

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
MISCELLANOUS APPLICATION NO. 21 OF 2025**

IN

ORIGINAL APPLICATION NO. 35 OF 2025

Sampat Baburao Mirghe

.....Applicants

Versus

M/s Sankla Buildcon & Ors.

.... Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF MAHARASHTRA
POLLUTION CONTROL BOARD i.e. RESPONDENT NO. 10.**

I, Navanath Awatade, aged adult years, occupation – Service, the Sub Regional Officer of the Maharashtra Pollution Control Board at Pune II Region, having office address at 2nd Floor, Jog Centre, Wakdewadi, Pune – 411003, do hereby state on solemn affirmation as under –

- (1) I say and submit that the Respondent Board has filed its Affidavit in Reply dated 18/08/2025 in O.A. No. 35 of 2025, and the same is duly placed on record before this Hon'ble Court.
- (2) I say and submit that the present Misc. Application is filed by the Original Respondent NO.1 against the Original Applicant and Ors. praying that whether the Consent to Establish for the present project of the M/s Sankla Buildcon and not to impose the penal charges amounting to Rs.3,68,863/-.



(3) I say and submit that the State Level Environment Impact Assessment Authority (SEIAA) has granted an Environment Clearance to the M/s. Sankla Buildcoon (Project Proponent-PP) on 19/10/2021 for TPA – 32850.00 sq. mtrs. and total **BUA is 114181.03 sq. mtrs.** for proposed residential and commercial project at Survey No.44(p), 45, 47, 49(p) and 50(p), Bhugaon, Mulshi, Dist: Pune, subject to certain terms and conditions. Subsequently, SEIAA has granted an Environment Clearance to M/s. Sankla Buildcon (PP) on 23/02/2023 for TPA – 32850.00 sq. mtrs. and total BUA is **95475.14 sq. mtrs.,** subject to certain terms and conditions. This EC is Excluding the Tower 5,6,8,9 as PP has not obtained CFO NOC for the same. Hence, the area configuration in the Environment Clearance has changed.



I say and submit that the Respondent-MPC Board has granted Consent to Establish to M/s. Sankla Buildcoon (PP) on 12/02/2021 and First Consent to Operate (Part-II) and Renewal of Consent to Operate (Part-I) dated 16/4/2025. Considering the Consents granted by the Respondent-MPC Board, the consented parameters such as capital investment, water consumption, effluent generation, non-hazardous waste generation, D.G. set capacity etc. have been changed, as compared to the earlier Environment Clearance. The details are as under: -

Sr No.	Parameters	Consent to Establish dated 12/2/2021	1st Environment Clearance dated 19/10/2021	2 nd Environment Clearance dated 23/2/2023.	1 st Consent to Operate (Part-II) and renewal of Consent to Operate (Part-I) 16/4/2025.	Application of Consent to Establish (expansion) MPCB- CONSENT-0000256099 date-13/8/2025
1	Construction BUA	114181.03	114181.03	95475.14	40295.04 out of 95475.14 sq. mtrs	95475.014
2	Capital Investment	95Crs	95Crs	98Crs	57.68Crs	184.43Crs
3	Water Consumption	453CMD	453CMD	486CMD	165CMD	466 CMD
4	Domestic Effluent	422.50 CMD	422.5 CMD	405 CMD	165CMD	405CMD
5	STP Capacity	465CMD	470CMD	445CMD	450 CMD	445 CMD
6	Non -HW generation	Wet Waste-1197 Kg/day Dry Waste-1076 Kg/day	Wet Waste-1197 Kg/day Dry Waste-1076 Kg/day	Wet Waste-1049 Kg/day Dry Waste-720 Kg/day STP Sludge-64.79 Kg/day E-waste-4.80 Kg/day	Wet Waste-281 Kg/day Dry Waste-422 Kg/day Kg/day E-waste-702 Kg/per Annum	Wet Waste-720 Kg/day Dry Waste-1049 Kg/day Kg/day E-waste-4.80 Kg/per Annum
7	DG Sets	DG Set (125KVA)	DG Set (180KVA) DG Set (140KVA) DG Set (100KVA)	DG Set (400KVA) DG Set (600KVA)	DG Set (250 KVA), DG Set (63 KVA)	DG Set (250 KVA), DG Set (62 KVA)

(5) I say and submit that now the Applicant-PP has applied for Consent to Establish (Expansion) vide Application dated 13/08/2025 with a capital investment of Rs.184.43 crores, as per the C.A. Certificate submitted by the Applicant-PP. The capital investment is increased as compared to the earlier Consent to Establish from Rs.95 crores to Rs.184.43 crores, therefore, the Applicant-PP has to pay additional consent fees as per the Board's policy. Hence, the Respondent-MPCB will not refund the consent fees paid by the Applicant-PP.

- (6) I say and submit that therefore, the Applicant-PP has to obtain revised Consent to Establish for change in water budget, D.G. set, capital investment etc. as compared to earlier Consent to Establish dated 12/2/2021.
- (7) I say and submit that the Respondent-MPC Board will waive the penal charges for not obtaining Consent to Establish (Expansion) as the earlier Consent to Establish dated 12/2/2021 granted to the Applicant-PP is still in force.
- (8) Hence this Affidavit.

Solemnly affirmed on this 09th day of December, 2025 at Pune.

I know the affiant

For and on behalf of Maharashtra Pollution Control Board i.e. Respondent No.10

ADVOCATE

Awatade
(Navanath Awatade)
Sub-Regional Officer,
MPCB, Pune-II

BEFORE ME
Mangala N. Wakhare
MANGALA N. WAKHARE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA
09 DEC 2025

NOTARY
MANGALA N. WAKHARE
PUNE CITY
MAHARASHTRA
REGISTRATION NO. 18718
EXPIRY DT: 09/12/2029
GOVERNMENT OF INDIA

