineer, General Consultant
M/s AECOM Asia Company Ltd. – PADECO Co. Ltd.
- Dar Al-Handasah Consultants – TY Lin
International Consortium
6th Floor, MMRDA Old office Building,
Bandra-Kurla Complex, Bandra (E),
Mumbai - 400051

Larsen & Toubro Limited
L&T Construction, C/O Larsen &
Toubro Ltd., Mount Poonamali Road,
Manpakkam, PBN 979
Chennai-600089, Tamil Nadu, INDIA.

Sub: Mumbai Trans Harbour Link (Package-3)

- **Regarding the order issued by Govt. of Maharashtra on 17/4/2020**

- Ref:**
1. MMRDA's Circular No. Est/Covid-19-001/2020 dated 31/3/2020
 2. MMRDA's letter No. MMRDA/MTHL-PIU/Lockdown/ 1053 /03-2020 dated 1/4/2020
 3. MMRDA's letter No. MMRDA/MTHL-PIU/Drone Videography/1058/04-2020 dated 14/4/2020
 4. MMRDA's letter No. MMRDA/MTHL-PIU/Permission/Resume Work/1060/04-2020 dated 16/04/2020
 5. Govt. of Maharashtra's order No. DMU/2020/CR.92/DisM-1 dated 17/4/2020

Sirs,

1. In continuation to the letter referred at Sr. No. 4 issued by the Employer, please find attached herewith an order dated 17/04/2020 regarding the Consolidated Revised Guidelines issued by the Govt. of Maharashtra about the measures to be taken for containment of COVID-19 in the State.
2. It is requested to follow the stipulations of the aforesaid order and resume construction activities.

Thanking you,

Yours faithfully,

(Dr. D.T.Thube)
Chief Engineer, MTHL-PIU

Encl:- Govt. of Maharashtra's Order dated 17/4/2020

Mumbai Metropolitan Region Development Authority

Bandra-Kurla Complex, Bandra East, Mumbai 400 051
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<https://mmrda.maharashtra.gov.in>



EXHIBIT E



No. MMRDA/MTHL-PIU/Package-1/Resume Work/1062/04-2020

MTHL-PIU

Date : 17th April, 2020

To,

The Engineer, General Consultant

M/s AECOM Asia Company Ltd. - PADECO Co.

Ltd. - Dar Al-Handasah Consultants -

TY Lin International Consortium

6th Floor, MMRDA Old office Building,

Bandra-Kurla Complex, Bandra (E)

Mumbai - 400051

L&T-IHI Consortium

MTHL Pkg-01 Project Office

305 & 306 - 3rd Floor, B-Wing

Nava Bharat Estate, P D' Mello Road,

Opp. Sewri Railway Station,

Sewri West, Mumbai - 400 015.

Sub: Mumbai Trans Harbour Link (Package-1)

- **Permission to complete the pending construction activities required to be accomplished at safe stage before onset monsoon during lockdown period.**

- Ref:**
1. MMRDA's Circular No. Est/Covid-19-001/2020 dated 31/3/2020
 2. MMRDA's letter No. MMRDA/MTHL-PIU/Lockdown/1053/03-2020 dated 1/4/2020
 3. MMRDA's letter No. MMRDA/MTHL-PIU/work permission/1059/04-2020 dated 15 April 2020
 4. Marathi letter dated 17 April 2020 issued by Collector, Mumbai City

Sirs,

1. The Employer, vide letter referred at Sr. No. 3 above had requested Collector Mumbai City to permit the Contractor to complete the essential pre-monsoon construction activities of MTHL Package-1 in accordance with lockdown notification issued by Govt. of Maharashtra. Copy of Employer's said letter was also marked to the GC and the Contractors
2. The Collector, Mumbai City has issued a permission letter allowing pre-monsoon activities of MTHL project, in his jurisdiction. A copy of letter (referred at Sr. No. 4) is attached herewith or your ready reference
3. You are, therefore, requested to start the essential pre-monsoon construction activities as stipulated in the letter issued by Collector, Mumbai City. All the instructions stipulated in the aforesaid letter shall be strictly complied with.
4. Apart from the above, all the directives issued by Govt. of India and Govt. of Maharashtra from time to time in respect of lockdown as well as to contain the spread of COVID-19 shall be strictly followed.

Mumbai Metropolitan Region Development Authority

Page 1 of 2

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<https://mmrda.maharashtra.gov.in>



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5. The Contractor is requested to submit the report to the Employer once the work is resumed so that the Employer can report to the Collector, Mumbai City.
6. The Engineer is also hereby requested to instruct the GC's Site Teams of respective packages to supervise the work with all necessary care and following all the directives issued by Govt. of India and Govt. of Maharashtra from time to time in this regard.
7. All the instructions stipulated in the Collector, Mumbai City's letter referred at Sr. No. 4 shall be strictly complied with.
8. This is for information and further necessary action please.

Thanking you,

Yours faithfully,

Encl: Copy of Collector, Mumbai City
letter dated 17 April 2020


(Dr. D.T.Thube)
Chief Engineer, MTHL-PIU





ऑफिस कस्टम हाऊस, राहोद भगतसिंग मार्ग, फांट, मुंबई - ४०० ००९
 Fax: २२६६२२३९ Tel: २२६६५२३३, Email: collector.mumbai@maharashtra.gov.in

(महसूल शाखा)

क्र.सीएसएलआर/मशा-१/ट-२/ट्रान्स हावर् लिंक ना हरकत/COVID-१९/२०२०/४१
 दिनांक-१७/०४/२०२०

प्रातः

मुख्य अभियंता,
 मुंबई ट्रान्स हावर् लिंक प्रोजेक्ट (पॅकेज-१)
 एमएमआरडीए, बांद्रा कुर्ला कॉम्प्लेक्स,
 बांद्रा (पूर्व), मुंबई - ४०० ०५१.

विषय — जमीन : मुंबई शहर

Mumbai Trans Harbour Link Project (Package-१)

पावसाळा सुरू होण्यापूर्वी आवश्यक असलेले अपूर्णकाम सुरक्षित टप्प्यापर्यंत पूर्ण करण्यासाठी परवानगी मिळणेबाबत.

संदर्भ — १) मेट्रोपोलीटन रिजन डेव्हलपमेंट ऑथोरिटी (MMRDA) यांचेकडील दिनांक

१५ एप्रिल २०२० चे पत्र.

२) राज्य शासन अधिसूचना क्र. DMU/२०२०/CR-९२/DisM-२/

Dated २५/०३/२०२०

३) केंद्रीय गृह सचिव यांचेकडील आदेश क्र. 40-3/2020-DM-I(A).

Government of India, Ministry of Home Affairs, Dated
 15th April 2020.

ज्याअर्थी मेट्रोपोलीटन रिजन डेव्हलपमेंट ऑथोरिटी (MMRDA) यांनी संदर्भ क्र. १ चे पत्रान्वये कळविलेनुसार त्यांचेमाफत तयार करण्यात येणा-या मुंबई ट्रान्स हावर् लिंक प्रोजेक्ट — २२ कि.मी. लांब समुद्री पुल (१६.५ कि.मी. सागरी क्षेत्र व ५.५ कि.मी. जमीनवरील क्षेत्र) व ३+३ पदरी पूल (शिवडी व चिरले, नवी मुंबई) या भागातून नियोजित आहे. सदर प्रकल्प शामकीय प्रकल्प असून COVID-१९ चा प्रादुर्भाव रोखणेकरिता बंद करणेत आला असल्यामुळे अर्धवट स्थितीत आहे. पावसाचे कालावधीत बांधकाम क्षेत्रामध्ये आजूबाजूच्या परिसरात पाणी साचण्याची शक्यता आहे. तसेच पावसाळ्यापूर्वी आजूबाजूच्या नाल्यांची सफाई करणे देखील अत्यावश्यक आहे असे कळविले आहे. तसेच पावसाळ्यापूर्वी सदर पुलाचे बांधकाम सुरक्षित टप्प्यापर्यंत पूर्ण करणे आवश्यक असल्याने लॉकडाऊनचे कालावधीमध्ये सदरचे बांधकामास परवानगी मिळणेबाबतही या कार्यालयास विनंती केलेली आहे. सदरचे काम लॉकडाऊनचे कालावधीमध्ये पूर्ण करतेवेळी COVID-१९ बाबत केंद्र शासन, महाराष्ट्र शासन, बृहन्मुंबई महानगर पालिका यांनी दिलेल्या अधिसूचना/नियम व कायद्यांचे पालन करूनच सदरचा उपक्रम पूर्ण करणार आहेत.

सदरचा प्रकल्प हा महत्वाचा राष्ट्रीय प्रकल्प असल्याने प्रकल्पाचे बांधकाम पावसाळ्यापूर्वी योग्य स्थितीत आणणे आवश्यक आहे.

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राज्य शासनाने संदर्भ क्र. २ चे अधिसूचनेन्वये निर्गमित केलेल्या सूचनेनुसार मान्सून पूर्व तयारीच्या कामांना अधिसूचनेमधील मुद्दा क्र. ६ के नुसार संचारबांदीमध्ये सुट देण्यात आलेली आहे. तसेच संदर्भ क्र. ३ चे केंद्रीय गृह सचिव यांचेकडील आदेश क्र. 40-3/2020-DM-II(A), Government of India, Ministry of Home Affairs, Dated 15th April 2020 मध्ये लॉकडाऊनचे कालावधीमध्ये करावयाचे कामाबाबत मार्गदर्शक सूचना देणेत आलेल्या आहेत. सदर मार्गदर्शन सूचनेमधील सूचना क्र. १६ मध्ये पुढील प्रमाणे नमूद आहे.

16. Construction activities, listed as below, will be allowed to operate:

- i) Construction of roads, irrigation projects, buildings and all kinds of industrial projects, including MSMEs, in rural areas, i.e., outside the limits of municipal corporations and municipalities; and all kinds of projects in industrial estates.
- ii) Construction of renewable energy projects.
- iii) Continuation of works in construction projects, within the limits of municipal corporations and municipalities, where workers are available on site and no workers are required to be brought in from outside (in situ construction)

वरील सूचना स्वयंस्पष्ट असून त्यानुसार मेट्रोपोलीटन रिजन डेव्हलपमेंट ऑथोरिटी (MMRDA) यांनी कळविले नुसार सदरचा प्रकल्प हा अपूर्ण अवस्थेमधील प्रकल्प असून प्रकल्प अर्धवट स्थितीमध्ये राहिल्यास पावसाळ्यामध्ये आजूबाजूच्या परिसरामध्ये पाणी साचून पूरसदृश्य स्थिती देखिल निर्माण होण्याचा धोका आहे. तसेच आजूबाजूच्या नागरिकांच्या जिवितासही धोका उद्भवू शकतो. याकरीता नमूद केलेले काम पूर्ण करणेस इतर आवश्यक त्या प्राधिकरणांच्या परवानगीच्या अधीन राहून हरकत नसावी.

सदर कामे करताना COVID -१९ चा प्रादुर्भाव रोखण्यासाठी मजूर / कामगारांकडून प्रतिबंधात्मक उपाययोजना करून घ्याव्यात. कामगारांना मास्क परिधान करणे, सॅनिटाईझर वापरणे, हॅन्ड वॉशने हात धुणे, सामाजिक अंतर ठेवणे (Social Distancing) इ. उपाययोजना कराव्यात. कंत्राटदारामार्फत कामगारांनी हॅन्डवॉश, साबण सॅनिटाईझर मास्क इ. सुविधा प्रत्यक्ष कामाच्या ठिकाणी उपलब्धकरून घ्याव्यात. कामगारांची ने-आण करताना सुरक्षितता बाळगावी व सामाजिक अंतर ठेवावे. कामाच्या ठिकाणी कामगारांची जास्त गर्दी होणार नाही व काम करताना देखिल सामाजिक अंतर राहिल याची दक्षता घ्यावी.

केंद्र शासन, राज्य शासन अथवा बृहन्मुंबई महानगरपालिका यांचेकडील अधिसूचना व मार्गदर्शक सूचनांचा कोणताही भंग होणार नाही याची दक्षता घ्यावी.

(राजेश निवतकर)

जिल्हाधिकारी, मुंबई शहर

प्रत माहिती व आवश्यक कार्यवाहीस्तव

१. मा. विभागीय आयुक्त, कोकण विभाग, कोकण भवन, बेलापूर, नवी मुंबई.

२. मा. पोलीस आयुक्त, बृहन्मुंबई.



EXHIBIT F

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GOVERNMENT OF MAHARASHTRA

Department of Revenue and Forest, Disaster Management,
Relief and Rehabilitation, Mantralaya, Mumbai- 400 032
No: DMU/2020/CR. 92/DisM-1, Dated: 31st August, 2020

ORDER

Easing of Restrictions and Phase-wise opening of Lockdown. (MISSION BEGIN AGAIN)

Reference:

- 1) The Epidemic Diseases Act, 1897.
- 2) The Disaster Management Act, 2005
- 3) Revenue and Forest. Disaster Management. Relief and Rehabilitation Department Order No. DMU-2020/C.R.92/DMU-I, dated 2nd May 2020, 3rd May 2020, 5th May 2020, 11th May 2020, 15th May 2020, 17th May 2020, 19th May 2020, 21st May 2020, 31 May 2020, 4th June 2020, 25th June 2020, 29th June 2020, 6th July 2020, 7th July 2020, 29th July 2020, 4th August 2020 and 19th August 2020.
- 4) Ministry of Home Affairs (MHA) Order No. 40-3/2020-PM-1 (A) Dated 1st May 2020, 11th May 2020, 17th May 2020, 20th May 2020, 30th May 2020, 29th June 2020, 29th July 2020 and 29th August 2020 .

Whereas, in exercise of the powers, conferred under the Disaster Management Act 2005, the undersigned, in his capacity as Chairperson, State Executive Committee has issued an Order dated 29th July, 2020 to extend the lockdown measures up to 31st August, 2020 and issued revised consolidated guidelines from time to time vide above mentioned orders to contain the spread of COVID-19.

Whereas the State Government is satisfied that the State of Maharashtra is threatened with the spread of COVID-19 virus, and therefore to take certain emergency measures to prevent and contain the spread of virus, the Government in exercise of the powers conferred under Section 2 of the Epidemic Diseases Act, 1897, read with all other enabling provisions of The Disaster Management Act, 2005, it is expedient to extend the lockdown in the entire State of Maharashtra further till midnight of 30th September, 2020.

Now, therefore, in exercise of the powers conferred under Section 2 of the Epidemic Diseases Act, 1897 and the powers, conferred under The Disaster Management Act, 2005, the undersigned, in his capacity as Chairperson, State Executive Committee, hereby issues directions to extend the lockdown, with amendments, to operationalize MISSION BEGIN AGAIN for easing of restrictions and phase-wise opening, till 30th September, 2020 for

MISSION BEGIN AGAIN

us

us



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containment of COVID-19 epidemic in the State and all Departments of Government of Maharashtra shall strictly implement the guidelines issued earlier from time to time.

It is directed that the National Directives for COVID-19 management as specified in **Annexure I** shall be followed throughout the State. The activities already allowed and permitted from time to time and as mentioned in **Annexure II** shall be continued and all earlier orders shall be aligned with this order and shall remain in force up to and inclusive of 30th September, 2020. Further easing under MISSION BEGIN AGAIN will be notified in the due course.

Any person violating these measures will be liable to be proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005 besides legal action under section 188 of the IPC, and other legal provisions as applicable. Extracts of these penal provisions are at **Annexure III**.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MAHARASHTRA

(SANJAY KUMAR)
CHIEF SECRETARY
GOVERNMENT OF MAHARASHTRA

Copy to :

1. Principal Secretary to Hon'ble Governor of Maharashtra, Mumbai.
2. Hon'ble Chairman, Maharashtra Legislative Council.
3. Hon'ble Speaker, Maharashtra Legislative Assembly.
4. Additional Chief Secretary to Hon'ble Chief Minister, Government of Maharashtra.
5. Principal Secretary to Hon'ble Chief Minister, Government of Maharashtra,
6. Secretary to Hon'ble Deputy Chief Minister, Government of Maharashtra,
7. Private Secretary to Leader of Opposition, Legislative Council / Assembly,
8. Private Secretaries of All Hon'ble Minister/Minister of State, Mantralaya,
9. All Additional Chief Secretaries / Principal Secretaries / Secretaries of Government of Maharashtra.
10. Director General of Police, Maharashtra State, Mumbai,
11. Principal Secretary, Public Health Department, Mantralaya,
12. Secretary, Medical Education, Mantralaya,
13. All Divisional Commissioners in the State
14. All Commissioners of Police in the State
15. All Commissioners of Municipal Corporations in the State
16. All District Collectors
17. All Chief Executive Officers, Zilla Parishad
18. All District Superintendents of Police in the State



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Annexure I

(MISSION BEGIN AGAIN: Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 400 032, No: DMU/2020/CR. 92/DisM-1, Dated: 31st August, 2020)

National Directives for COVID-19 Management

- 1) **Face coverings** – wearing of face cover is compulsory in public places, in work places and during transport.
- 2) **Social distancing** – Individuals must maintain a minimum distance of 6 feet (2 Gaz Ki doori) in public places.
Shops will ensure physical distancing among customers and will not allow more than five persons at one time.
- 3) **Gatherings** – large public gatherings / congregations continue to remain prohibited.
Marriage related Gatherings – Number of guests not to exceed 50.
Funeral / last rites related Gatherings – Number of persons not to exceed 20.
- 4) **Spitting in public places** will be punishable with fine, as may be prescribed by the concerned authority in accordance with its laws, rules or regulations.
- 5) **Consumption of liquor, Paan, gutka, tobacco, etc** in public places is prohibited.

Additional directives for work places.

- 6) **Work from Home (WFH)** – as far as possible the practice of WFH should be followed. Staggering of work / business hours will be followed in offices, workplaces, shops, markets and industrial & commercial establishments.
- 7) **Screening and Hygiene** – provision for thermal screening, hand wash and sanitizer will be made available at all entry and exit points and common areas.
- 8) **Frequent sanitization** of entire workplace, common facilities and all points which come into human contact e.g. door handles etc. will be ensured, including between shifts.
- 9) **Social Distancing** – all persons in charge of workplaces will ensure adequate distance between workers, adequate gaps between shifts, staggering the lunch breaks of staff etc.



Annexure II

(MISSION BEGIN AGAIN: Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 400 032, No: DMU/2020/CR. 92/DisM-1, Dated: 31st August, 2020)

1. Containment Zones :-

- i. The Containment Zones in the State as categorised vide order dated 19th May, 2020 and 21st May, 2020 will remain in force till further orders.
- ii. The directions issued by the Central Government and State Government from time to time to demarcate the Containment Zones and operations therein will be in force till further orders.
- iii. Considering the local conditions, the concerned District Collector and the Commissioners of the Municipal Corporations in the State may enforce certain measures and necessary restrictions in specified local areas on the permitted non-essential activities and the movement of persons to contain the spread of the epidemic only with the prior written approval of Chief Secretary, Maharashtra.

2. Activities to remain prohibited across the State :-

- 1) Schools, colleges, educational and coaching institutions will remain closed till 30th September, 2020. Online / distance learning shall continue to be permitted and shall be encouraged.
 - 2) Cinema halls, swimming pools, entertainment parks, theatres (including that in malls and market complexes), bars, auditoriums, assembly halls and similar places.
 - 3) International Air travel of passengers, except as permitted by MHA:
 - 4) Metro Rail.
 - 5) Social /political/ Sports/ entertainment/ academic/ cultural/ religious functions and other large congregations.
3. All essential shops which are allowed to remain open before this order, shall continue to do so.
4. **The following activities will be allowed to operate from 2nd September, 2020:-**
- i. All non-essential shops will be allowed to continue as per relaxations and guidelines issued from time to time. Liquor shops will continue to operate.



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- ii. Hotels and lodges will be allowed to operate at 100% capacity. Separate SOP will be issued for necessary precautions to be taken while operating these establishments.
- iii. All State Governments offices (excluding Emergency, health & Medical, treasuries, disaster management, police, NIC, Food & Civil Supply, FCI, N.Y.K., Municipal Services) to work with the following strength
 - a) Group A and Group B Officers at 100% strength in the entire State of Maharashtra.
 - b) The staff other than Group A and Group B officers :
 - a. To attend the office with 30% strength or minimum 30 employees whichever is more, in Municipal corporations of MMR Region including MCGM, Municipal Corporations of Pune, Pimpri-Chinchwad and others as may be notified from time to time.
 - b. To attend the office with 50% strength or minimum 50 employees whichever is more, in rest of Maharashtra

A Vigilance Officer will be appointed in every office for ensuring the norms like social distancing, face coverings, etc. to avoid the spread of Covid-19.

Further, it will be ensured that every office will be equipped with necessary measures of Screening and Hygiene like thermal scanning, hand wash and sanitizers at all entry and exit points and common areas. Masks shall also be made available for employees.
- iv. All private offices may operate up to 30% strength as per requirement. However all the employers will take sensitization programs to educate the employees to take adequate precautions on returning home so that vulnerable group especially the elderly is not affected. A Vigilance Officer will be appointed in every office for ensuring the norms like social distancing, face coverings, etc. to avoid the spread of Covid-19. Staggering of office timings should be encouraged and only work related movement will be allowed.
- v. There shall be no restriction on Inter-District movement of persons and goods including those for cross land-border trade under Treaties with the neighbouring countries. No separate permission / approval / e-permit will be required for the vehicles and the persons travelling therein for such movements.
- vi. Passenger movement by private bus / mini-bus and other operators will be allowed. The SOP for the same will be issued by the Transport Commissioner, Maharashtra.



5. Outdoor Physical Activities with no restrictions
6. Movement of people in all public and private transport is allowed in following manner:

Taxi/Cab/aggregator	Only essential 1 + 3
Rickshaw	Only essential 1 + 2
Four Wheeler	Only essential 1 + 3
Two wheeler	1 + 1 with helmet and mask.

Wearing of mask shall be compulsory in transport system.

7. **Protection of vulnerable persons:-** Persons above 65 years of age, persons with co-morbidities, pregnant women and children below the age of 10 years are advised to stay at home, except for essential and health purposes.
8. The movement of persons for the purposes of non-essential activities will be carried out with all necessary prescribed mandatory precautions of wearing masks, social distancing and personal hygiene.
9. The following activities shall continue to Operate as per the SOPs issued for their operations:-
- SOP on transit arrangement for foreign national(s) in India issued vide MHA Order dated 2 April 2020.
 - SOP on movement of stranded labour within States/UTs issued vide MHA Order dated 19 April, 2020
 - SOP on sign-on and sign-off Indian seafarers issued vide MHA Order dated 21 April, 2020
 - SOP on movement of stranded migrant workers, pilgrims, tourists, students and other persons issued vide MHA Order dated April 29, 2020 and Order dated 1 May, 2020 and GOM Order dated 30 April, 2020.
 - SOP on movement of Indian Nationals stranded outside the country and of specified persons to travel abroad issued vide MHA Order dated 5 May, 2020.
 - SOP on movement of persons by train issued vide MHA Order dated 11 May, 2020.
 - SOP for movement of persons arriving by trains into Maharashtra issued vide GOM Order dated 13 May, 2020
 - SOP for Social Distancing for Offices, Work Place, Factories and Establishments issued GOM Order dated April 17, 2020.

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Annexure III

[Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 40032, Order No: DMU/2020/CR. 92/DisM-1, Dated: 31st August, 2020]

Offences and Penalties for Violation of Lockdown Measures

A. Section 51 to 60 of the Disaster Management Act, 2005

51. Punishment for obstruction, etc.—Whoever, without reasonable cause —

(a) obstructs any officer or employee of the Central Government or the State Government, or a person authorised by the National Authority or State Authority or District Authority in the discharge of his functions under this Act; or

(b) refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority under this Act,

shall on conviction be punishable with imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years.

52. Punishment for false claim.—Whoever knowingly makes a claim which he knows or has reason to believe to be false for obtaining any relief, assistance, repair, reconstruction or other benefits consequent to disaster from any officer of the Central Government, the State Government, the National Authority, the State Authority or the District Authority, shall, on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

53. Punishment for misappropriation of money or materials, etc.—Whoever, being entrusted with any money or materials, or otherwise being, in custody of, or dominion over, any money or goods, meant for providing relief in any threatening disaster situation or disaster, misappropriates or appropriates for his own use or disposes of such money or materials or any part thereof or wilfully compels any other person so to do, shall on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

54. Punishment for false warning.—Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine.

55. Offences by Departments of the Government.—(1) Where an offence under this Act has been committed by any Department of the Government, the head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was



committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the Department, such officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

56. Failure of officer in duty or his connivance at the contravention of the provisions of this Act.—Any officer, on whom any duty has been imposed by or under this Act and who ceases or refuses to perform or withdraws himself from the duties of his office shall, unless he has obtained the express written permission of his official superior or has other lawful excuse for so doing, be punishable with imprisonment for a term which may extend to one year or with fine.

57. Penalty for contravention of any order regarding requisitioning.—If any person contravenes any order made under section 65, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

58. Offence by companies.—(1) Where an offence under this Act has been committed by a company or body corporate, every person who at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly: Provided that nothing in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence was committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also, be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section— (a) “company” means anybody corporate and includes a firm or other association of individuals; and (b) “director”, in relation to a firm, means a partner in the firm.

59. Previous sanction for prosecution.—No prosecution for offences punishable under sections 55 and 56 shall be instituted except with the previous sanction of the Central Government or the State Government, as the case may be, or of any officer authorised in this behalf, by general or special order, by such Government.

60. Cognizance of offences.—No court shall take cognizance of an offence under this Act except on a complaint made by— (a) the National Authority, the State Authority,



the Central Government, the State Government, the District Authority or any other authority or officer authorised in this behalf by that Authority or Government, as the case may be; or (b) any person who has given notice of not less than thirty days in the manner prescribed, of the alleged offence and his intention to make a complaint to the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorized as aforesaid.

B. Section 188 in the Indian Penal Code, 1860

188. Disobedience to order duly promulgated by public servant.—Whoever, knowing that, by an order promulgated by a public servant lawfully empowered to promulgate such order, he is directed to abstain from a certain act, or to take certain order with certain property in his possession or under his management, disobeys such direction, shall, if such disobedience causes or tends to cause obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed, be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees, or with both; and if such disobedience causes or tends to cause danger to human life, health or safety, or causes or tends to cause a riot or affray, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Explanation.—It is not necessary that the offender should intend to produce harm, or contemplate his disobedience as likely to produce harm. It is sufficient that he knows of the order which he disobeys, and that his disobedience produces, or is likely to produce, harm.

Illustration

An order is promulgated by a public servant lawfully empowered to promulgate such order, directing that a religious procession shall not pass down a certain street. A knowingly disobeys the order, and thereby causes danger of riot. A has committed the offence defined in this section.



EXHIBIT G

53

PROGRESS PHOTOS OF PACKAGE - 1

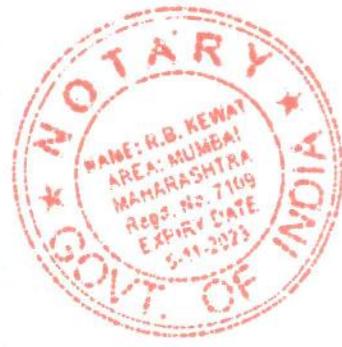


Construction of spans in Package 1

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4/5



Handwritten signature in blue ink.



Erection of Span in Progress with launching girder in Package – 1

YKS



Erection of Span in Progress with launching girder in Package – 1

Handwritten signature in blue ink.



1. Pile Jacket installation works in progress at Marine Area MP 180 LHS.

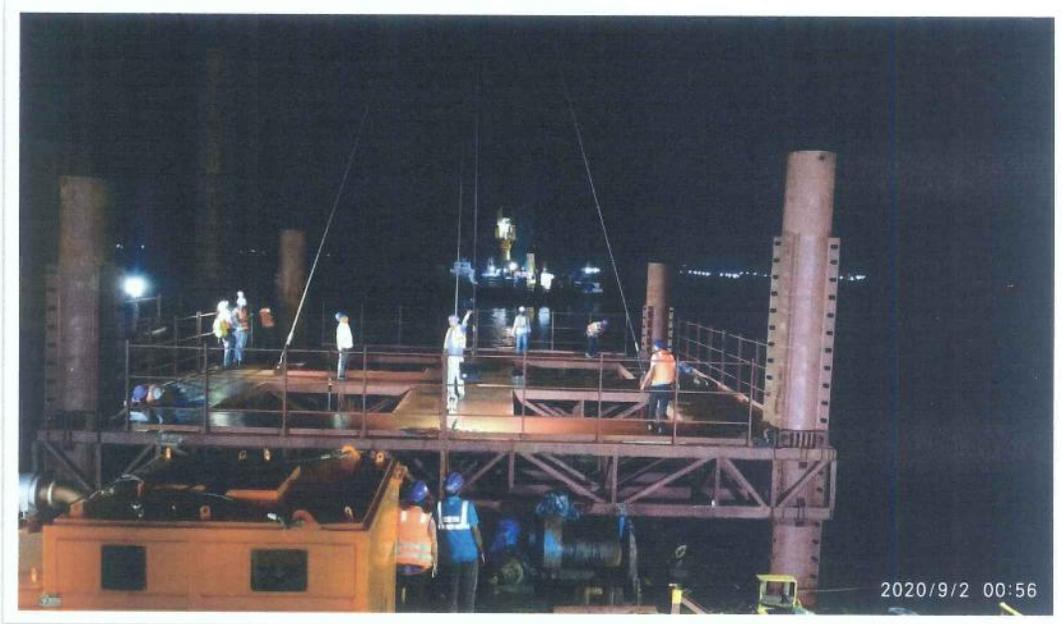


2. Pile Jacket installation works in progress at Marine Area MP 183 RHS.

A handwritten signature in blue ink, appearing to be "VMS".



3. Pile drilling in progress at MP 183 LHS.



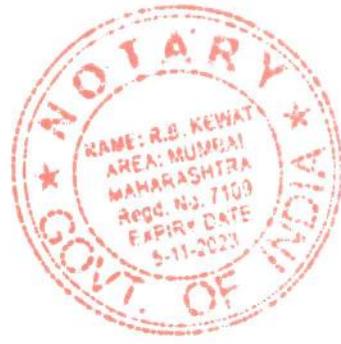
4. Jacket installation in progress at MP 191 LHS.

Handwritten signature or initials in blue ink.



5. Reinforcement cage lowering in progress at MP 183 RHS.

WKS



6. Pile concreting in progress at MP 191. LHS.



7. Sonic Tube Testing in progress at Marine Area.

Handwritten signature in blue ink.

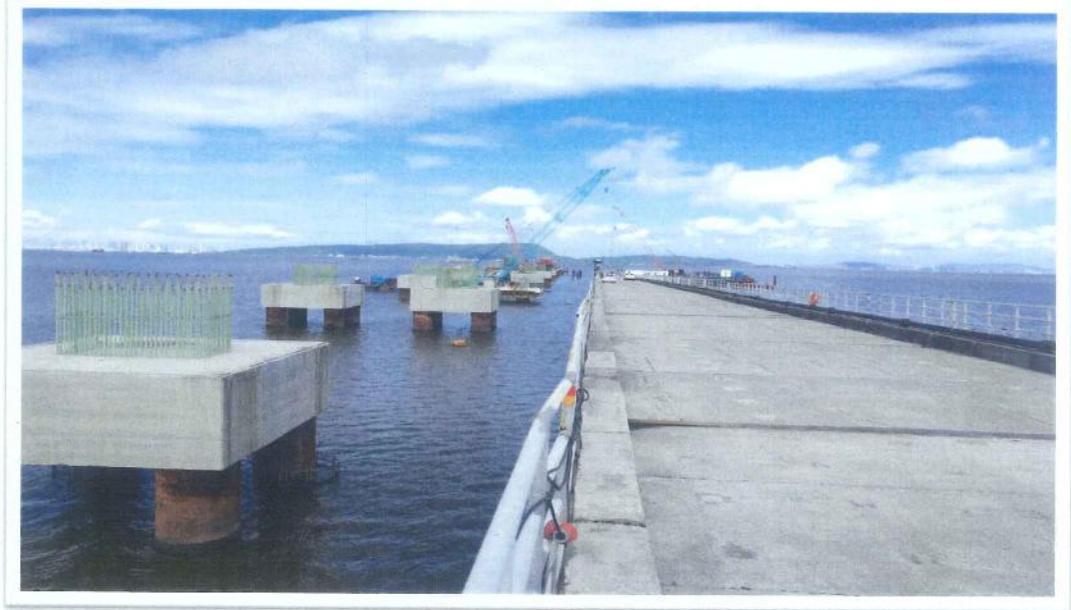


8. Pile Cap bottom formwork preparation in progress at Intertidal Area.



9. Pile Cap bottom formwork preparation in progress at Intertidal Area.

A handwritten signature in blue ink, appearing to be "WJ".



10. View from TAB.



11. Pile Cap concreting in progress at MP 212 RHS.

Handwritten signature in blue ink.



12. Pile cap concreting in progress at MP 212 LHS.



13. Pier cap, Portal Beam and LG erection works in progress in Land Area.



14. Portal Beam, Pier Cap and LG erection works in progress at Land Area.



15. Pile Cap bottom formwork preparation in progress at Intertidal Area

W/S

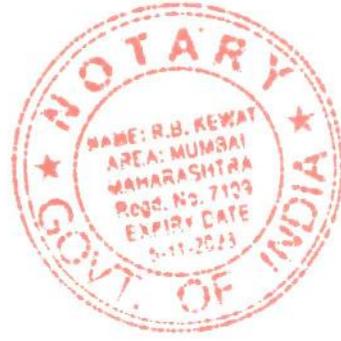


16. Shifting of Barges from Belapur Jetty to Marine Area.



17. Shifting of Marine Concrete Batching Plant for Pile Concrete at Marine Area.

Handwritten signature in blue ink.



18. Construction of Pier in Intertidal Area.



19. Construction of Pier at MP 206.

Handwritten signature in blue ink.



20. Segment concreting in progress at Casting Yard Bay-1.



21. Pile Concreting in progress at Intertidal Area.

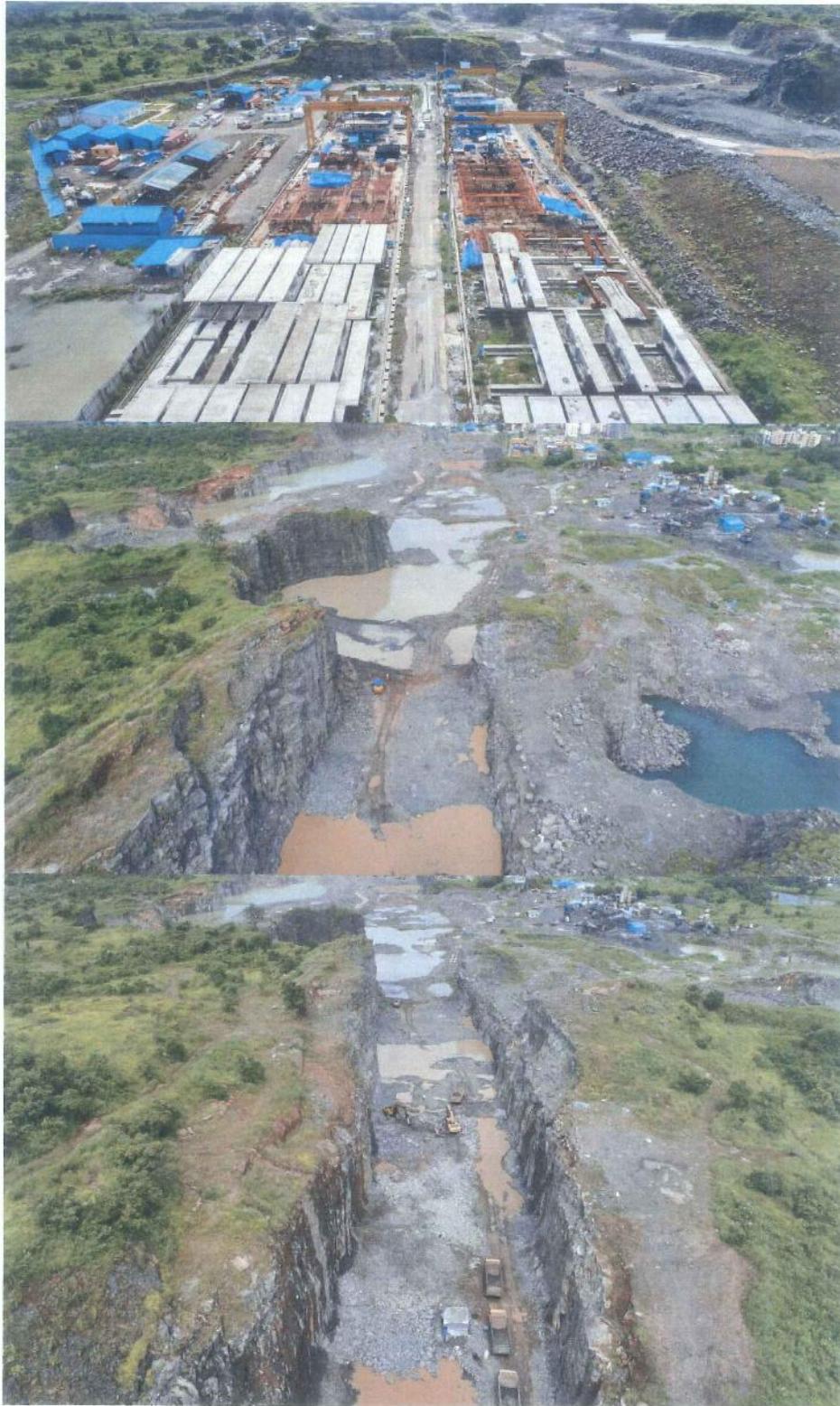
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PROGRESS PHOTOS OF PACKAGE - 3



WJ



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VKS



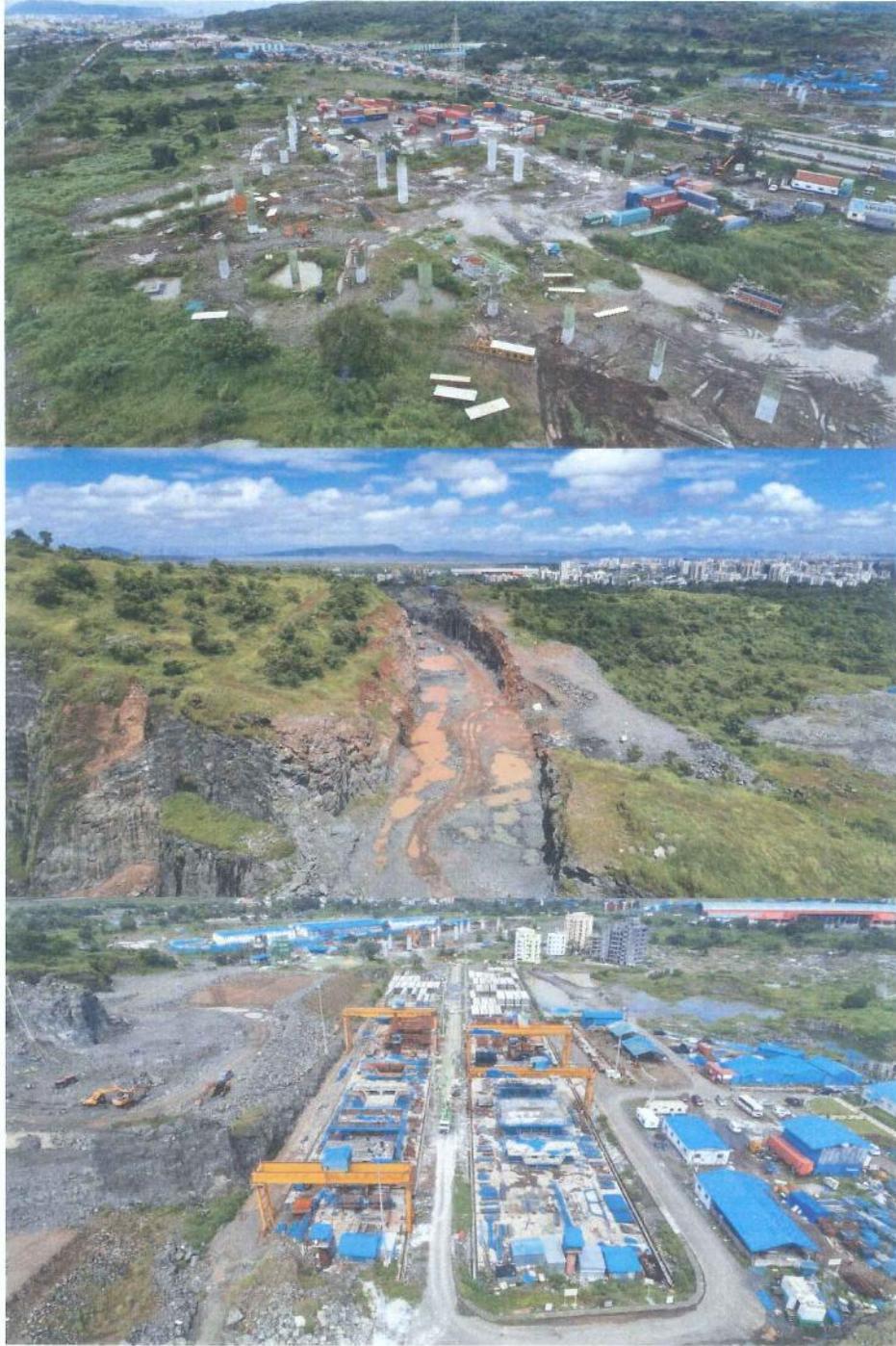
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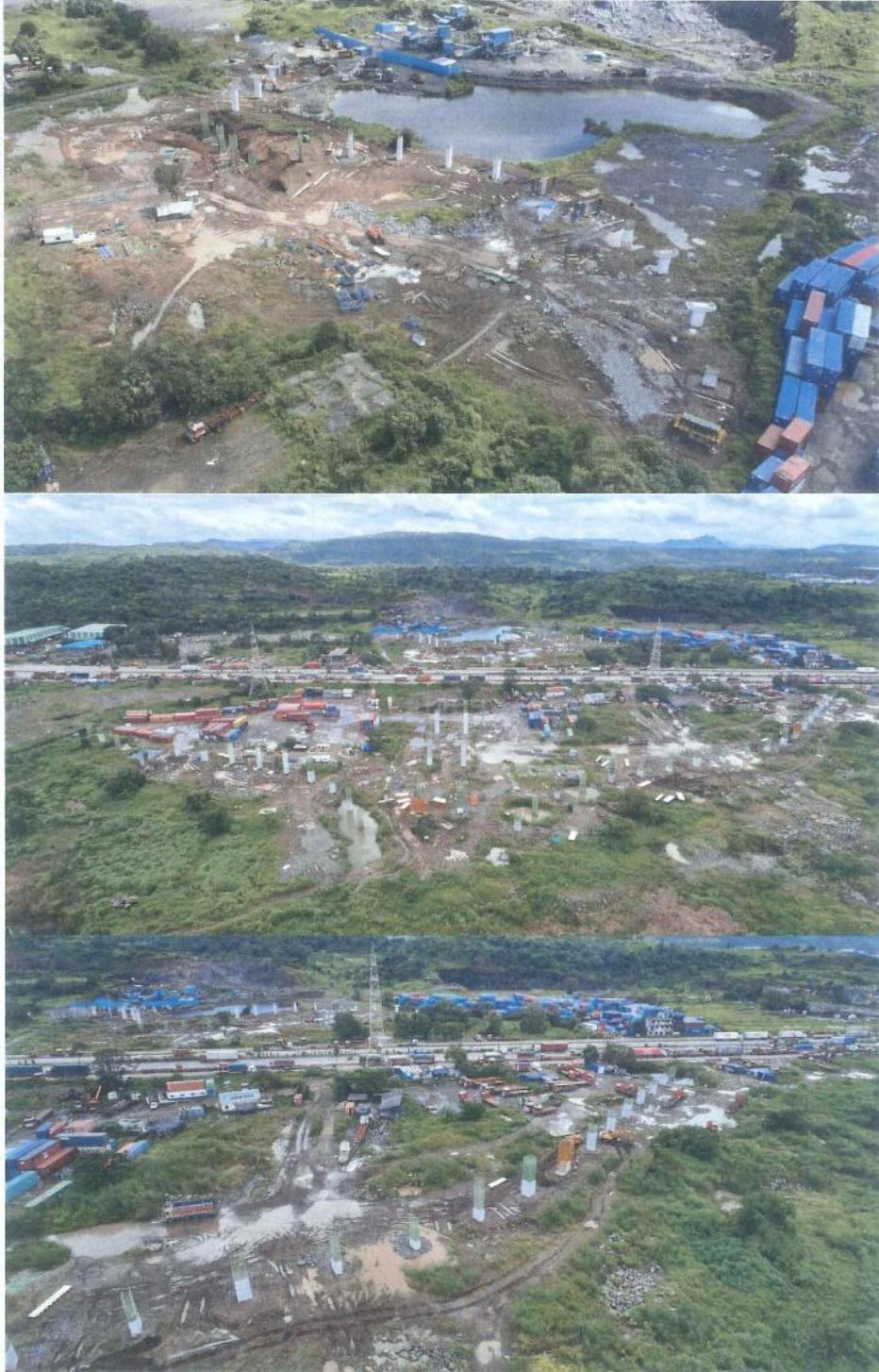
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Handwritten signature in blue ink.



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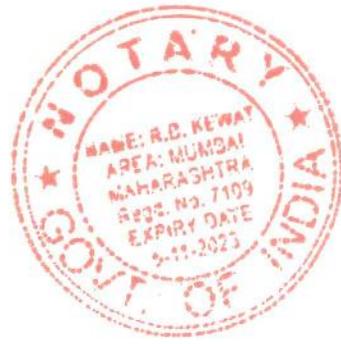
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Wes



WS



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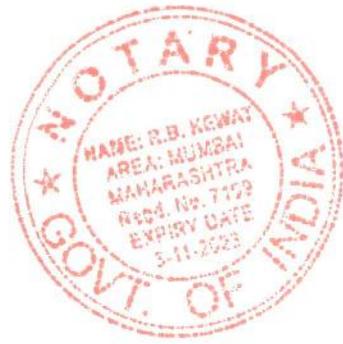
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WSP



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EXHIBIT H

86

S.No	Activity	UoM	MTHL-Monthly Progress Report										Planned for the month	Expected time for completion
			Till Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Till Aug-20			
1	Piling	Nos	861	95	75	1	21	18	14	17	1102	65	Jun'21	
2	Pile Cap	Nos	98	25	13	2	8	1	0	1	148	22	Nov'21	
3	Land Foundations	Nos	152	18	14	1	9	8	7	4	213	16	May'21	
4	Pier	Nos	153	56	37	2	12	16	5	6	287	55	Jan'22	
5	Pier cap / Pier Head Segment	Nos	24	22	17	0	4	3	2	6	78	42	Apr'22	
6	Segment Casting	Nos	337	161	124	1	27	16	29	51	746	333	May'22	



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448



EXHIBIT I

88

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 498^(L) OF 2016

IN

PIL NO. 87 OF 2006

Mumbai Metropolitan Region Development Authority

..Applicant

(Orig. Respondent No. 7)

In the matter between:

Bombay Environment Action Group & Ors.

... Petitioners

Versus

State of Maharashtra & Ors.

... Respondents

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Advocates for Respondent No.7



A

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 ORDINARY ORIGINAL CIVIL JURISDICTION
 NOTICE OF MOTION NO. OF 2016

IN

PIL NO. 87 OF 2006

Mumbai Metropolitan Region Development Authority ..Applicant
 (Orig. Respondent No. 7)

In the matter between:

Bombay Environment Action Group & Ors. ... Petitioners

Versus

State of Maharashtra & Ors. ... Respondents

Office Notes, Office Memoranda of Coram Appearance, Court's Orders or directions And Prothonotary's Orders.	Court's or Judge's Order
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YKS



B

Office Notes, Office Memoranda of Coram
 Appearance, Court's Orders or directions
 And Prothonotary's Orders.

Court's or Judge's
 Order

ms



C

Office Notes, Office Memoranda of Coram
 Appearance, Court's Orders or directions
 And Prothonotary's Orders.

Court's or Judge's
 Order

yes

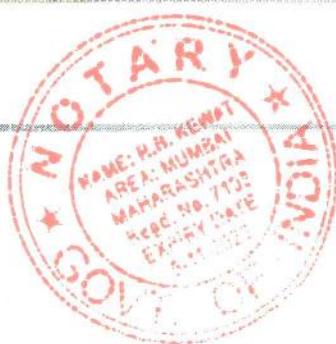


D

Office Notes, Office Memoranda of Coram
 Appearance, Court's Orders or directions
 And Prothonotary's Orders.

| Court's or Judge's
 | Order

yes



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 ORDINARY ORIGINAL CIVIL JURISDICTION
 NOTICE OF MOTION NO. OF 2016
 IN
 PIL NO. 87 OF 2006

In the matter of Articles 14, 21, 48A, 51A and
 226 of the Constitution of India;

And

In the matter of Environment (Protection)
 Act, 1986;

And

In the matter of Notification dated 19th
 February, 1991 (Amended by the
 Notification 18th August, 1994, 31st January,
 1997, 9th July, 1997 and Supreme Court
 Judgment dated 18th April, 1996) under
 Section 3(1) and Section 3(2) (v) of the
 Environment (Protection) Rules 1986;

And

In the matter of the Forest Conservation Act,
 1980;

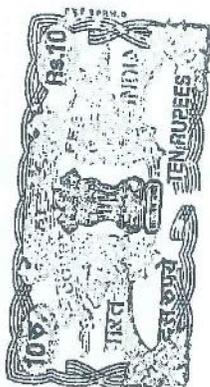
And

In the matter of the Maharashtra Private
 Forest (Acquisition) Act, 1975;

And

In the matter of Maharashtra Land Revenue
 Code 1966;

MS





IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. OF 2016

IN

PIL NO. 87 OF 2006

In the matter of Articles 14, 21, 48A, 51A and
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And

In the matter of Environment (Protection) Act,
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And

In the matter of Notification dated 19th
February, 1991 (Amended by the Notification
18th August, 1994, 31st January, 1997, 9th July,
1997 and Supreme Court Judgment dated 18th
April, 1996) under Section 3(1) and Section 3(2)
(v) of the Environment (Protection) Rules 1986;

And

In the matter of the Forest Conservation Act,
1980;

And

In the matter of the Maharashtra Private Forest
(Acquisition) Act, 1975;

And

In the matter of Maharashtra Land Revenue
Code 1966;

And

YJS



2

In the matter of the Wild Life (Protection) Act,
1972;

And

In the matter of Maharashtra Felling of Trees
(Regulations) Act, 1964;

Mumbai Metropolitan Region Development
Authority, a statutory authority having
its office at MMRDA Building, Bandra Kurla
Complex, Bandra (E), Mumbai 400 051 ... Applicant

In the matter between:

1. Bombay Environment Action Group,
A society duly registered under the
Provisions of the Societies Registration Act,
and having its address at 203, Rajendra
Chambers, 19 Nanabhai Lane,
Fort, Mumbai 400 001
2. Mr. Debi Goenka
of Mumbai, Indian Inhabitant,
residing at 502, Glengate,
Hiranandani Gardens, Powai
Mumbai 400 076 ... Petitioners.

Versus

W/S



1. State of Maharashtra,
Through its Government Pleader,
High Court (O.S.), Bombay
2. Union of India
Through the Ministry of Environment & Forest
Paryavaran Bhavan, CGO Complex,
Lodi Estate, New Delhi 110 003
3. The Coastal Zone Management Authority,
Having its office at Kalpataru Point
Sion (E), Sion Circle, Mumbai 400 022
4. The Brihanmumbai Mahanagarpalika
A statutory corporation incorporated
Under the BMC Act, 1888, and having
Its address at Mahapalika Marg,
Mumbai 400 001
5. The Collector, Mumbai
Having its office at Old Custom House,
1st Floor, Shaheed Bhagat Singh Road,
Mumbai 400 023
- 5A The Collector Mumbai having its
Office at New Administrative Building
4th Floor, Bandra (E), Mumbai 400 051

Yes