

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO.82/2023(WZ)**

Abdul Samad Ismil Maknoja

---Applicant

Vs

The State of Maharashtra & Ors.

---Respondents

Affidavit on behalf of Respondent No.4 -Maharashtra Pollution Control Board.

I, Sanjay R. Bhosale, Age- 52, adult , Occupation -Service , the Regional Officer of the Maharashtra Pollution Control Board at Mumbai , having my office address at Kalpataru Point, 2nd Floor, Near Sion Circle, Sion (East), Mumbai-400 001, do hereby state on solemn affirmation as under:-

- (1) I am filing this Affidavit in compliance of this Hon'ble Tribunal order dated 26/9/2023 on behalf of the Respondent No.4 i.e. Maharashtra Pollution Control Board before this Hon'ble Tribunal.
- (2) I say and submit that the instant Application is filed by the applicant for seeking relief in respect of violation of the terms and conditions stipulated in the Environmental Clearance dated 27/7/2022 granted to Respondent No.8 i.e. M/s. Nirman Realtors and Developers Ltd (Project Proponent) for implementation of

Slum Redevelopment Scheme on land bearing CTS No. 738/B/1/0 S No.2734, at Rani Sati Marg, Azad Link Road, Sanjay Nagar, Pathan Wadi Malad (E), Mumbai and non-provision of STP and OWC.

- (3) I say and submit that, the Respondent No.8 -Project Proponent had made an application for Consent to establish bearing UAN No.00000121723. On scrutiny of the said application, it was observed that the Respondent No.8-Project Proponent had started the construction activity without obtaining Consent to establish from the Respondent-Board and failed to submit the NOC/clarification regarding ESZ area.

In view of the said non-compliances, the Respondent - Board had issued Show Cause notice for refusal of Consent to establish to the Respondent No.8-Project Proponent vide letter dated 17/11/2021. A copy of the Show cause notice dated 17/11/2021 is annexed herewith as an **Annexure-I**.

- (4) I say and submit that in-spite of giving reasonable opportunity, the Respondent No.8-Project Proponent had failed to submit its reply to the Show cause notice dated 17/11/2021. Therefore, the Respondent -Board had refused Consent to establish to the Respondent No.8-Project Proponent vide letter dated 22/4/2022. A copy of the Refusal of Consent to establish dated 22/4/2022 is annexed herewith as an **Annexure-II**.



- (5) I say and submit that thereafter, the Respondent -Board had issued Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981 to the Respondent No.8-Project Proponent vide letter dated 1/6/2022, directing to stop their ongoing construction activities forthwith. A copy of the Directions dated 1/6/2022 is annexed herewith as an **Annexure-III**.
- (6) I say and submit that in the meantime, the Respondent No.8 - Project Proponent had obtained Environmental Clearance vide letter dated 10/8/2022 for SRA Scheme construction project for Shree Azad Co.Op Hsg on plot bearing CTS No. 738/B/1/A, at Rani Sati Marg, Azad Link Road, Sanjay Nagar, Pathan Wadi Malad (E), Mumbai for total built up area of 26,386.08 sq.mtrs. A copy of the Environmental Clearance dated 10/8/2022 is annexed to the Application as an Exhibit-I-1.
- (7) I say and submit that in order to verify the compliance, the official of the Respondent -Board at Mumbai-IV visited to the aforesaid site on 24/11/2022 and accordingly, the Respondent-Board has issued Conditional Restart Directions to the Respondent No.8-Project Proponent vide letter dated 19/1/2023 directing to comply with Consent conditions , to operate pollution control system scientifically to achieve the consented norms and not to start the construction activity before obtaining Consent to establish from the Respondent-Board. A copy of the



B.
BAL.
984

★
RASHTRA

Conditional Restart Directions dated 19/1/2023 is annexed and marked herewith as an **Annexure-IV**.

- (8) I say and submit that , the Respondent-Board has granted Consent to Establish to Respondent No.8 -Project Proponent vide letter dated 20/1/2023 for a period upto commissioning of the project or upto 5 years whichever is earlier for proposed SRA Scheme Construction project named as M/s.Nirman Construction , "Shree Azad Co.op Hsg Society at the aforesaid site on total Plot Area of 4220 sqmtrs for construction of BUA of 26386.08 sqmtrs on certain terms and conditions alongwith penal charges of Rs.5 Lakhs. A copy of the Consent to Establish dated 20/1/2023 is annexed herewith as an **Annexure -V**.
- (9) I say and submit that the Respondent-Board has granted Consent to Operate (Part) to the Respondent No.8-Project Proponent vide letter dated 29/3/2023 valid upto 31/12/2023, for construction project named as M/s.Nirman Constructions at the aforesaid site having BUA of 11942.23 sq.mtrs. out of total construction BUA of 26386.08 sq.mtrs. subject to certain terms and conditions. A copy of the Consent to Operate (Part) dated 29/3/2023 is annexed as an **Annexure-VI**.
- (10) I say and submit that on the basis of the complaint and after verify the complaint, the Respondent Board has issued Show Cause notice to the Respondent No.8-Project Proponent vide letter



dated 13/4/2023. A copy of the Show cause notice dated 13/4/2023 is annexed herewith as an **Annexure -VII**.

(11) I say and submit that in order to verify compliance of Show cause notice dtd 13/4/2023 and Consent Conditions, the official of the Respondent-Board at Mumbai-IV visited the aforesaid site on 26/10/2023 and observed as follows:-

- i) Respondent No.8-Project Proponent has completed construction of Rehab building which is found to be occupied by the residents since 2021.
- ii) The Project Proponent has provided STP of 110.0 CMD capacity for treatment of sewage generation from the Rehab building, however the STP was found to be non operational. Presently, the Respondent No.8-Project Proponent, has connected its sewage, to sewage network provided by MCGM. Treated effluent is not used/ recycled for toilet flushing.
- iii) During the visit, construction work of sale building was found in progress. The Project Proponent has proposed to provide STP of 110 CMD capacity for sale building.
- iv) Respondent No.8-Project Proponent has provided OWC for composting of wet waste generated from Rehab building, however the said OWC was found non-operational and inadequate w.r.t the capacity etc.
- v) At the time of visit, no fugitive emissions were observed. The Project Proponent has provided barricading of 12 feet



tin sheets around the premises. Overall housekeeping found average.

(12) I say and submit that in view of the above non-compliances, the Respondent Board has issued directions vide letter dated 1/12/2023 to the project proponent and thereafter an opportunity of personal hearing was extended to the project proponent on 22/12/2023 and on the basis of hearing, the Respondent Board has issued interim directions to the Respondent No.8-Project Proponent vide letter dated 5/1/2024. A copy of the interim directions dated 5/1/2024 is annexed herewith as an Annexure-VIII.

Solemnly affirmed on this ...11th...day of Jan, 2024 at Mumbai.

For & on behalf of Maharashtra Pollution Control Board,

[Handwritten Signature]

(Sanjay R. Bhosale)
Regional Officer, Mumbai



BEFORE ME

[Handwritten Signature]
11-1-2024

VASANT B. MORE
Notary Gr. Mumbai
7, Vijaya Sadan, Flat No. 304,
Above Axis Bank,
Sion West, Mumbai-400022

Reg. No. 79/2024



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24024068 / 24023515

Website: <http://mpcb.gov.in>E-mail: jdwater@mpcb.gov.inKalpataru Point, 2nd - 4th Floor

Opp. Cine Planet Cinema,

Near Sion Circle, Sion (E)

Mumbai-400 022.

"Your Service is our Duty"

No. BO/JD(WPC)/SCN/TB- 211170005

Date: 17/11/2021

To,
M/s Nirman Constructions,
(Alias M/s Nirman Realtors and Developers LTD),
"Shree Azad Co.Op. HSG Society",
C.T.S. No. 738/B/1/A at Rani Sati Marg,
Azad Link Road, Sanjay Nagar,
Pathan Wadi, Malad (E), Mumbai.

Sub: - Show Cause Notice for refusal towards applied consent to establish.

Ref: - Your application for grant of consent to establish vide UAN No.0000121723.

WHEREAS, you have applied for consent to establish Under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974; under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Hazardous & Other Wastes (M & T M) Rules 2016.

AND WHEREAS, After going through your application below detail noncompliance observed.

- You have started construction work without obtaining Consent from the Board.
- Your project fall under ESZ area not submitted clarification for same or not submitted NOC for the same.

NOW THEREFORE, you are hereby directed to show cause as to why your application for grant of Consent should not be refused under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 And Hazardous & Other Wastes (M & T M) Rules, 2016.

You are hereby called upon to submit your reply to this notice within a period seven days from the receipt of this communication, failing which, Board have no option than to refuse your Consent as mentioned above and to initiate appropriate legal action under the provision of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 against you, which may please be noted.

Dr. Y. B. Sontakke
Joint Director (WPC)

Copy to-

- Regional Officer, MPCB, Mumbai Sub Regional Mumbai-IV – They are directed to submit present status report of the industry within 7 days and ensure that SCN to be served to the industry.

527



MAHARASHTRA POLLUTION CONTROL BOARD

Phone No. 24010437 / 24020781

Visit us at : <http://mpcb.gov.in>

mail : jdwater@mpcb.gov.in



"Your Service is our Duty"

Kalptaru Point 2nd floor,
Sion Matunga Scheme Road
No. 8, Infant of Sion Cercal,
Sion (E),
Mumbai - 400 022.

NO./MPCB/JD (WPC)/UAN.No.121723/Refusal/HOD/B- 2204001507

Date: - 22.04.2022

To,
M/s Nirman Constructions,
(Alias M/s Nirman Realtors and Developers LTD),
"Shree Azad Co.Op. HSG Society",
C.T.S. No. 738/B/1/A at Rani Sati Marg,
Azad Link Road, Sanjay Nagar,
Pathan Wadi, Malad (E), Mumbai.

Sub: - Refusal of Consent under section 27 of the Water (Prevention and Control of Pollution) Act, 1974; under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

Ref: - 1. Your application for grant of consent to establish vide UAN No 0000121723
2. Show Cause Notice for refusal of consent issued on 17.11.2021.

.....

We refer to application for grant of Consent to establish u/s 25 of the Water (Prevention and Control of Pollution) Act 1974 and under section 21 of the Air (Prevention and Control of Pollution) Act 1981 and Hazardous & Other Waste (Management. and Transboundary Movement) Rules, 2016.

AND WHEREAS, Board had issued Show Cause Notice for refusal of consent vide letter dated 17.11.2021 for non-compliances.

- You have started construction work without obtaining Consent from the Board.
- Your project falls under ESZ area not submitted clarification for same or not submitted NOC for the same.

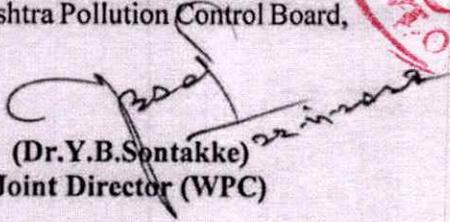
AND WHEREAS, you have not submitted your reply till date to the SCN issued on 17.11.2021.

AND WHEREAS, inspite of sufficient time given to you to comply with the SCN issued, you have not complied with the SCN issued which shows your negligent attitude towards Environment Protection.

In view of the aforesaid noncompliance, your application for consent to establish is hereby refused under section 27 of the Water (Prevention and Control of Pollution) Act 1974 and under section 21 of the Air (Prevention and Control of Pollution) Act 1981.

If you are aggrieved by this order, you may prefer an appeal as per provision in the Water (P&CP) Act 1974 & the Air (P&CP) Act 1981 within 30 days' time from the date of receipt of this letter.

For & behalf of the
Maharashtra Pollution Control Board,


(Dr. Y.B. Sontakke)
Joint Director (WPC)

Copy to-

1. Regional Officer, MPCB, Mumbai-He is directed to issue stop work Direction to the project and verify the violation, if any and submit the proposal accordingly.
2. Sub Regional Officer, MPCB, Mumbai-IV-He is directed to serve this notice of refusal of consent to the project proponent.

MAHARASHTRA POLLUTION CONTROL BOARD**Regional Office, Mumbai**

Ph. :- (022)- 25505928
 Fax Ph. :- (022)- 25505926
 Visit us at :- <http://mpcb.gov.in>
 e-mail : romumbai@mpcb.gov.in



Regional Office, Mumbai,
 Kalpataru Point, 1st Floor, Sion Circle,
 Sion (E), Mumbai- 400 022

"Your Service is our Duty"

No: MPCB/ROM/SO- 220601 FT30065

Date: - 01/06/2022

To,
 M/s. Nirman Constructions
 (Alias M/s Nirman Realtors and Developers LTD)
 "Shree Azad Co.Op. HSG Society",
 C.T.S. No. 738/B/1/A at Rani Sati Marg, Azad Link Road, Sanjay Nagar, Pathan Wadi,
 Malad (E), Mumbai 400097,

Sub: Directions under section 33A of the Water (Prevention & Control of Pollution) Act 1974 & under Section 31A of the Air (Prevention & Control of Pollution) Act 1981.

Ref: 1. Show cause Notice for refusal of consent on 17/11/2021
 2. Refusal of consent to establish UAN No. 00000121723 vide No. MPCB/JD(WPC)/UAN. No.121723/Refusal/HOD/B-2204001507 dated 22/04/2022.

....

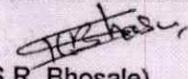
WHEREAS, you have applied for consent to establish for proposed construction activity u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Other Wastes (Management and Transboundary Movement) Rules, 2016.

AND WHEREAS, Board had issued SCN for refusal of consent vide dated 17/11/2021 for you have started construction work without obtaining Consent from the Board & not submitted the NOC/clarification ESZ area.

AND WHEREAS, it was decided to issue final refusal as you have not submitted reply of SCN issued on 17/11/2021, in spite of sufficient time given to you. Accordingly, Board has issued refusal order vide letter dated 22/04/2022, wherein it has been instructed that Regional officer Mumbai shall issue Stop work order for your ongoing construction activities.

Therefore, you are hereby directed to stop your ongoing construction activity forthwith, failing which, the Board will initiate appropriate legal action against you, which please note.

For and on behalf of
 Maharashtra Pollution Control Board


 (S.R. Bhosale)

Regional Officer, Mumbai

Copy submitted to:

Law Officer/Asst. Secretary (Tech.), MPCB, Mumbai.

Copy to Sub-Regional Officer (Mumbai-IV), M.P.C. Board. - He is directed to serve copy of direction to industry, take necessary follow-up towards compliance of the direction & submit Action taken report.

531



MAHARASHTRA POLLUTION CONTROL BOARD

Phone :	(022)- 25505928		Kalpataru Point, 1 st floor, Sion-
Fax :	(022)- 25505926		Matunga Scheme Road No. 8, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E),
Email :	romumbai@mpcb.gov.in		Mumbai - 400 022
Visit At :	http://mpcb.gov.in		

"Your Service is our Duty"

No: MPCB/ROM/Restart/TB230119-fts-0165
To,

Date: - 19/01/2023

M/s Nirman Constructions
(Alias M/s Nirman Realtors and Developers LTD)
"Shree Azad Co.Op. HSG Society", C.T.S. No.
738/B/1/A at Rani Sati Marg, Azad Link Road,
Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai
400097, Maharashtra

Sub:- Conditional restart directions u/s 33A of the Water (P&CP) Act, 1974 and u/s 31A of the Air (P&CP) Act, 1981.

- Ref:**
1. Minutes of 1st & 6th Consent Committee Meeting held on 22/04/2021 & 22/07/2021
 2. Refusal of consent to establish UAN No. 0000097670 vide No. MPCB/2108001031 dated 18/08/2021.
 3. Stop work direction issued by Board dated 01/06/2022
 4. Your request letter for withdrawal of stop work direction dated 29/10/2022.
 5. Compliance report submitted by SRO Mumbai-IV dated 24/11/2022
 6. Office note approved by Competent authority dated 18/01/2023.

We refer to the directions of Stop work direction issued by Board vide letter dated 01/06/2022 due to non-compliance observed. Further refer to your request letter dated 29/10/2022, wherein you have submitted that non-compliances observed have been complied. There after Sub Regional Officer, Mumbai IV visited your site and submitted compliance report of Stop work Direction issued by the Board.

Considering your reply submitted to this office, status report submitted by SRO Mumbai-IV & office note bearing MPCB-LEGAL_ACTIONS- 310522006 approved by Board on 18/01/2023, it has been decided to allow to restart your industry subject to the compliance of following conditions;

1. Industry shall comply all the conditions stipulated in the consent published by the Board office.
2. Industry shall operate pollution control system scientifically to achieve the consented norms.
3. Industry shall not start construction activity before obtaining consent to establish from the Board.



In case, you fail to comply with the above conditions imposed by the Board, the Board will have no option than to withdraw the permission granted to restart the manufacturing activities.

This is issued with the approval of Competent authority of the Board.

**For and on behalf of
Maharashtra Pollution Control Board.**

**(S. R. Bhosale)
Regional Officer, Mumbai**

Copy submitted to:

1. Regional Officer (BMW), MPCB, Mumbai - for information.

Copy to:

- 1) Sub Regional Officer, MPCB, Mumbai-IV-. He is directed to ensure the compliance of the direction issued & report compliance thereof.

To,

**M/s Nirman Constructions
(Alias M/s Nirman Realtors and Developers LTD)
"Shree Azad Co.Op. HSG Society" ,C.T.S. No.
738/B/1/A at Rani Sati Marg, Azad Link Road,
Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai
400097, Maharashtra**

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
 Fax: 24044532/4024068/4023516
 Website: <http://mpcb.gov.in>
 Email: jdwater@mpcb.gov.in



Kalpataru Point, 2nd and
 4th floor, Opp. Cine Planet
 Cinema, Near Sion Circle,
 Sion (E), Mumbai-400022

Date: 20/01/2023

Infrastructure/RED/L.S.I
 No:- Format1.0/JD (WPC)/UAN No.0000150991/CE/2301001821

To,
 M/s. Nirman Constructions (Alias M/s
 Nirman Realtors and Developers LTD),
 "Shree Azad Co.Op. HSG Society" ,C.T.S.
 No.738/B/1/A at Rani Sati Marg, Azad Link
 Road, Sanjay Nagar, Pathan Wadi, Malad
 (E), Mumbai.



Your Service is Our Duty

Sub: Consent to Establish for Proposed SRA Scheme Construction Project.

- Ref: 1. Application Submitted by SRO-Mumbai-IV
 2. Show Cause Notice issued on 29.11.2022.

Your application NO. MPCB-CONSENT-0000150991

For: grant of Consent to Establish under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I,II,III & IV annexed to this order:

- The Consent to Establish is granted for a period upto commissioning of project or up to 5 year whichever is earlier.
- The capital investment of the project is Rs.62.0 Cr. (As per undertaking submitted by pp).
- The Consent to Establish is valid for Proposed SRA Scheme Construction Project named as M/s. Nirman Constructions (Alias M/s Nirman Realtors and Developers LTD), "Shree Azad Co.Op. HSG Society" ,C.T.S. No.738/B/1/A at Rani Sati Marg, Azad Link Road, Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai. on Total Plot Area of 4220 Sq.Mtrs for construction BUA of 26386.08 Sq.Mtrs as per EC granted dated-10.08.2022 including utilities and services

Sr.No	Permission Obtained	Plot Area (SqMtr)	BUA (SqMtr)
1	Environmental Clearance issued dtd-10.08.2022	4220.00	26386.08

4. Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr No	Description	Permitted (in CMD)	Standards to Disposal	
1.	Trade effluent	Nil	NA	NA

Sr No	Description	Permitted	Standards to	Disposal
2.	Domestic effluent	192	As per Schedule - I	The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be connected to the sewerage system provided by local body

5. **Conditions under Air (P& CP) Act, 1981 for air emissions:**

Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
S-1	DG Set- 150 KVA	1	As per Schedule -II

6. **Conditions under Solid Waste Rules, 2016:**

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Biodegradable waste	505 Kg/Day	OWC	use as manure
2	Non-Biodegradable waste	408 Kg/Day	Sagregate	sent to recycling to authorized agency.
3	STP Sludge	15 Kg/Day	Drying	Will be used as Manure For Gardening

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:**

Sr No	Category No.	Quantity	UoM	Treatment	Disposal
			NA		

8. This Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government agencies.
10. The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening.
11. PP shall extend/submit BG to from total sum of Rs. 10 Lakhs towards compliance of EC and consent to establish condition.
12. Project Proponent shall install online monitoring system for the parameter pH, SS, BOD and flow at the outlet of STP.
13. Project Proponent shall provide Organic waste digester with composting facility or biodigester with composting facility.
14. Project Proponent shall comply the Construction and Demolition Waste Management Rules, 2016 which is notified by Ministry of Environment, Forest and Climate Change dtd.29/03/2016.
15. The project proponent shall make provision of charging of electric vehicles in atleast 40 % of total available parking area.

16. The project proponent shall take adequate measures to control dust emission and noise level during construction phase.
17. The Project Proponent shall comply with the Environmental Clearance obtained dtd-10.08.2022 for construction project having total plot area 4220.00 Sq.mtrs and construction BUA 26386.08 Sq.mtrs as per specific condition of EC.
18. This consent is issued as per approved plan obtained from SRA authority, issued dtd-16.06.2021
19. PP shall submit an affidavit in Boards prescribed format within 15 days regarding compliance of C to E & Environmental Clearance/CRZ Clearance.



1ba59d0f
500d68e5
41dcafde
edb73e26
0df8959a
8449fb20
530bfafe
338d430c

Signed by: Dr. Y.B.Sontakke
Joint Director (WPC)
For and on behalf of,
Maharashtra Pollution Control Board
jdwater@mpcb.gov.in
2023-01-20 19:50:16 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	100000.00	MPCB-DR-14883	19/10/2022	NEFT
2	500000.00	MPCB-DR-16791	19/01/2023	RTGS

Paid Penal fees of Rs.5.0 Lakhs towards violation

Copy to:

- Regional Officer, MPCB, Mumbai and Sub-Regional Officer, MPCB, Mumbai IV
 - They are directed to ensure the compliance of the consent conditions.
 - They are directed to obtained B.G. of Rs.10.0 Lakhs towards compliance of consent condition & E.C. Compliance.
- Chief Accounts Officer, MPCB, Sion, Mumbai

SCHEDULE-I**Terms & conditions for compliance of Water Pollution Control:**

- 1) A] As per your application, you have proposed to provide MBBR Technology based Sewage Treatment Plants (STPs) of combined capacity **220 CMD for treatment of domestic effluent of 192 CMD.**
- B] The Applicant shall operate the sewage treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

Sr.No	Parameters	Limiting concentration not to exceed in mg/l, except for pH
1	pH	5.5-9.0
2	BOD	10
3	COD	50
4	TSS	20
5	NH4 N	5
6	N-total	10
7	Fecal Coliform	less than 100

- C] The treated domestic effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening and connected to the sewerage system provided by local body.
- 2) The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or and extension or addition thereto.
- 3) The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
- 4) **The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, and other provisions as contained in the said act.**

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	221.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00

- 5) The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time.

SCHEDULE-II**Terms & conditions for compliance of Air Pollution Control:**

- 1) As per your application, you have proposed to provide the Air pollution control (APC) system and also proposed to erect following stack (s) and to observe the following fuel pattern-

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
S-1	DG Set-150 KVA	Acoustic Enclosure	5.00	HSD 37.5 Kg/Hr	1	SO2	18 Kg/Day

- 2) The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards.

Total Particular matter	Not to exceed	150 mg/Nm3
-------------------------	---------------	------------

- 3) The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement well before its life come to an end or erection of new pollution control equipment.
- 4) The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
- 5) **Conditions for utilities like Kitchen, Eating Places, Canteens:-**
- The kitchen shall be provided with exhaust system chimney with oil catcher connected to chimney through ducting.
 - The toilet shall be provided with exhaust system connected to chimney through ducting.
 - The air conditioner shall be vibration proof and the noise shall not exceed 68 dB(A).
 - The exhaust hot air from A.C. shall be attached to Chimney at least 5 mtrs. higher than the nearest tallest building through ducting and shall discharge into open air in such a way that no nuisance is caused to neighbors.

SCHEDULE-III**Details of Bank Guarantees:**

Sr. No.	Consent(C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Establish	10 Lakhs	within 15 days	Towards compliance of consent condition	upto commissioning of unit or five years	upto commissioning of unit or five years

- ** The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days of the date of issue of Consent.
Existing BG obtained for above purpose if any may be extended for period of validity as above.

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

BG Return details

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				

SCHEDULE-IV**Conditions during construction phase**

A	During construction phase, applicant shall provide temporary sewage and MSW treatment and disposal facility for the staff and worker quarters.
B	During construction phase, the ambient air and noise quality shall be maintained and should be closely monitored through MoEF approved laboratory.
C	Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.

General Conditions:

- 1 The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2 The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act 1986 and Solid Waste Management Rule 2016, Noise (Pollution and Control) Rules, 2000 and E-Waste (Management & Handling Rule 2011.
- 3 Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.
- 4 Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 5 Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.

- e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
- f) D.G. Set shall be operated only in case of power failure.
- g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
- h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
- 6 Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rule 2016 & E-Waste (M & H) Rule 2011.
- 7 Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8 Applicant shall submit official e-mail address and any change will be duly informed to the MPCB.
- 9 The treated sewage shall be disinfected using suitable disinfection method.
- 10 The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 11 The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.

This certificate is digitally & electronically signed.





MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
 Fax: 24044532/4024068/4023516
 Website: <http://mpcb.gov.in>
 Email: jdwater@mpcb.gov.in



Kalpataru Point, 2nd and
 4th floor, Opp. Cine Planet
 Cinema, Near Sion Circle,
 Sion (E), Mumbai-400022

Infrastructure/RED/L.S.I

No:- Format1.0/JD (WPC)/UAN No.0000151329/CO/2303002386

Date: 29/03/2023

To,

M/s. Nirman Constructions (Alias M/s
 Nirman Realtors and Developers LTD),
 "Shree Azad Co.Op. HSG Society"
 ,C.T.S.No.738/B/1/A at Rani Sati Marg,
 Azad Link Road, Sanjay Nagar, Pathan
 Wadi, Malad
 (E), Mumbai.



Your Service is Our Duty

Sub: Consent to Operate (Part) for Construction Project.

- Ref:**
1. Application Submitted by SRO-Mumbai-IV
 2. Show Cause Notice issued on 29.11.2022.

Your application NO. MPCB-CONSENT-0000151329

For: grant of Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I,II,III & IV annexed to this order:

1. **Consent to 1st Operate (Part Operate) is valid upto-31.12.2023.**
2. **The capital investment of the project is Rs.35.6 Cr. (As per C.A Certificate submitted by industry).**
3. **The Consent to Operate is valid for Construction Project named as M/s. Nirman Constructions (Alias M/s Nirman Realtors and Developers LTD), "Shree Azad Co.Op. HSG Society" ,C.T.S.No.738/B/1/A at Rani Sati Marg, Azad Link Road, Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai. on Total Plot Area of 4220.00 Sq.Mtrs for construction BUA of 11942.23 Sq.Mtrs out of Total Construction BUA of 26386.08 Sq.Mtrs as per EC granted dated-10.08.2022 including utilities and services**

Sr.No	Permission Obtained	Plot Area (SqMtr)	BUA (SqMtr)
1	Environmental Clearance issued dtd-10.08.2022	4220.00	11942.23

4. **Conditions under Water (P&CP), 1974 Act for discharge of effluent:**

Sr No	Description	Permitted (in CMD)	Standards to	Disposal
1.	Trade effluent	Nil	NA	NA

Sr No	Description	Permitted	Standards to	Disposal
2.	Domestic effluent	85	As per Schedule - I	The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be connected to the sewerage system provided by local body

5. **Conditions under Air (P& CP) Act, 1981 for air emissions:**

Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
NA	NA	0	As per Schedule -II

6. **Conditions under Solid Waste Rules, 2016:**

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Biodegradable waste	208 Kg/Day	OWC	use as manure
2	Non-Biodegradable waste	150 Kg/Day	Sagregate	sent to recycling to authorized agency.
3	STP Sludge	10 Kg/Day	Drying	Will be used as Manure For Gardening

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:**

Sr No	Category No.	Quantity	UoM	Treatment	Disposal
			NA		

8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.
10. PP shall submit the BG of Rs. 10 lakhs towards O&M of STP, OWC and compliance of conditions stipulated in EC and Consent to Operate.
11. The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening.
12. Project Proponent shall install online monitoring system for the parameter pH, SS, BOD and flow at the outlet of STP.
13. Project Proponent shall operate the Organic waste digester with composting facility or biodigester with composting facility effectively
14. The project proponent shall make provision of charging of electric vehicles in atleast 30 % of total available parking area.

15. The Project Proponent shall comply with the Environmental Clearance obtained dtd- dtd. 10.08.2022 for construction project having total plot area 4220.00 Sq.mtr, & construction BUA 26386.08 Sq.mtr as per specific condition of EC.



e fa5d9eb
a5375f7f
30d4e4ea
2b114c8d
f302547f
3c6dd8e6
1b0fb0a0
e1c11722

Signed by: Dr. Y.B.Sontakke
Joint Director (WPC)
For and on behalf of
Maharashtra Pollution Control Board
jdwater@mpcb.gov.in
2023-03-29 13:27:24 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	75000.00	MPCB-DR-15028	21/10/2022	NEFT

Copy to:

1. Regional Officer, MPCB, Mumbai and Sub-Regional Officer, MPCB, Mumbai IV
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai



SCHEDULE-I**Terms & conditions for compliance of Water Pollution Control:**

1) A] As per your application, you have provided MBBR Technology based Sewage Treatment Plants (STPs) of combined capacity **100 CMD for treatment of domestic effluent of 85 CMD.**

B] The Applicant shall operate the sewage treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

Sr.No	Parameters	Limiting concentration not to exceed in mg/l, except for pH
1	pH	5.5-9.0
2	BOD	10
3	COD	50
4	TSS	20
5	NH4 N	5
6	N-total	10
7	Fecal Coliform	less than 100

C] The treated domestic effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening and connected to the sewerage system provided by local body.

- 2) The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or and extension or addition thereto.
- 3) The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
- 4) **The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, and other provisions as contained in the said act.**

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	95.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00

- 5) The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time.

SCHEDULE-II**Terms & conditions for compliance of Air Pollution Control:**

- 1) As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) and to observe the following fuel pattern-

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant Standard	
NA	NA		0.00	-	-	NA	-

- 2) The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards.

Total Particular matter	Not to exceed	150 mg/Nm ³
-------------------------	---------------	------------------------

- 3) The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement well before its life come to an end or erection of new pollution control equipment.
- 4) The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
- 5) **Conditions for utilities like Kitchen, Eating Places, Canteens:-**
- The kitchen shall be provided with exhaust system chimney with oil catcher connected to chimney through ducting.
 - The toilet shall be provided with exhaust system connected to chimney through ducting.
 - The air conditioner shall be vibration proof and the noise shall not exceed 68 dB(A).
 - The exhaust hot air from A.C. shall be attached to Chimney at least 5 mtrs. higher than the nearest tallest building through ducting and shall discharge into open air in such a way that no nuisance is caused to neighbors.

SCHEDULE-III**Details of Bank Guarantees:**

Sr. No.	Consent(C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Operate	10 Lakhs	within 15 days	Towards compliance of consent condition	31.12.2023	31.03.2024

** The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days of the date of issue of Consent.
Existing BG obtained for above purpose if any may be extended for period of validity as above.

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

BG Return details

Srno.	Consent (C2E/C2O/C2R)	BG Imposed	Purpose of BG	Amount of BG Returned
NA				

SCHEDULE-IV**General Conditions:**

- 1 The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2 The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act 1986 and Solid Waste Management Rule 2016, Noise (Pollution and Control) Rules, 2000 and E-Waste (Management & Handling Rule 2011.
- 3 Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.
- 4 Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 5 Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.

- e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
- f) D.G. Set shall be operated only in case of power failure.
- g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
- h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
- 6 Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rule 2016 & E-Waste (M & H) Rule 2011.
- 7 Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8 Applicant shall submit official e-mail address and any change will be duly informed to the MPCB.
- 9 The treated sewage shall be disinfected using suitable disinfection method.
- 10 The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 11 The applicant shall make an application for renewal of the consent at least 60 days before date of the expiry of the consent.

This certificate is digitally & electronically signed.



MAHARASHTRA POLLUTION CONTROL BOARD		
Phone :	(022)- 25505928	
Fax :	(022)- 25505926	
Email :	romumbai@mpcb.gov.in	
Visit At :	http://mpcb.gov.in	
		Kalpataru Point, 1 st floor, Sion- Matunga Scheme Road No. 8, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E), Mumbai - 400 022

"Your Service is our Duty"

No: MPCB/SCN/ 2304130004

Date: 13 /04/2023

To,
 M/s Nirman Constructions (Alias M/s Nirman Realtors and Developers LTD)
 "Shree Azad Co.Op. HSG Society"
 C.T.S. No. 738/B/1/A at Rani Sati Marg, Azad Link Road,
 Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai 400097

Sub: Show Cause notice for violation of section 26 of the Water (Prevention & Control of Pollution) Act, 1974, section 21 of the Air (Prevention & Control of Pollution) Act, 1971 & related amendments made therein.

Ref: 1. Consent to establish was granted 20/01/2023
 2. Complaint received against your construction activity
 3. Board official visited on site 28/01/2023

WHEREAS, as you are aware that Water (P & CP) Act, 1974; Air (P & CP) Act, 1981 are applicable to the state of Maharashtra. It is mandatory on your part to obtain prior consent under section 25/26 of above mention Acts before taking any effective step for implementation of the project.

AND WHEREAS, it is obligatory on your part to provide adequate Water & Air pollution control arrangements so as achieve the prescribed standards under the Environment Act & Rules and not to cause nuisance of pollution in the surrounding area.

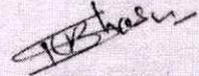
AND WHEREAS, complaint is received against your construction project & accordingly officials of this office visited your construction site vide reference 3 above & reported following non-compliance;

1. You have given occupancy is observed in Rehab. Building (Residential + Shop) without consent to operate.
2. You have provided underground STP having capacity is 100 CMD, comprises collection tank, Aeration tank, Filter press and Carbon and Sand filter. STP is found not in operation.
3. You have not submitted feasibility report of STP, Area statement from Architect by the project, not submitted details of mobile STP during construction phase, & details of Rainwater harvesting storage tank. Details of Energy conservation.
4. You couldn't produce documents like six monthly EC compliance report, post monitoring EC report
5. You have not provided organic waste convertor and details Bank Guarantee.

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

NOW THEREFORE, in view of aforesaid facts, you are hereby directed to show cause as to why legal action shall not be initiated you under the provisions of section 26 of the Water (Prevention & Control of Pollution) Act, 1974, section 21 of the Air (Prevention & Control of Pollution) Act, 1981 And Hazardous Wastes (Management and Handling) Amendment Rules, 2016. Your reply/objections, if any, shall reach this office within period of 7 days from date of receipt of this letter, failing which, appropriate action, as may deem fit in your case, will be initiated against you, which may please be noted.

For and on behalf of
Maharashtra Pollution Control Board.


(S. R. Bhosale)
Regional Officer, Mumbai

Copy to: SRO Mumbai-IV- MPCB, He is requested to submit the present status of industry within 7 day period & ensure that SCN to be served to the industry.

MAHARASHTRA POLLUTION CONTROL BOARD		
Phone :	(022)- 25505928	
Fax :	(022)- 25505926	
Email :	romumbai@mpcb.gov.in	
Visit At :	http://mpcb.gov.in	
		Kalpataru Point, 1 st floor, Sion- Matunga Scheme Road No. 8, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E), Mumbai - 400 022

"Your Service is our Duty"

No: MPCB/ROM/ ID - 2401050001

Date: 05/01/2024

To
M/s Nirman Constructions (Alias M/s Nirman Realtors and Developers LTD)
"Shree Azad Co.Op. HSG Society"
C.T.S. No. 738/B/1/A at Rani Sati Marg, Azad Link Road,
Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai 400097

Sub: Interim Directions u/s 33A of the Water (Prevention & Control of
Pollution) Act, 1974 31A of the Air (Prevention & Control of
Pollution) Act, 1981.

- Ref: 1. Consent to establish was granted 20/01/2023
2. Complaint received against your project
3. Board official visited on site 26/10/2023
4. Proposed direction issued by the Board on 01/12/2023
5. Your reply submitted on 07/12/2023
6. Board official verification report on 19/12/2023
7. Personal Hearing extended to you on 22/12/2023.

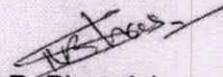
We refer to the proposed direction issued by Board vide letter dated 01/12/2023, your reply dated 07/12/2023 and visit of the officials of the board at Mumbai at your site on 19/12/2023 followed by personal hearing extended to you on 22/12/2023.

During the course of personal hearing, your reply dated 07/12/2023 & status report submitted by SRO Mumbai-IV were taken on record. Considering your reply and status report, following interim directions are issued for necessary compliance.

1. You shall operate existing sewage treatment plants continuously to avoid any water pollution nuisance in the vicinity.
2. You shall recycle & reuse domestic effluent for toilet flushing.
3. You shall operate existing organic waste convertor continuously for treatment and disposal of biodegradable waste.
4. You shall submit the fresh Bank Guarantee of Rs. 10,00,000/- towards compliance of the same in favor of Regional Officer, Mumbai within 10 days from the receipt of these interim direction.

In case if you failed to comply with the above directions the Board will have no option than to issue appropriate action against you which please note.

For & on behalf of MPC Board


(S.R. Bhosale)

Regional Officer, Mumbai

Copy submitted to: -

1. Regional Officer (BMW), MPC Board, Sion, Mumbai – for information.
2. Law Officer, MPC Board, Sion, Mumbai – for information.

Copy to:

Sub Regional Officer, MPC Board, Mumbai -IV- He is directed to serve copies of direction to industry & keep necessarily follow up.





Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), Maharashtra)

To,

The Partner

M/S NIRMAN CONSTRUCTIONS (ALIAS M/S NIRMAN REALTORS AND
DEVELOPERS LTD)

14, Nayan Sagar Apartment, old Nagardas Road, Andheri E, Mumbai -
400069

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/MH/MIS/226127/2021 dated 25 Aug 2021. The particulars of the environmental
clearance granted to the project are as below.

1. EC Identification No.	EC22B038MH125607
2. File No.	SIA/MH/MIS/226127/2021
3. Project Type	New
4. Category	B2
5. Project/Activity including Schedule No.	8(a) Building and Construction projects
6. Name of Project	S.R. Scheme project under Reg. 33 (10) of DCR 1991 on plot bearing C.T.S. No. 738/B/1/A at Rani Sati Marg, Azad Link Road, Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai 400097, Maharashtra for "Shree Azad Co.Op. HSG Society" by M/s Nirman Constructio
7. Name of Company/Organization	M/S NIRMAN CONSTRUCTIONS (ALIAS M/S NIRMAN REALTORS AND DEVELOPERS LTD)
8. Location of Project	Maharashtra
9. TOR Date	N/A

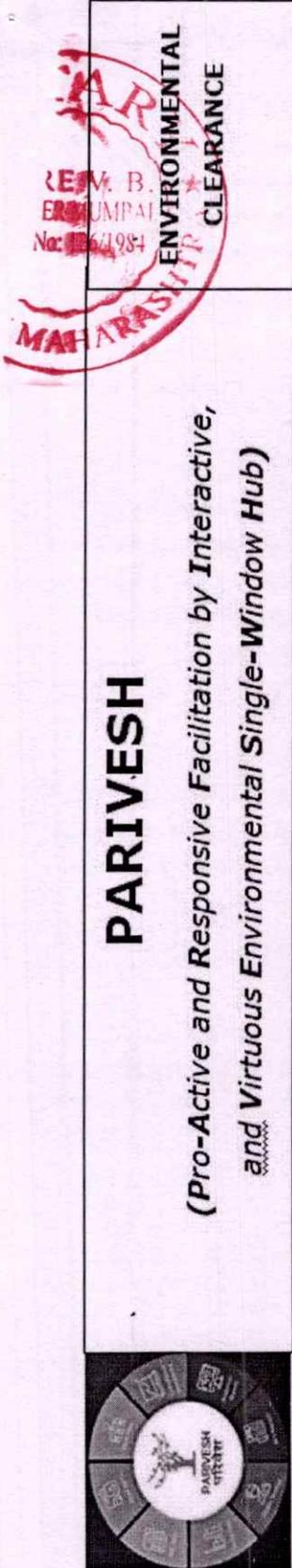
The project details along with terms and conditions are appended herewith from page
no 2 onwards.

Date: 10/08/2022

(e-signed)
Manisha Patankar Mhaiskar
Member Secretary
SEIAA - (Maharashtra)

*Note: A valid environmental clearance shall be one that has EC identification
number & E-Sign generated from PARIVESH. Please quote identification
number in all future correspondence.*

This is a computer generated cover page.



STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

No. SIA/MH/MIS/226127/2021
 Environment & Climate
 Change Department
 Room No. 217, 2nd Floor,
 Mantralaya, Mumbai- 400032.

To
 M/s Nirman Constructions
 (Alias M/s Nirman Realtors and Developers LTD),
 C.T.S. No. 738/B/1/A at Rani Sati Marg, Azad Link Road,
 Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai

Subject : Environment clearance for S.R. Scheme construction project under Reg. 33 (10) of DCR 1991 for "Shree Azad Co.Op. HSG Society" on plot bearing C.T.S. No. 738/B/1/A at Rani Sati Marg, Azad Link Road, Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai by M/s Nirman Constructions (Alias M/s Nirman Realtors and Developers LTD).

Reference : Application no. SIA/MH/MIS/226127/2021

This has reference to your communication on the above-mentioned subject. The proposal was considered by the SEAC-2 in its 162nd meeting under screening category 8 (a) B2 as per EIA Notification, 2006 and recommend to SEIAA. Proposal then considered in 246th (Day-2) meeting of State Level Environment Impact Assessment Authority (SEIAA).

2. Brief Information of the project submitted by you is as below:-

Sr. No.	Description	Details		
1.	Plot area (sq.m.)	4,220.00 sq.m.		
2.	FSI (sq.m.)	12,493.20 sq.m.		
3.	Non FSI (sq.m.)	13,892.88 sq.m.		
4.	Proposed built-up area (FSI + Non FSI) (sq.m.)	26,386.08 sq.m.		
5.	Building configuration	1 composite Building/Wing	Configuration	Height
		Rehab Bldg (C wing)	Ground+1st to 15th (pt.) Upper floor	50.30 m
		Sale Bldg (A & B wing)	Stilt+1st to 2nd podium+ 3rd to 20th upper floor	65.80 m
6.	No. of Tenements & Shops	Rehab Bldg (Wing C) Residential - 168 nos Shops- 30 no. School & Balwadi- 10 & 2 No.		



		Sale Bldg (A & B wing) Residential - 178 nos Shops- 4 no. Offices- 2 No.
7.	Total population	Residential: 1402 nos School & Balwadi: 578 no. Shops & offices: 133 no. Total Population is expected to be 2112 No's.
8.	Water requirement (CMD)	223 CMD
9.	Sewage generation (CMD)	192 CMD
10.	STP Capacity & Technology	3 STP of capacity 100, 95 & 25 CMD with MBBR Technology
11.	STP Location	Below Ground
12.	Total Solid Waste quantities	Bio- degradable waste: 505 Kg/day Non- degradable waste: 408 Kg/day Total Solid Waste Generated: 913 Kg/day
13.	R.G. Area in sq.m.	Required - 288.20 sq. m Proposed - 443 sq. m
14.	Power requirement	Operation phase: Source: TATA/Adani Connected load: 1220 kW Demand load: 976 kW
15.	Energy Efficiency	Rehab wing: Total energy savings: 25%, through solar: 5 % Sale wing: Total energy savings: 24%, through solar: 5 %
16.	DG Sets Capacities	1x 150 KVA.
17.	Parking 4W & 2W	4-W: 70 Nos. 2-W: 20 Nos.
18.	Rain water harvesting scheme	Rehab- 32 cum/day Sale-26 cum/day
19.	Project Cost (Cr.)	Rs. 62 Crores
20.	EMP Cost (Including DMP cost)	Capital Cost: Rs. 370 lakhs O & M Cost: Rs. 31 lakhs
21.	CER Details with justification if any....	-

3. Proposal is a new construction project. Proposal has been considered by SEIAA in its 246th (Day-2) meeting and decided to accord Environment Clearance to the said project under the provisions of Environment Impact Assessment Notification, 2006 subject to implantation of following terms and conditions-

Specific Conditions:

A. SEAC Conditions-

1. PP to submit IOD/IOA/Concession Document/Plan Approval or any other form of documents as applicable clarifying its conformity with local planning rules and

provisions as per the Circular dated 30.01.2014 issued by the Environment Department, Govt. of Maharashtra.

2. PP to obtain following NOCs & remarks as per amended plan:
 - a) Water NOC; b) Sewer Connection; c) Storm Water Drain.
3. PP to obtain NOC of concerned authority as project falls within the ESZ of Sanjay Gandhi National Park.
4. PP to submit revised cross section of UGT for sale building and ensure that top of the UGT should be 6 inch above the ground level.
5. PP to relocate proposed portable STP from drive way.
6. PP to provide 1.5 Mtr. parapet wall around the tanks of STP which are open on ground.
7. PP to plant trees as per Tree NOC received to the project. PP to explore to increase tree density in the project.

B. SEIAA Conditions-

1. Planning authority to ensure that OC shall not be issued to the project till PP obtains necessary SGNP NOC.
2. PP to keep open space unpaved so as to ensure permeability of water. However, whenever paving is deemed necessary, PP to provide grass pavers of suitable types & strength to increase the water permeable area as well as to allow effective fire tender movement.
3. PP to achieve at least 5% of total energy requirement from solar/other renewable sources.
4. PP Shall comply with Standard EC conditions mentioned in the Office Memorandum issued by MoEF& CC vide F.No.22-34/2018-IA.III dt.04.01.2019.
5. SEIAA after deliberation decided to grant EC for – FSI -12493.20 m², Non FSI-13892.88 m², Total BUA-26386.08 m². (Plan approval No.SRA/ENG/2313/PN/PL/AP, dated-16.06.2021)

General Conditions:

a) Construction Phase :-

- I. The solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- II. Disposal of muck, Construction spoils, including bituminous material during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in the approved sites with the approval of competent authority.
- III. Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- IV. Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- V. Arrangement shall be made that waste water and storm water do not get mixed.
- VI. Water demand during construction should be reduced by use of pre-mixed concrete,

curing agents and other best practices.

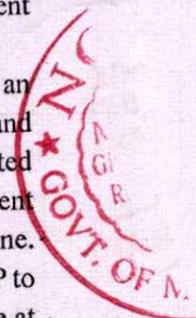
- VII. The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.
- VIII. Permission to draw ground water for construction of basement if any shall be obtained from the competent Authority prior to construction/operation of the project.
- IX. Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
- X. The Energy Conservation Building code shall be strictly adhered to.
- XI. All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- XII. Additional soil for levelling of the proposed site shall be generated within the sites (to the extent possible) so that natural drainage system of the area is protected and improved.
- XIII. Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
- XIV. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.
- XV. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.
- XVI. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.
- XVII. Vehicles hired for transportation of Raw material shall strictly comply the emission norms prescribed by Ministry of Road Transport & Highways Department. The vehicle shall be adequately covered to avoid spillage/leakages.
- XVIII. Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/MPCB.
- XIX. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during construction phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel is preferred. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- XX. Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings by a separate environment cell /designated person.

B) Operation phase:-

- I. a) The solid waste generated should be properly collected and segregated. b) Wet waste should be treated by Organic Waste Converter and treated waste (manure) should be utilized in the existing premises for gardening. And, no wet garbage will be disposed



- outside the premises. c) Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- II. E-waste shall be disposed through Authorized vendor as per E-waste (Management and Handling) Rules, 2016.
 - III. a) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the MPCB and Environment department before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Necessary measures should be made to mitigate the odour problem from STP. b) PP to give 100 % treatment to sewage /Liquid waste and explore the possibility to recycle at least 50 % of water, Local authority should ensure this.
 - IV. Project proponent shall ensure completion of STP, MSW disposal facility, green belt development prior to occupation of the buildings. As agreed during the SEIAA meeting, PP to explore possibility of utilizing excess treated water in the adjacent area for gardening before discharging it into sewer line No physical occupation or allotment will be given unless all above said environmental infrastructure is installed and made functional including water requirement.
 - V. The Occupancy Certificate shall be issued by the Local Planning Authority to the project only after ensuring sustained availability of drinking water, connectivity of sewer line to the project site and proper disposal of treated water as per environmental norms.
 - VI. Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
 - VII. PP to provide adequate electric charging points for electric vehicles (EVs).
 - VIII. Green Belt Development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO/ Agriculture Dept.
 - IX. A separate environment management cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.
 - X. Separate funds shall be allocated for implementation of environmental protection measures/EMP along with item-wise breaks-up. These cost shall be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes.
 - XI. The project management shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the Marathi language of the local concerned within seven days of issue of this letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the Maharashtra Pollution Control Board and may also be seen at Website at parivesh.nic.in
 - XII. Project management should submit half yearly compliance reports in respect of the stipulated prior environment clearance terms and conditions in hard & soft copies to the MPCB & this department, on 1st June & 1st December of each calendar year.
 - XIII. A copy of the clearance letter shall be sent by proponent to the concerned Municipal Corporation and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on



the website of the Company by the proponent.

- XIV. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sector parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

C) General EC Conditions:-

- I. PP has to strictly abide by the conditions stipulated by SEAC & SEIAA.
- II. If applicable Consent for Establishment" shall be obtained from Maharashtra Pollution Control Board under Air and Water Act and a copy shall be submitted to the Environment department before start of any construction work at the site.
- III. Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining environmental clearance.
- IV. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.
- V. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.
- VI. No further Expansion or modifications, other than mentioned in the EIA Notification, 2006 and its amendments, shall be carried out without prior approval of the SEIAA. In case of deviations or alterations in the project proposal from those submitted to SEIAA for clearance, a fresh reference shall be made to the SEIAA as applicable to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.
- VII. This environmental clearance is issued subject to obtaining NOC from Forestry & Wild life angle including clearance from the standing committee of the National Board for Wild life as if applicable & this environment clearance does not necessarily implies that Forestry & Wild life clearance granted to the project which will be considered separately on merit.

4. The environmental clearance is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this clearance does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.

5. This Environment Clearance is issued purely from an environment point of view without prejudice to any court cases and all other applicable permissions/ NOCs shall be obtained before



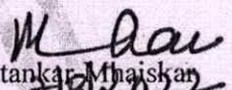
starting proposed work at site.

6. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environment clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.

7. Validity of Environment Clearance: The environmental clearance accorded shall be valid as per EIA Notification, 2006, amended from time to time.

8. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and rules there under, Hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public Liability Insurance Act, 1991 and its amendments.

9. Any appeal against this Environment clearance shall lie with the National Green Tribunal (Western Zone Bench, Pune), New Administrative Building, 1st Floor, D-Wing, Opposite Council Hall, Pune, if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.


Manisha Patankar, Mhaiskar
(Member Secretary, SEIAA)

Copy to:

1. Chairman, SEIAA, Mumbai.
2. Secretary, MoEF & CC, IA- Division MOEF & CC
3. Member Secretary, Maharashtra Pollution Control Board, Mumbai.
4. Regional Office MoEF & CC, Nagpur
5. District Collector, Mumbai Suburban.
6. Commissioner, Municipal Corporation of Greater Mumbai
7. CEO, SRA, Mumbai.
8. Regional Officer, Maharashtra Pollution Control Board, Mumbai.

562

