

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH AT, PUNE
ORIGINAL APPLICATION NO. 56/2020 (WZ)**

**Tanaji Balasaheb Gambhire _____ Applicant
V/S**

**1. The Chief Secretary,
Government of Maharashtra & Others
_____ Respondents**

ANNEXURE INDEX

SR. NO.	PARTICULARS	PAGE NOS.
1.	ANNEXURE- 'A' Copy of the Judgment passed in Original Application No. 63/2019 dated 01/12/2022 i.e. Ajay Jayvantrao Bhosale v. Union of India & Ors.	
2.	ANNEXURE- 'B' Copy of the Notification dated 15/01/2007 issued by the PCMC.	
3.	ANNEXURE- 'C' Colly Copies of the Consent to Operate issued by the MPCB and copy of EC and handover of amenity documents.	
4.	ANNEXURE- 'D' Copy of the Architect Certificate dated 15/12/2021.	

957

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ORIGINAL APPLICATION NO.56/2020 (WZ)

Tanaji Balasaheb Gambhire _____ Applicant
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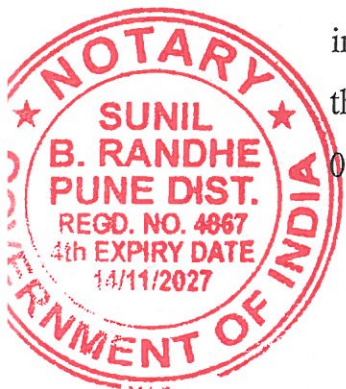
1. The Chief Secretary,
Government of Maharashtra & Others _____ Respondents

Affidavit in Reply on behalf of Respondent No. 17 i.e. M/s. River
Residency Developers:-

I, Mr. Anand Jain, Age-48 Adult, Occupation - Business, Residing at- Amar Renaissance, E-1001, Sopanbaug, Pune-411001, the Director of M/s. River Residency Developers i.e. Respondent No.17 is filing this Affidavit in Reply to the Original Application only with the limited purpose of bringing on record the true and correct facts of the subject matter. I shall not be deemed to admit anything save and except whatever specifically stated hereunder:-

**A. PRELIMINARY SUBMISSIONS:-
LIMITATION:-**

I say and submit that no cause of action has arisen under the National Green Tribunal Act, 2010 and more specifically under Section 14 of the said act as has been sought to be alleged by the Applicant herein. I say and submit that the present Respondent No. 17 had obtained the Commencement Certificate for the said project on 24/02/2011 and thereafter the Respondent No. 17 had also obtained EC dated 07/10/2011 in respect of the said project. It is evident from Para 65b of the application that the present original applicant had issued a legal notice dated 05/07/2017 to Respondent No. 17 along with all the concerned authorities

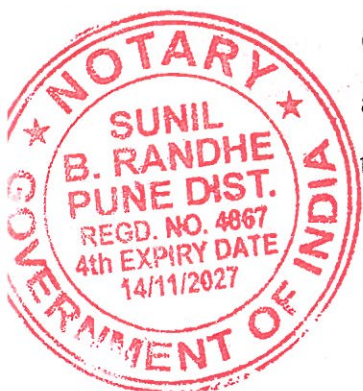


958

wherein he had raised all the issues which are raised in the present Original Application no. 56/2020. Thus, he was totally aware of the said allegations since 2017 inspite of which he has filed the present original application in 2020. It is pertinent to note that, there is substantially and unwarranted delay in filing of the present original Application. Further, this Hon'ble Tribunal has recently held in the matter of Original Application No. 63/2019 dated 01/12/2022 Ajay Jayvantrao Bhosale v. Union of India & Ors that cause of action has to date back to when the construction actually arose and that subsequent knowledge would not give rise to cause of action to file an Original Application under Section 14 of the National Green Tribunal Act, 2010. Therefore as per Section 14 of the National Green Tribunal Act, 2010, the present Application is to be dismissed as barred by the limitation. Hereto marked and annexed as "Annexure -A" is the copy of the Judgment passed in Original Application No. 63/2019 dated 01/12/2022 i.e. Ajay Jayvantrao Bhosale v. Union of India & Ors.

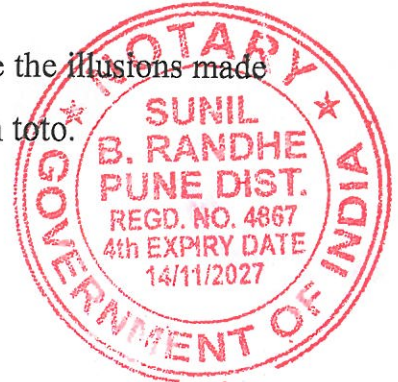
B. PARA WISE REPLY TO THE ORIGINAL APPLICATION:-

1. I say and submit that the averments made in Para 1 and 2 are details of the Applicant and the Respondents which are matter of record and hence, I do not wish to comment on same.
2. I say and submit that the averments made in Para 3 are the allegations made against Respondent No. 17 in respect to the River Residency project and I deny the entire averments in toto. Further I say and submit that the Respondent No. 17 along with the land owners had executed a Joint Venture Development Agreement dated 12/05/2010 in respect of Gat No.90 admeasuring 14H 40R out of total area i.e. 23H 10R situated at Village Chikhali, Taluka Haveli, District Pune, as the area falls under the residential zone. Further, it is pertinent to note that the STP



reservation area is not part and parcel of the said Joint Venture Development Agreement dated 12/05/2010. Further the said project which is the subject matter of the present Original Application is not constructed within the prohibited zone of blue flood line and the same has been confirmed by the Joint Committee that was constituted by this Hon'ble Tribunal vide Order dated 30/06/2021. It is pertinent to note that in point 5.0 sub para (i) of the Joint Committee Report, it is concluded by the respected committee that said River Residency Project does not fall under the Prohibited Zone of the blue flood line of Indrayani River and that the STP reservation area is not part and parcel of the Joint Venture Agreement dated 12/05/2010 that was executed between the Respondent No. 17 and land owners.

- 3. I say and submit that the averments made in Para 4 are false and incorrect and I deny the same in toto. Further, I say and submit that the said project i.e. River Residency was developed pursuant to Joint Venture Agreement by following due process of law. Further it is pertinent to note that the Respondent No. 17 being the project proponent has complied with all the necessary requisites for developing the said property.
- 4. I say and submit that the averments made in Para 5 are false and incorrect and I deny the same in toto. Further, the contentions raised by the Applicant in Para 5 are his self assumption without concrete evidence to prove any of such allegations.
- 5. I say and submit that the averments made in Para 6 are the details of Indrayani River and I do not wish to comment on the same.
- 6. I say and submit that the averments made in Para 7 are the illusions made up by the Applicant in his mind and I deny the same in toto.



960

7. I say and submit that the averments made in Para 8a, 8b, 8c and 8d are matter of fact and record and I do not wish to comment on the same.
8. I say and submit that the averments made in Para 8e are false and incorrect and I deny the same in toto. Further, I say and submit that the said project i.e. River Residency was developed pursuant to Joint Venture Agreement by following due process of law. Further it is pertinent to note that the Respondent No. 17 being the project proponent has complied with all the necessary requisites for developing the said property.
9. I say and submit that the averments made in Para 9 are false and incorrect and the same is denied by the Respondent No. 17 in toto. Further, the Respondent No. 17 states that the Respondent No. 17 has carried out the construction as per the sanction plan of a total built up area of 2,44,251.74 Sq. Mtrs. (FSI of 1,34,802.99 Sq. Mtrs. and Non- FSI of 1,09,448.75 Sq. Mtrs.), the Respondent No. 17 has completed the total construction area as on date 15/12/2021 is 1,99,568.51 Sq. Mtrs., remaining total construction area of 44,688.13 Sq. Mtrs. (FSI of 23,917.95 Sq. Mtrs and Non-FSI of 20,770.18 Sq. Mtrs.) is yet to be completed. Further it is pertinent to note that the same has been confirmed by the Joint Committee in its Report dated 08/12/2021. Furthermore, as per the Notification dated 15/01/2007 issued by the Respondent No.8 i.e. PCMC, the raised open space on podium is permitted. Thus, as the Respondent No. 17 has obtained the sanction plan for the said project on 24/02/2011, the judgment passed by the Hon'ble Supreme Court dated 17/12/2013 is not applicable in the present matter. Hereto marked and annexed as "**Annexure -B**" is the copy of the Notification dated 15/01/2007 issued by the PCMC.



10. I say and submit that the averments made in Para 10(a) to 10(bb) are false and incorrect and the same is denied by the Respondent No. 17 in toto. Further, I say and submit that the said River Residency project is not constructed in the blue flood line of Indrayani River. The said project is not affecting the natural flow of the Indrayani River as the said project is constructed on the Residential Area. Further it is pertinent to note that the area reserved for Sewage Treatment Plant is not part and parcel of the said project as the said reserved area was not included in the Agreement dated 12/05/2019 executed between the Respondent No. 17 and the land owners. Further the Respondent No. 17 states that the Respondent No. 17 had obtained the sanctioned plan which included the podium, raised open space and parking below from the concerned authorities on 16/11/2011 i.e. before the Judgment dated 17/12/2013 was passed by the Hon'ble Supreme Court. Further I say and submit that the RMC plant was commissioned in the year 2011 solely for the captive use in respect of the said project only and not for commercial use. Further the Respondent No. 17 had applied for consent to establish and operate in the year 2017 by paying lapse fees from the year 2011 and the consent was granted on 25/09/2017 for the period upto 31/12/2019. Further it is pertinent to note that in the meantime the plant was dismantled and subsequently removed in the end of year 2017 and same was observed during the Joint Committee visit dated 08/12/2021. It is denied that Respondent No. 17 has carried out Construction to the tune 2,63, 805.59 m². As per the duly certified architect area statement, total built-up area of 2,44,251.74 m² (FSI of 1,34,802.99 m² and non-FSI of 1,09,448.75 m²), M/s. River Residency has completed the total construction area as on date, is 1,99,568.51 m², remaining total construction area of 44,688.13 m² (FSI 23,917.95 m² and Non-FSI of 20,770.18 m² is yet to be completed. Further it is pertinent to note that the Nala No. 23 as alleged by the Applicant was physically not present at the site and the same is evident from the Village Map, Town Planning plan, Town planning opinion for



962

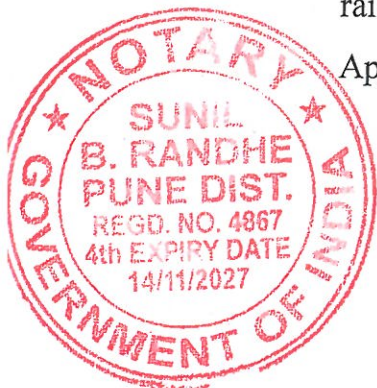
the said project, Demarcation plan by PCMC and same has been confirmed by the Joint Committee in its Report dated 08/12/2021. Further, the Joint Committee in its Report has confirmed that there is not mention of ground coverage area in EC dated 07/10/2011. Further it is evident from the vague allegations that the Applicant has filed the said Original Application only with sole intention to harass the Respondent No. 17 and to create nuisance value litigation. Further there are no specifications or evidences are on record to prove the contentions made in the said paras.

11. I say and submit that the averments made in Para 11i, 11ii and 11iii are matter of facts and record and I do not wish to comment on the same.
12. I say and submit that the averments made in Para 12 in its entirety about the illegal dumping of construction waste/ debris carried out by the Respondent No. 12 and 13 hence the Respondent No. 17 is not concerned as the said plot falling within the Green Zone Reservation was never a part and parcel of Joint Venture Agreement dated 12/05/2010. Further it is pertinent to note that an Original Application bearing no. 50/2020 has already being filed before the Hon'ble Tribunal in regard to the illegal construction and dumping carried out by the Respondent No. 12 and 13.
13. I say and submit that the averments made in Para 13 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further the Respondent No. 17 states that the said blue flood line and red line plans in respect of Indrayani River have been submitted by the Irrigation Department to the PCMC on 23/07/2008 and accordingly the said markings were confirmed by the PCMC. Further the Respondent No. 17 pursuant to the said marking has obtained the said sanctioned plans in 2011 in respect of the said project. Therefore, the Respondent No. 17 is



nowhere concerned with the markings of blue flood line and red line of the Indrayani River.

14. I say and submit that the averments made in Para 14 in its entirety are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the Respondent No. 17 has not constructed any structure in the green belt as well as blue flood line as the said area is not part and parcel of the said Joint Venture Agreement dated 12/05/2010. It is pertinent to note that the disputed construction raised on the blue flood line and green zone is subject matter in Original Application bearing No.50/2020 filed before this Hon'ble Tribunal.
15. I say and submit that the averments made in Para 15 in its entirety are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that it is pertinent to note that the Nala No. 23 as alleged by the Applicant was physically not present at the site and the same is evident from the Village Map, Town Planning plan, Town planning opinion for the said project, Demarcation plan by PCMC and same has been confirmed by the Joint Committee in its Report dated 08/12/2021.
16. I say and submit that the averments made in Para 16 in its entirety are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the Respondent No. 17 has not constructed any structure in the green belt as well as blue flood line as the said area is not part and parcel of the said Joint Venture Agreement dated 12/05/2010. It is pertinent to note that the disputed construction raised on the blue flood line and green zone is subject matter in Original Application bearing No. 50/2020 filed before this Hon'ble Tribunal.

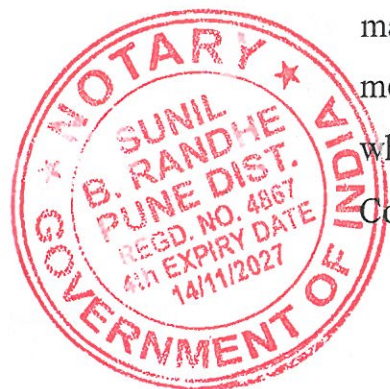


964

17. I say and submit that the averments made in Para 17 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the said plot admeasuring 50,000 sq. mtrs. was reserved for Sewage Treatment Plant (STP). However, as the PCMC had constructed the structure of STP, the Respondent No. 15 i.e. Federation of River Residency Co-Operative Housing Society had filed an Original Application bearing No. 41/2019 before the Hon'ble National Green Tribunal wherein vide Order dated 30/01/2020 the PCMC was directed to demolish the STP as the PCMC had constructed the STP within the Prohibitive Zone. Hence, it is evident that the Applicant has filed the present Original Application without application of mind and with ill intention only to harass the Respondents.

18. I say and submit that the averments made in Para 18 are not related to the Respondent No. 17 and I do not wish to comment on the same.

19. I say and submit that the averments made in Para 19 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the EC dated 07/10/2011 has been granted as per the master layout submitted by the Respondent No. 17 in 2010. It is pertinent to note that in the master layout of 2010, the Respondent No 17 had provided 10% open space as it was mandatory under the then PCMC Environmental Clearance rules. Accordingly the EC was granted in 2011 and the project was sanctioned with raised open space with podium permission in 2011. Thereafter on 17/12/2013 the Hon'ble Supreme Court passed a Judgment wherein the Hon'ble Court had prohibited the allotment of recreational space on the podium and had made it mandatory to provide such recreational space. Further it was mentioned that the above directives shall apply to those developments where building plans are not being approved or where the Commencement Certificate has not been issued on 17/12/2013.

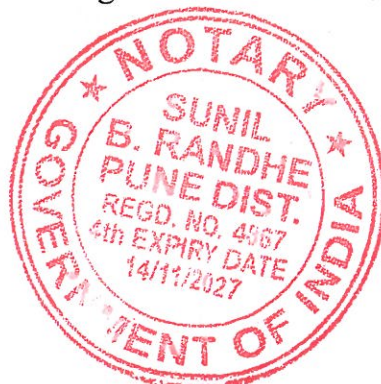


Therefore in the present case the Respondent No. 17 has obtained the sanction plans including the sanctioning of podium, raised open space and parking below in 2011.

20. I say and submit that the averments made in Para 20 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the Joint Committee in its Report has confirmed that there is not mention of ground coverage area in EC dated 07/10/2011.

21. I say and submit that the averments made in Para 21, 22, 23 and 24 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further, I say and submit that the present project i.e. River Residency has been constructed by obtaining necessary permissions from the statutory authorities and complying the same. Further, no grievance or non-compliance has been noted by the statutory authorities in respect of the said project.

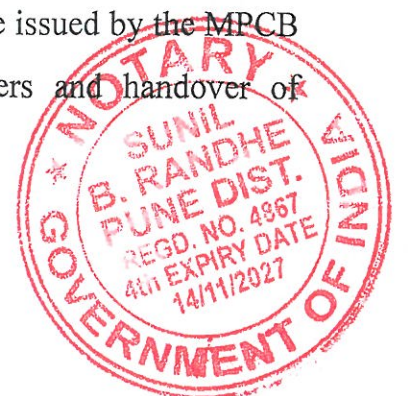
22. I say and submit that the averments made in Para 25 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the RMC plant was commissioned in the year 2011 solely for the captive use in respect of the said project only and not for commercial use. Further the Respondent No. 17 had applied for consent to establish and operate in the year 2017 by paying lapse fees from the year 2011 and the consent was granted on 25/09/2017 for the period upto 31/12/2019. Further it is pertinent to note that in the meantime the plant was dismantled and subsequently removed in the end of year 2017 and same was observed during the Joint Committee visit dated 08/12/2021.



966

23. I say and submit that the averments made in Para 26 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the said Demarcation Plan was issued on 06/09/2012 which has never been disputed by the present Applicant. Further, the Respondent No. 17 has constructed the said project according to the sanctioned plans by following due process of law pursuant to the Joint Venture Agreement.

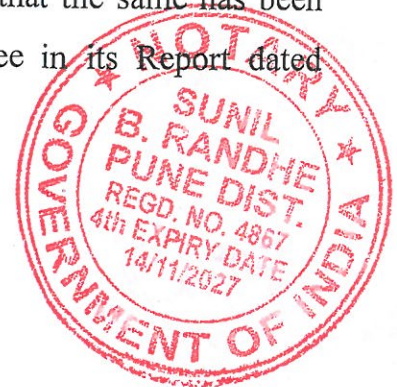
24. I say and submit that the averments made in Para 27, 29, 39, 41 and 42 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that consent to operate was granted on 25/11/2013 for total plot area of 2,31,000 Sq. Mtrs. and built up area of 75,270.21 Sq. Mtrs. which was valid upto 31/01/2015. Second consent to operate was granted on 06/11/2015 for total plot area of 2,31,000 sq.mtrs. and built up area of 79,847.36 sq.mtrs. which was valid upto 31/01/2017. Third consent to operate was granted on 02/08/2018 for total plot area of 2,31,000 sq.mtrs. which was valid upto 31/01/2020. In the meantime the Respondent No. 17 after completing the construction work of Phase I, II and III of the River Residency Project had formed phase wise society of the flat purchasers and had handed over all the assets, amenities and permission with all the document to the respect societies. It is pertinent to note that vide letter dated 07/10/2019, the Respondent No. 17 had specifically directed the respective societies that the consent to operate in respect of STP is valid till 31/01/2020 and the future renewal and its day to day operation shall be performed by the respective societies. Therefore, the responsibility of renewal and maintenance of the STP is of Respondent No. 15. Hereto marked and annexed as "Annexure - C" (Colly) are the copies of the Consent to Operate issued by the MPCB and copies of communication to society members and handover of amenity documents.



25.I say and submit that the averments made in Para 28 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the said Demarcation Plan was issued on 26/09/2014 which has never been disputed by the present Applicant. Further, the Respondent No. 17 has constructed the said project according to the sanctioned plans by following due process of law pursuant to the Joint Venture Agreement.

26.I say and submit that the averments made in Para 30 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further the Respondent No. 17 states that the Environmental Clearance which was granted on 07/10/2011 was valid for a period of 5+2 years and therefore after its expiry the present Respondent No. 17 had applied for extension after expiry of the said period.

27.I say and submit that the averments made in Para 31 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that it is rule of law that the excavation material of land falling under the green belt shall be stored on the land itself and shall be used for the same land from where the material is excavated. It is pertinent to note that the Respondent No. 17 has not dumped any extra material on or around the said project area as the said excavated material was reused in the development of Nature Park, Plantation/ Landscape Development as the EC dated 07/10/2011. Further the lower soil excavated has been used in back filling and road construction and the other aggregates have been reused as per mandatory GRIHA green building norms for e.g. back filling, leveling of each building plinth and road construction. Further it is pertinent to note that the same has been observed and confirmed by the Joint Committee in its Report dated 30/06/2021.



968

28. I say and submit that the averments made in Para 32 are false and incorrect and the same are denied by the Respondent No. 17 in toto.

29. I say and submit that the averments made in Para 33 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the Respondent No. 17 has not constructed any structure in the green belt as well as blue flood line and has not dumped any construction waste on the said plot as the said area is not part and parcel of the said Joint Venture Agreement dated 12/05/2010. It is pertinent to note that the disputed construction raised on the blue flood line and green zone and dumping of construction waste on the said plot is subject matter in Original Application bearing No. 50/2020 filed before this Hon'ble Tribunal.

30. I say and submit that the averments made in Para 34 are baseless as the Complaints made by the Applicant were false and malicious and therefore the concerned authorities have not taken indulgence in the said Complaint. It is pertinent to note that Respondent No. 17 has appeared before all the concerned authorities as and when called for clarification and have submitted all the necessary documents against the Complaints and Notices.

31. I say and submit that the averments made in Para 35 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the SEAC-III committee after verifying all the documents has granted the EC by following due process of law.

32. I say and submit that the averments made in Para 36 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that Respondent No. 17 has not concealed any information and has not misled any authority. Further, the Respondent



No. 17 has stated all the factual aspect in respect of the said project in its reply. It is denied that the 18 Meters DP road is passing through the project, further I state that the 18 Meters DP road is outside the project boundary, since it was handed over to PCMC and the road has been subsequently constructed by the authorities for public use. Further I say and submit that it is denied by the Respondent No. 17 that the Project proponent has suppressed any information regarding the stone quarry as alleged, even though the alleged stone quarry has not been mentioned in any Village map, town planning plan, Town Planning opinion, DP opinion, demarcation plan for River Residency project by PCMC and other land records. It is stated that the alleged stone quarry does not form part of the constructed area, and has been left as is, and stands segregated from the constructed area, by the boundary wall of the completed phase 2 of the project. It is denied that any sale of minerals or any other benefits were accrued by Respondent No 17. Therefore with the said area being a residential zone and not a designated quarry zone, FSI and plan sanctions accordingly thereof have been obtained by the Respondent No 17 from PCMC as per the applicable laws.

33. I say and submit that the averments made in Para 37 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the RMC plant was commissioned in the year 2011 solely for the captive use in respect of the said project only and not for commercial use. Further the Respondent No. 17 had applied for consent to establish and operate in the year 2017 by paying lapse fees from the year 2011 and the consent was granted on 25/09/2017 for the period upto 31/12/2019. Further it is pertinent to note that in the meantime the plant was dismantled and subsequently removed in the end of year 2017 and same was observed during the Joint Committee visit dated 08/12/2021.



970

34. I say and submit that the averments made in Para 38 and 40 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further, I say and submit that M/s River Residency has constructed the residential building project, as per the EC and PCMC approved Sanction Plans/Building Plans/ Commencement Certificates. It is pertinent to note that M/s. River Residency has obtained total 7 revisions in the Sanction Plans/ Building Plans/ Commencement Certificates from PCMC and constructed as per the aforementioned PCMC approved Sanction Plans/Building Plans/ Commencement Certificates. As per the duly certified architect area statement, it is gathered from the sanctioned total built-up area of 2,44,251.74m² (FSI of 1,34,802.99 m² and non- FSI of 1,09,448.75 m²), M/s. River Residency has completed the total construction area as on date 15/12/2021 is 1,99,568.51 m², remaining total construction area of 44,688.13 m² (FSI 23,917.95 m² and Non- FSI of 20,770.18 m² is yet to be completed. Thus, the Respondent No. 17 has completed the said project by following the due process of law. Hereto marked and annexed as "Annexure -D" is the copy of the Architect Certificate dated 15/12/2021.

35. I say and submit that the averments made in Para 43, 44 and 45 are allegations against SEIAA and I deny the same in toto. Further I say and submit that all the statutory authorities have followed the due process of law while issuing permissions in respect of the said project.

36. I say and submit that the averments made in Para 46 are not related to the Respondent No. 17 and I do not wish to comment on the same.

37. I say and submit that the averments made in Para 47 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that Respondent No. 17 had procured water through tanker supply during the time from 08/06/2011 to 31/03/2014.

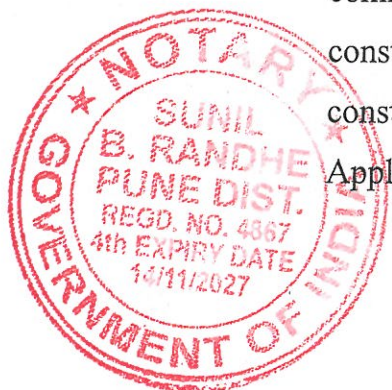


Thereafter the Respondent No. 17 had obtained permission for withdrawal of water from Indrayani River during the time of construction of the said project. In furtherance to the same the Respondent No. 17 has been paying the water bills to the concerned department from 05/11/2014 to 31/03/2019. It is pertinent to note that the Respondent No. 17 has not installed any bore well and no ground water has been illegally extracted and the same has been confirmed by the Joint Committee Report dated 08/12/2021.

38. I say and submit that the averments made in Para 48 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the Respondent No. 17 has taken measures for preserving fertile top soil by covering it with HDPE sheets. Further the excavated has been reused in development of the said project and the same has been confirmed by the Joint Committee Report dated 08/12/2021.

39. I say and submit that the averments made in Para 49 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the Respondent No. 17 has planted over 1327 number of trees in the premise if the said project and the same has been informed to the PCMC which has been confirmed by the Joint Committee Report dated 08/12/2021.

40. I say and submit that the averments made in Para 50 and 51 are allegations against the Respondent Nos. 12 and 13 and I do not wish to comment on the same. It is pertinent to note that the disputed construction raised on the blue flood line and green zone and dumping of construction waste on the said plot is subject matter in Original Application bearing No. 50/2020 filed before this Hon'ble Tribunal.



972

41. I say and submit that the averments made in Para 52 and 53 are false and incorrect and the same are denied by the Respondent No. 17 in toto. The said project which is the subject matter of the present Original Application is not constructed within the Prohibited Zone of blue flood line and the same has been confirmed by the Joint Committee that was constituted by this Hon'ble Tribunal vide order dated 30/06/2021. It is pertinent to note that in point 5.0 sub para (i) of the Joint Committee Report, it is concluded by the respected committee that said River Residency project does not fall under the Prohibited Zone of the blue flood line of Indrayani River and that the STP reservation area is not part and parcel of the Joint Venture Agreement dated 12/05/2010 that was executed between the Respondent No. 17 and land owners.

42. I say and submit that the averments made in Para 54 are allegations against the PCMC and I do not wish to comment on the same.

43. I say and submit that the averments made in Para 55 are allegations against the Irrigation/Water Resource Department and I do not wish to comment on the same.

44. I say and submit that the averments made in Para 56 are allegations against the Ld. District Collector, Pune and I do not wish to comment on the same.

45. I say and submit that the averments made in Para 57 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further I say and submit that the Respondent No. 17 being the project proponent has constructed the said project by obtaining the necessary permissions prescribed by the law. Further, it is pertinent to note that the Respondent No. 17 has not violated any provisions of the law.

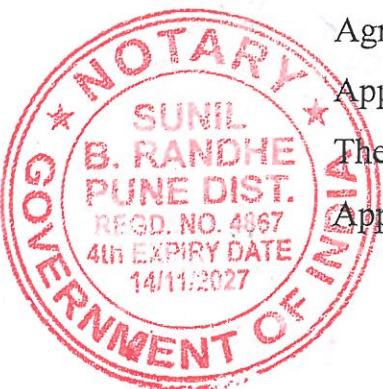


46. I say and submit that the averments made in Para 58,59,60,61 and 62 are false and incorrect and the same are denied by the Respondent No. 17 in toto.

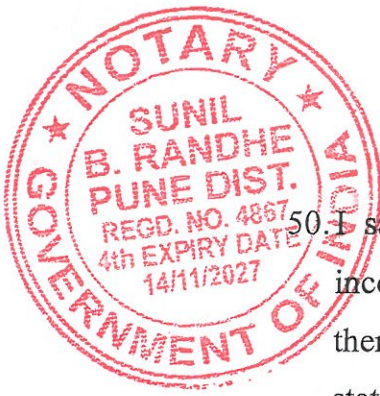
47. I say and submit that the averments made in Para 63 are the locus standi for the filing the present Application it is pertinent to note that the applicant is not directly or indirectly affected by the alleged illegal construction of the said project as the Applicant is neither a resident or a stake holder of the said society. The Applicant has filed the present application with sole intention of harassing and causing mental agony to the Respondents. The Respondent No. 17 states that the Applicant with ulterior motive has filed such nuisance value litigation and the same is evident from the vague allegations made by the Applicant against the Respondents in the present application. It is pertinent to note that there are no complaints as to the environmental issues against the Respondent No. 17 from the existing residents of the said society and no cases are filed against the Respondent No. 17 before any court of law for any of the abovementioned contentions made by the Applicant.

48. I say and submit that the averments made in Para 64 are matter of record and I do not wish to comment on the same.

49. I say and submit that the averments made in Para 65 are false and incorrect and the same are denied by the Respondent No. 17 in toto. Further, I say and submit that the Respondent No. 17 has never illegally dumped the construction waste in the Prohibited Zone of the blue flood line as the said area was not a part and parcel of the Joint Venture Agreement dated 12/05/2010 and the same is subject matter of Original Application bearing No. 50/2020 filed before this Hon'ble Tribunal. Therefore, the cause of action as contended in the present Original Application has never arose against the Respondent No. 17.



974



50. I say and submit that the averments made in Para 65 are false and incorrect and the same are denied by the Respondent No. 17 in toto as there was no cause of action arose against the Respondent No. 17 as stated above and hence the question of limitation does not falls in.

51. Further I say and submit that the Respondent No. 17 has also filed an Interlocutory Application (IA) for the dismissal of the Original Application No. 56/2020 on the grounds of limitation.

52. Therefore, in the facts and circumstances above mentioned I say and submit that the said Application deserves to be dismissed with cost.

53. I crave leave to file additional affidavit in future if found necessary.

Whatever stated hereinabove is true and correct to the best of my knowledge and belief.

Solemnly affirmed by me at Pune on this 18th Day of April, 2023.

Identified by me,

Chetan R. Nagare

Mr. Chetan R. Nagare
Ms. Siddhi S. Mirghe
Advocates for Respondent No.17

Deponent

Siddhi S. Mirghe

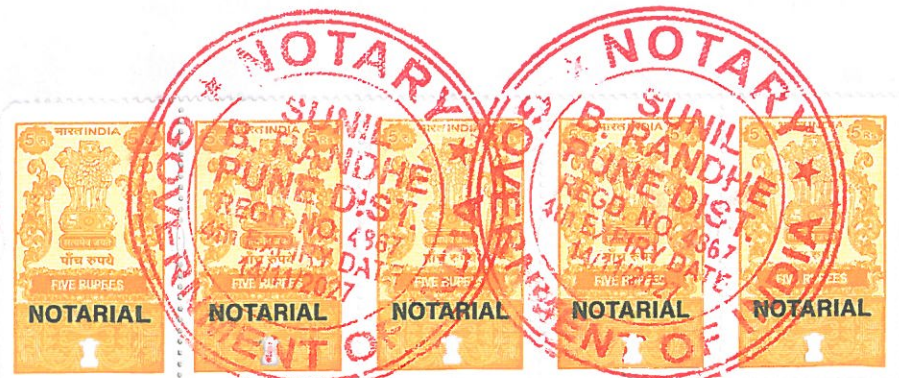
Before me

BEFORE ME

**SUNIL B. RANDHE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA**

**NOTED AND REGISTERED AT
SERIAL NUMBER 1360**

18 APR 2023



Item No. 4

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

(By Video Conferencing)

Original Application No. 63/2019(WZ)
(I.A. No. 100/2019 & I.A. No. 86/2021)

Mr. Ajay Jayvantrao Bhosale

.....Applicant

Versus

Union of India through MoEF&CC & Ors.

....Respondent(s)

Date of hearing: 01.12.2022

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : Mr. Nitin Lonkar, Advocate
Respondent(s) : Ms. Manasi Joshi, Advocate for R-1, 6 & 7
Mr. Aniruddha Kulkarni, Advocate for R-3 to 5
Mr. S. Swaminathan, Advocate for R-8 & 9/PCMC
Mr. Saket Mone along-with Mr. Abhishek Salian,
Advocates for R-11/PP

ORDER

1. Today this matter is listed on the issue of limitation against which objection has been filed by the learned Counsel for the Applicant.
2. Heard the arguments of learned Counsel for the Applicant Mr. Nitin Lonkar and learned Counsel for Respondent No. 11/Project Proponent- Mr. Saket Mone along-with learned Counsel Mr. Abhishek Salian.

I.A. No. 86/2021(WZ)

3. This I.A. has been filed by the Respondent No. 11/Project Proponent (PP), praying for dismissal of the Original Application No. 63/2019(WZ). The main ground which has been set up in this application is that Original Application is time barred, therefore, it requires to be dismissed at the threshold itself. The core issue raised by the Applicant is

976

that the Respondent No. 11 did not obtain prior Environmental Clearance (EC) with respect to the project in question.

4. As per the Project Proponent (PP), he commenced the construction and excavation in the year, 2012, therefore, the cause of action in respect of the alleged construction first arose in the year, 2012 which is well over 07 years from the date of the filing of the present Original Application.

5. The Sections 14 and 15 of the National Green Tribunal Act, 2010 provide for 06 months from the date when the cause of action first arose within which the Original Application ought to have filed. Therefore, if the 06 months period is calculated from the year 2012, it would expire in the year 2013 and as regards Section 15, it provides for 05 years period from the date of cause of action first arose, which too would expire in the year, 2017, while the Original Application has been filed on 14.08.2019.

6. The learned Counsel for the Respondent No. 11 has drawn our attention to para no. 40 of the main petition, where-in it is stated by the Applicant that the Project Proponent carried out illegal construction on 0 sq. mtrs. to 18500 sq. mtrs. vide sanction dated 24.11.2016.

7. As per the Applicant in O.A., the Project Proponent had intention to go on beyond 36,500 sq. mtrs. vide sanction dated 31.03.2018. The civil construction activity is recurring process. The Project Proponent/Respondent No. 11 has increased the project capacity from 0 sq. mtrs to 18500 sq. mtrs. from 2011 to 19.05.2018, therefore, it is nothing but a recurring cause of action for building construction activity.

8. The Applicant in Original Application had obtained information through online search and under RTI Act from 2017 to 18.05.2018 and thereafter had sent legal notice through Counsel to the Respondents inviting their attention towards the violations committed by the Project

Proponent. Therefore, the cause of action first arose on 15.06.2019 when SEIAA issued a Show Cause Notice to the Project Proponent.

9. Therefore, 06 months period from 15.06.2019 should be counted, which would end on 14.12.2019, while the present application has been filed on 14.08.2019, therefore, it is within time.

10. As per Respondent No. 11/Project Proponent (PP), the above contention of the Applicant in Original Application is absolutely false because the Applicant is trying to establish the date 19.05.2019 as the date, when the first cause of action arose on the basis of his having obtained information under RTI. It is further argued by the learned Counsel for the Respondent No. 11 that any person may move an RTI application on a particular date of his choice in order to create cause of action so as to bring it within the period of limitation in order to initiate legal proceedings, which cannot be allowed to happen because that is not the intent of law.

11. The learned Counsel for the Respondent No. 11 has placed reliance of the Judgment *Jai Javan Jai Kisan and ors. v. Vidarbha Cricket Association and Ors.* [MANU/GT/0006/2017], where-in relevant para no. 11 is as follows:-

“11. Conjoint reading of Section 14 and 15 of the National Green Tribunal Act reveals that essentially any application moved for claiming reliefs there-under must necessarily present a Civil case wherein substantial question relating to environment or environmental damage arising under the enactments specified in the Schedule-I of the Act (including accident occurring while handling any hazardous substance) is involved. We are, therefore, of the considered opinion that it is the substantial question relating to the environment or environmental damage as aforesaid which gives rise to the cause for an action under the provisions of National Green Tribunal Act, 2010. In the present case, the question raised is about restoration of the environmental damage on account of injury to it as a result of raising VCA Stadium without EC or consent to operate under the provisions of Schedule-I Acts viz Environment (Protection) Act, 1986, the Air (Prevention and

Control of Pollution) Act 1981 and Water (Prevention and Control of Pollution) Act 1974. As stated herein above, the causes of injury are insufficiency of Effluent Treatment Plant (ETP), open spaces, parking spaces and tree cover. These facts were very much manifest when the VCA stadium became functional in the year 2008. In our opinion, therefore, the cause of action for the present Application arose first when the VCA stadium became functional. There is nothing in the Application to state that these injuries stood compounded further to actuate the Applicants to initiate the action in the present case as framed.”

12. Thereafter, the learned Counsel for the Respondent No. 11 has placed reliance on *Graminee Environment Development Foundation v. Balaji Infrastructure Ltd. & Ors.* [(2017) SCC Online NGT 1098], where-in relevant para nos. 11 to 13 are as follows:-

“11. Section 15 (3) of the NGT Act, 2010 in clear terms requires the Application for restitution of the property damaged to be made within the period of five (5) years from the date on which cause for such relief first arose, and provides for discretion to the Tribunal to condone delay for ‘sufficient cause’ if the application is filed within further period of sixty (60) days and no further. In the present case, the Applicant avers that the cause of action first arose on 24.2.2015, when the letter was addressed by the Member Secretary, Maharashtra Coastal Zone Management Authority (MCZMA) to the Collector, Raigad to take action in respect of the grievance made by the Applicant and yet no action was taken by the authorities. The Applicant has further revealed in her Application that she has been making several complaints to the Authorities about the said grievance, first such complaint being made on 15.9.2014 to the Divisional Commissioner, Konkan Division, Navi Mumbai. Reading of the letter dated 24.2.2015, Annexure ‘I to the Application (Pg.81) reveals the nature of grievance made by the Applicant. In short, the Applicant was aggrieved by the alleged illegal blasting work, storage of minerals and reclamation by Dighi Port Ltd. Similarly, the grievance made with complaint dated 15.9.2014 is regarding alleged illegal work of reclamation of seashore and filling rocks at village Nanavali and intertidal land encroachment without EC by Dighi Port Ltd, and Balaji Infrastructure Ltd.

12. In our considered opinion, making of grievance of the kind in the present case by writing a letter cannot be constituted as ‘cause of action’ but the actual act or its consequence constitutes ‘cause of action’ in any case. In the present case, cause of action has arisen as a result of blasting work as well as dumping of rocks etc. by Dighi Port Ltd and its holding Company Balaji Infrastructure Ltd in the said land.

13. A perusal of the Application gives some clue as to when such acts of blasting of hills and dumping of material excavated started. The Applicant has pleaded in her Application that Respondent No.1 encroached upon 3km of seashore of village Nanaivali and without permission of any Govt. Authority dumped soil and rocks there. It is further pleaded that Respondent No.1 has been doing illegal activities of levelling, blasting, excavation of land, filling of land space with soil, dumping huge rocks and artificial land spaces without any permission; and in spite of such illegalities going on, Respondent Nos. 2 to 7- Govt. Authorities did nothing. The Applicant in her pleadings referred to EC granted in the name of Dighi Port Ltd on 30th September, 2005 for construction of Port at village Dighi, Taluka Shrivardhan, District Raigad and states that she does not challenge or dispute anything about such EC or any work at Dighi Port and her only grievance is that Respondent No.1 has encroached upon the property and extended various kinds of constructions beyond consented area. These facts as pleaded if read in conjunction with the plaint in Regular Civil Suit No.4 of 2009 filed by the Applicant in the Court of Civil Judge, Junior Division, Shrivardhan, do make sense as to when alleged activity had started. At para-7 of the said plaint, the Applicant has categorically stated that on 26.12.2008 the defendant (therein) i.e. Dighi Port Ltd came at the land adjacent to the house of the Applicant in order to make encroachment and reclaimed the land, and this highhanded activity of Dighi Port Ltd was resisted by the Applicant with objection that they cannot reclaim land by blasting the hills and dumping rocks at the said land. A clear fact emerges that the act of blasting the hill sides, dumping materials illegally and reclamation of land, first started in or about December, 2008. Thus, cause of action for the present Application clearly arose in or about December, 2008.”

13. Based on the above provisions of law, it is vehemently argued by the learned Counsel for the Respondent No. 11/Project Proponent that the present application is time barred and needs to be dismissed on that ground alone.

14. During argument, the learned Counsel for the Applicant in Original Application has pointed out that he is relying on para no. 18.25 & 18.26 of the reply affidavit dated 26.10.2021, mentioned at page nos. 981 to 986 of the paper book, which are as follows:-

“18.25. I state that, this Hon-ble Tribunal in the matter of “Forward Foundation, A Charitable Trust and Ors. Vs. State of Karnataka and Ors. (OA No. 222/2014) Judgment dated

7th May, 2015", reported in 2015 SCC Online NGT 5 in dealing with the issue of limitation and cause of action has specifically held as follows-

"24. The expression 'cause of action' as normally understood in civil jurisprudence has to be examined with some distinction, while construing it in relation to the provisions of the NGT Act. Such 'cause of action' should essentially have nexus with the matters relating to environment. It should raise a substantial question of environment relating to the implementation of the statutes specified in Schedule I of the NGT Act. A 'cause of action' might arise during the chain of events, in establishment of a project but would not be construed as a 'cause of action' under the provisions of the Section 14 of the NGT Act, 2010 unless it has a direct nexus to environment or it gives rise to a substantial environmental dispute. For example, acquisition of land simplicitor or issuance of notification under the provisions of the land acquisition laws, would not be an event that would trigger the period of limitation under the provisions of the NGT Act, 'being cause of action first arose'. A dispute giving rise to a 'cause of action' must essentially be an environmental dispute and should relate to either one or more of the Acts stated in Schedule I to the NGT Act, 2010. If such dispute leading to 'cause of action' is alien to the question of environment or does not raise substantial question relating of environment, it would be incapable of triggering prescribed period of limitation under the NGT Act, 2010. [Ref Liverpool and London S.P. and I Asson. Ltd: v. M.V. Sea Success I and Anr., (2004) 9 SCC 512, J. Mehta v. Union of India, 2013 ALL (I) NGT REPORTER (2) Delhi, 106, Kehar Singh v. State of Haryana, 2013 ALL (I) NGT REPORTER (DELHI) 556, Goa Foundation v. Union of India, 2013 ALL (I) NGT REPORTER DELHI 234].

25. In contradistinction to 'cause of action first arose', there could be 'continuing cause of action', 'recurring cause of action' or 'successive cause of action'. These diverse connotations with reference to cause of action are not synonymous. They certainly have a distinct and different meaning in law, 'Cause of action first arose' would refer to a definite point of time when requisite ingredients constituting that 'cause of action' were complete, providing applicant right to invoke the jurisdiction of the Court or the Tribunal. The Right to Sue' or 'right to take action' would be subsequent to an accrual of such right. The concept of continuing wrong which would be the foundation of continuous cause of action has been accepted by the Hon'ble Supreme Court in the case of Bal Krishna Savalram Pujari & Ors. v. Sh. Dayaneshwar Maharaj Sansthan & Ors., AIR 1959 SC 798.

18:26 Further I state that, the **Forward Foundation** Judgment was challenged before the Hon'ble Supreme Court in the matter of **Mantri Technoze Pvt. Ltd. Vs. Forward Foundation, Civil Appeal No. 5016/2016 reported in (2019) 18 SCC 494** has specifically held vide judgment dated 5th March, 2019 and has confirmed the said judgment

of Forward Foundation and even the Review petition of the same has been dismissed vide order dated 06/08/2019 and has thus become final and binding.

"In fact, in the original application before the Tribunal there was no mention of the provision under which it was being filed. It is well settled principal of law that non-mention of or erroneous mention of the provision of law would not be of any relevance, if the Court had the requisite jurisdiction to pass an order. It would be mere irregularity and would not vitiate the application or the judicial order of the Tribunal"

The NGT Act being a beneficial legislation, the power bestowed upon the Tribunal would not be read narrowly. An interpretation which furthers the interests of environment must be given a broader reading. (See Kishsore Lal v. Chairman, Employees' State Insurance Corpn. (2007) 4 SCC 579, para 17). The existence of the Tribunal without its broad restorative powers under Section 15(1)(c) read with Section 20 of the Act, would render it ineffective and toothless, and shall betray the legislative intent in setting up a specialized Tribunal specifically to address environmental concerns. The Tribunal, specially constituted with Judicial Members as well as with Experts in the field of environment, has a legal obligation to provide for preventive and restorative measures in the interest of the environment"

"The Tribunal has also jurisdiction under Section 15(1)(a) of the Act to provide relief and compensation to the victims of pollution and other environmental damage arising under the enactments specified in Schedule I. Further, under Section 15(1)(b) and 15(1)(c) the Tribunal can provide for restitution of property damaged and for restitution of the environment for such area or areas as the Tribunal may think fit. It is noteworthy that Section 15(1)(b) & (c) have not been made relatable to Schedule I enactments of the Act. Rightly so, this grants a glimpse into the wide range of powers that the Tribunal has been cloaked with respect to restoration of the environment."

"Section 15(1)(c) of the Act is an entire island of power and jurisdiction read with Section 20 of the Act. The principles of sustainable development, precautionary principle and polluter pays, propounded by this Court by way of multiple judicial pronouncements, have now been embedded as a bedrock of environmental jurisprudence under the NGT Act. Therefore, wherever the environment and ecology are being compromised and jeopardized, the Tribunal can apply Section 20 for taking restorative measures in the interest of the environment."

15. The Applicant in Original Application has also placed reliance upon the important dates and events, which have been quoted by him in para

982

14 of the reply affidavit, mentioned at page nos. 926 to 928 of the paper book, which are as follows:-

"14. IMPORTANT DATES AND EVENTS:

I state that, the following events and dates are very important to understand the collusion between the Government Authorities and Respondent No. 11-PP and tactics, favouring practices adopted by the Joint Committee Members and Respondent No. 11-PP;

Sr. No.	Events	Date
1.	<u>1st Application for EC</u>	<u>07.09.2013</u>
2.	<u>1st Show Cause Notice by SEIAA & PS- DoE</u>	<u>30.08.2014</u>
3.	<u>1st Withdrawal Communication for SCN</u>	<u>10.03.2015</u>
4.	<u>1st Consent to Establish</u>	<u>10.03.2015</u>
5.	<u>2nd Application for EC</u>	<u>30.06.2016</u>
6.	<u>2nd Consent to Establish</u>	<u>12.10.2017</u>
7.	<u>3rd Application for EC</u>	<u>06.10.2018</u>
8.	<u>Notice/Complaint of Original Applicant</u>	<u>19.05.2019</u>
9.	<u>MPCB 1st Site Visit by Field Officer</u>	<u>10.06.2019</u>
10.	<u>2nd Show Cause Notice by SEIAA & PS- DoE</u>	<u>15.06.2019</u>
11.	<u>MPCB 2nd Site Visit by SRO-2</u>	<u>27.06.2019</u>
12.	<u>Filing of OA</u>	<u>14.08.2019</u>
13.	<u>First Order of NGT</u>	<u>22.10.2019</u>
14.	<u>Service to Joint Committee of SEIAA & MPCB</u>	<u>02.11.2019</u>
15.	<u>Personal hearing given to PP by PS-DoE</u>	<u>11.11.2019</u>
16.	<u>2nd Withdrawal Communication for SCN</u>	<u>16.11.2019</u>
17.	<u>Second Order of NGT</u>	<u>10.12.2019</u>
18.	<u>Joint Committee Visit to project site</u>	<u>15.12.2019</u>
19.	<u>Architect Certificates prepared on</u>	<u>20.12.2019</u>
20.	<u>Joint Committee Report filed to NGT</u>	<u>07.01.2020</u>
21.	<u>Third Order of NGT issuing Notice 86 Show cause to PP</u>	<u>05.02.2020</u>
22.	<u>Service to the Respondent No. 11-PP</u>	<u>15.02.2020</u>
23.	<u>Grant of ex-post facto EC</u>	<u>18.02.2020</u>
24.	<u>Appeal No. 26/2020 filed on</u>	<u>19.03.2020</u>
25.	<u>Fourth Order of NGT</u>	<u>13.07.2020</u>
26.	<u>Respondent No. 11-PP Reply Affidavit Sworn on</u>	<u>24.09.2020</u>
27.	<u>Respondent No. 11-PP filed</u>	<u>24.09.2020</u>
28.	<u>Fifth Order of NGT</u>	<u>03.09.2021</u>
29.	<u>Respondent No. 11-PP filed 86/2020 filed on</u>	<u>06.10.2021</u>
30.	<u>Respondent No. 11-PP Corrected Reply Affidavit served on Original</u>	<u>09.10.2021</u>

Applicant

16. He has argued that in this case, there is recurring cause of action and therefore, the date which has stated in his application i.e. 15.06.2019, when the SEIAA issued a Show Cause Notice to the Project Proponent, should be treated to be the date of cause of action.

17. We have heard the arguments of the parties and perused the record and also have gone through the Judgments, which have been relied upon by both the parties, we find that as far as legal position is concerned, Sections 14 & 15 of the National Green Tribunal Act, 2010 provide as follows:-

“Section 14:- Tribunal to settle disputes.-

- (1)*
- (2)*
- (3) No application for adjudication of dispute under this Section shall be entertained by the Tribunal unless it is made within a period of six months from the date on which the cause of action for such dispute first arose:*

Provided that the Tribunal may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period, allow it to be filed within a further period not exceeding sixty days.”

Section 15:- Relief, compensation and restitution –

- (1)*
- (2)*
- (3) No application for grant of any compensation or relief or restitution of property or environment under this section shall be entertained by the Tribunal unless it is made within a period of five years from the date on which the cause for such compensation or relief first arose:*

Provided that the Tribunal, may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period, allow it to be filed within a further period not exceeding sixty days.”

18. According to the Applicant in Original Application, as per his own pleadings which are stated in para no. 40, it is clear that construction of the project by the Project Proponent was started in the year 2011 and continued till 19.05.2018. He states that he had obtained information

984

through online search and under RTI from 2017 to 18.05.2018. Thereafter, he had sent legal notice through Counsel on 19.05.2019. According to him, the SEIAA had issued first Show Cause Notice on 15.06.2019. Therefore, that date should be taken to be the date of cause of action, which first arose.

19. We are not inclined to accept this argument because according to his pleading, he had full knowledge in the year 2011 itself when the construction had started. The pretext of having come to know about this project being constructed through RTI on a later date as stated above appears to be only in order to bring the present Original Application within limitation period. We agree with the learned Counsel for the Project Proponent (PP) that it is very easy for any person to use RTI to seek information for any project on any date chosen by him. We are of the considered opinion that such kind of practice cannot be allowed. We are not inclined to accept the argument made by the learned Counsel for the Applicant in Original Application and are convinced with the argument raised by the learned Counsel for the Respondent No. 11/Project Proponent. We find that this Original Application is time barred, hence this Original Application stands dismissed as time barred.

20. All connected I.A.s also stand disposed of.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

December 01, 2022
Original Application No. 63/2019(WZ)
(I.A. No. 100/2019 & I.A. No. 86/2021)
P.Kr

RAISED OPEN SPACE

- बाचलें - १. पिंपरी विधानसभे महानगरपालिकेने शासनास दि. १७/१०/०५ चे पत्र क्रमांक नरवि/कावि/१३/३७८/२००५ अन्वये पाठविलेल्या फेरबदल प्रस्ताव
२. पिंपरी विधानसभे महानगरपालिकेने शासनास दि. १०/०८/०६ चे पत्र क्रमांक नरवि/कावि/१३/२५८/२००६ अन्वये पाठविलेल्या फेरबदल प्रस्ताव
३. भा. आयुक्त यांची मंजूर टिपणी

पिंपरी विधानसभे महानगरपालिका
पिंपरी, पुणे ४११ ०५८
बांधवाम परवानगी विभाग
क्रमांक - बीपी/विनिनि/ /२००६
दिनांक - १५-०१-२००७

विषय - इमारतीची उंची ३१.०० मी पर्यंत अनुज्ञाप करणे, पौडियम पार्किंग व १०% खुली जागा विकसित करताना वर खुली जागा व त्याखाली पार्किंग (Raised Open Space) अनुज्ञाप करणेबाबत

आदेश/-

पिंपरी विधानसभे महानगरपालिकेने शासनास दि. १७/१०/०५ चे पत्र क्रमांक नरवि/कावि/१३/३७८/२००५ अन्वये पाठविलेल्या फेरबदल प्रस्ताव म.प्र. व १३. अधिनियम १९६६ चे कल ३७ अन्वये शासनाचे मान्यतेसाठी सादर केलेले आहेत. संदर्भ १ नुसार इमारतीची उंची काला ३६.० मी पर्यंत अनुज्ञाप करणे, व संदर्भ २ नुसार पौडियम पार्किंगसह बहुमजली पार्किंग अनुज्ञाप करणे तसेच खुली जागा विकसित करताना वर खुली जागा व त्याखाली पार्किंग विकसित करणे (Raised Open Space) परवानगी देणेबाबतही नसताना प्रस्तावित करण्यात आलेली आहे. सदर प्रस्तावाबाबत दिनांक १९/१०/२००६ रोजी भा. आयुक्त, महाराष्ट्र राज्य बांधकाम व ना. पातळणी पुणे जिल्हा इतर संबंधित अधिकार्यांची चर्चा झाली त्यावेळेस भा. आयुक्त महाराष्ट्र यांनी महानगरपालिकेस सं. क्र. १ व २ चे फेरबदल प्रस्तावास तसेच मान्यता दिलेली आहे.

पिंपरी विधानसभे महानगरपालिकेने शासनास दि. १०/०८/०६ चे पत्र क्रमांक नरवि/कावि/१३/२५८/२००६ अन्वये पाठविलेल्या फेरबदल प्रस्ताव म.प्र. व १३. अधिनियम १९६६ चे कल ३७ अन्वये शासनाचे मान्यतेसाठी सादर केलेले आहेत. संदर्भ १ नुसार इमारतीची उंची काला ३६.० मी पर्यंत अनुज्ञाप करणे, पौडियम पार्किंगसह बहुमजली पार्किंग अनुज्ञाप करणे तसेच खुली जागा विकसित करताना वर खुली जागा व त्याखाली पार्किंग विकसित करणे (Raised Open Space) परवानगी देणेबाबतही नसताना प्रस्तावित करण्यात आलेली आहे. सदर प्रस्तावाबाबत दिनांक १९/१०/२००६ रोजी भा. आयुक्त, महाराष्ट्र राज्य बांधकाम व ना. पातळणी पुणे जिल्हा इतर संबंधित अधिकार्यांची चर्चा झाली त्यावेळेस भा. आयुक्त महाराष्ट्र यांनी महानगरपालिकेस सं. क्र. १ व २ चे फेरबदल प्रस्तावास तसेच मान्यता दिलेली आहे.

पिंपरी विधानसभे महानगरपालिकेने शासनास दि. १०/०८/०६ चे पत्र क्रमांक नरवि/कावि/१३/२५८/२००६ अन्वये पाठविलेल्या फेरबदल प्रस्ताव म.प्र. व १३. अधिनियम १९६६ चे कल ३७ अन्वये शासनाचे मान्यतेसाठी सादर केलेले आहेत. संदर्भ १ नुसार इमारतीची उंची काला ३६.० मी पर्यंत अनुज्ञाप करणे, पौडियम पार्किंगसह बहुमजली पार्किंग अनुज्ञाप करणे तसेच खुली जागा विकसित करताना वर खुली जागा व त्याखाली पार्किंग विकसित करणे (Raised Open Space) परवानगी देणेबाबतही नसताना प्रस्तावित करण्यात आलेली आहे. सदर प्रस्तावाबाबत दिनांक १९/१०/२००६ रोजी भा. आयुक्त, महाराष्ट्र राज्य बांधकाम व ना. पातळणी पुणे जिल्हा इतर संबंधित अधिकार्यांची चर्चा झाली त्यावेळेस भा. आयुक्त महाराष्ट्र यांनी महानगरपालिकेस सं. क्र. १ व २ चे फेरबदल प्रस्तावास तसेच मान्यता दिलेली आहे.

१. संदर्भ क्र. १ नुसार प्रस्तावित केल्याप्रमाणे इमारतीची कमाल उंची ३६.०० मी. पर्यंत (नियम क्र. १२.६ नुसार) सौम्य परिशिष्ट मध्ये नमूद केलेल्या अटी व शर्तीचे अधिन पुर्तता होत असल्यास अनुज्ञेय करण्यास मान्यता देत आहे.
२. संदर्भ क्र. २ नुसार प्रस्तावित केल्याप्रमाणे पोटिंगम पार्कींग (नियम क्र. १४.७ नुसार) सोबतचे परिशिष्टामध्ये नमूद केलेल्या अटी व शर्तीची अधिन पुर्तता होत असल्यास अनुज्ञेय करण्यास मान्यता देत आहे.
३. संदर्भ क्र.२ नुसार प्रस्तावित केलेप्रमाणे (नियम क्र. ११.३१.३.५) खुली जागा विकसित करताना, वरती खुली जागा व त्याखाली फ्लॉरिंग (Raised Open Space) असे नियोजित करण्यास या आदेशान्वये मान्यता देत आहे.
४. सदरहू आदेश ताबडतोब अंमलात येत आहे.

राही/-

आयुक्त,

पिंपरी चिंचवड महानगरपालिका,

पिंपरी, पुणे - ४११ ०१८

स्थळ प्रतीवर मा अधिकृत यांची
रवाक्षरी असु.

प्रत - १. शहर अभियंता, पिंपरी चिंचवड महानगरपालिका, पिंपरी

यांस माहितीस्तय व पुढील कार्यवाहीसाठी अर्पित

२. उपसंचालक नगररचना, पिंपरी चिंचवड महानगरपालिका, पिंपरी

यांस माहितीस्तय व पुढील कार्यवाहीसाठी अर्पित.

३. सर्व संबंधित

शहर अभियंता,

पिंपरी चिंचवड महानगरपालिका

पिंपरी, पुणे - ४११ ०१८

Translated copy

Read:

1. Proposal of change sent to Government by Pimpri-Chinchwad Municipal Corporation vide letter No NRV/KV/1A/378/2005 dated 17/10/2005
2. Proposal of change sent to Government by Pimpri-Chinchwad Municipal Corporation vide letter No NRV/KV/1A/258/2006 dated 10/8/2006
3. Sanctioned Note of the Commissioner

Pimpri-Chinchwad Municipal Corporation,
Pimpri, Pune-411018
Construction Permission Dept
No BP/VNN/2007
Dated 15/1/2007

Sub: Making height up to 36 m permissible, while developing Podium Parking and 10% open space making the raised open space permissible

Order:

To bring similarity in Sanctioned Development Control Regulations of Pimpri-Chinchwad Municipal Area as per Pune Municipal Corporation, the Pimpri-Chinchwad Municipal Corporation had submitted Development Control Regulation for approval of Government vide Reference No.1 the change proposals in Sanctioned Development Control Regulation under section 37 of Maharashtra Region & Town Planning Act 1966. As per Reference No.1 to make the height of building permissible up to maximum 36 m and while developing Podium Parking and 10% open space making the raised open space permissible wherein the provision for giving approval is proposed. Regarding said proposals on 11/10/2006 the discussion had taken place with Chief

988

Minister Maharashtra State along with Guardian Minister of Pune District and other concerned Officers. At that time the Chief Minister has granted in principle approval to change proposals of Municipal Corporation as per Reference No 1 and 2.

From the point of view of making available facilities of good standard to the citizens of Pimpri-Chinchwad City to make the height of building permissible up to maximum 36 m, to make multi-storied parking with podium parking permissible and giving permission while developing the open space above and parking below seems to be essential so that area would be available to a large extent for parking. Similarly other supplementary facilities would also be available.

Hence under the presumption that to the proposal submitted by Pimpri-Chinchwad Municipal Corporation to the Government vide Reference No.1 under section 37 of Maharashtra Regional & Town Planning Act 1966 Government approval would be received, I, the Commissioner Pimpri-Chinchwad Municipal Corporation as per the discretion got under Rule No 6.6.2.2 hereby granting my approval for doing immediate implementation as shown below:

1. As proposed vide Reference No 1 the maximum height of the building up to 36.00 m (as per Rule No 19.6) subject to fulfilment as stated in the annexure giving my approval for making the same permissible.
2. As proposed vide Reference No 2 the Podium Parking (as per Rule No 14.7) subject to fulfilment as stated in

the annexure giving my approval for making the same permissible.

3. As proposed vide Reference No 2 (Rule No 11.3.1.3.vi) while developing the open space for doing planning for giving permission while developing the open space above and parking below giving my approval by this order.
4. This order would be effective immediately.

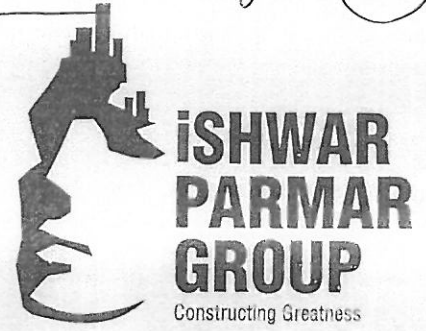
SD
Commissioner
Pimpri-Chinchwad Municipal Corporation
Pimpri, Pune-411018

On office copy there is signature of the Commissioner

Copy to:

1. City Engineer, Pimpri-Chinchwad Municipal Corporation, Pimpri for information and for taking further action
2. Dy. Director of Town Planning, Pimpri-Chinchwad Municipal Corporation, Pimpri for information and for taking further action
3. All concerned

SD
Commissioner
Pimpri-Chinchwad Municipal Corporation
Pimpri, Pune-411018



To,
The Chairman,
River Residency Phase 1, 2 & 3
Chikhali, Pune-411062

07 Oct 2019

Sub-Operation, Maintenance and compliance of Environment related Aspects in Society

Dear Sir,

1. Kindly find enclosed following documents.

- a) Copy of Environment Clearance 03 Jan 2019 for River Residency vide Letter No. SEAC-2011/CR620/TC dated 07 October 2011.
- b) Copy of Consent to Operate granted vide MPCB letter No. format 1.0/BO/RO-HQ/CC-1808000103 dated 02-08-2018
- c) Corrections to consent to operate letter submitted to MPCB vide our letter No. IPG/ENGG/RRC/SA/19/2018 dated 30-08-2018.

2. It is hereby intimated that as per existing guidelines, the society/Condominium needs to maintain all environment related infrastructure installed and handed over to society. The infrastructure which needs to maintained as per the norms laid down are

- a) Sewage Treatment plant. b) Organic Waste converter.
- c) Generators. d) Solar hot water system.

3. As part of maintenance of Environment related infrastructure, there is a need to operate, maintain and monitor these assets regularly for their optimal performance as per the norms laid down by various government agencies. This includes recycling of waste water, segregation of biodegradable & non biodegradable dry waste, utilization of solar water heating system and maintenance of generators.

991



**ISHWAR
PARMAR
GROUP**
Constructing Greatness

4. Also it will be pertinent to maintain that it is mandatory for society to renew Consent To Operate from MPCB on regular basis. The present Consent To Operate is valid till 31 Jan 2020, the process for renewal of same should commence at least two months before the date of expiry of consent. The necessary fees etc. need to be borne by society for obtaining the same.

5. In case some assistance is needed to facilitate renewal of Consent To Operate from us, we can assist / guide your committee in obtaining the same. However, notwithstanding the assistance extended, the sole responsibility with respect to operation, maintenance and obtaining government approvals will rest with Society alone, as these assets have been handed over to your society and are currently being operated and maintained by concerned society.

Yours Sincerely

Ms. Darshana Parmar Jain Pune

on behalf of Ishwar Parmar

992



STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

सत्यमेव जयते

Environment department,
Room No. 217, 2nd floor,
Mantralaya, Annexe,
Mumbai- 400 032.
Date: January 3, 2019

To,
Mr. Ishwar C. Parmar
at Gat No. 90 & 75 Part

Subject: Environment Clearance for Expansion / Amendment Construction Project

Sir,

This has reference to your communication on the above mentioned subject. The proposal was considered as per the EIA Notification - 2006, by the State Level Expert Appraisal Committee-III, Maharashtra in its 68th meeting and recommend the project for prior environmental clearance to SEIAA. Information submitted by you has been considered by State Level Environment Impact Assessment Authority in its 146th meetings.


2. It is noted that the proposal is considered by SEAC-III under screening category 8b (B1) as per EIA Notification 2006.

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

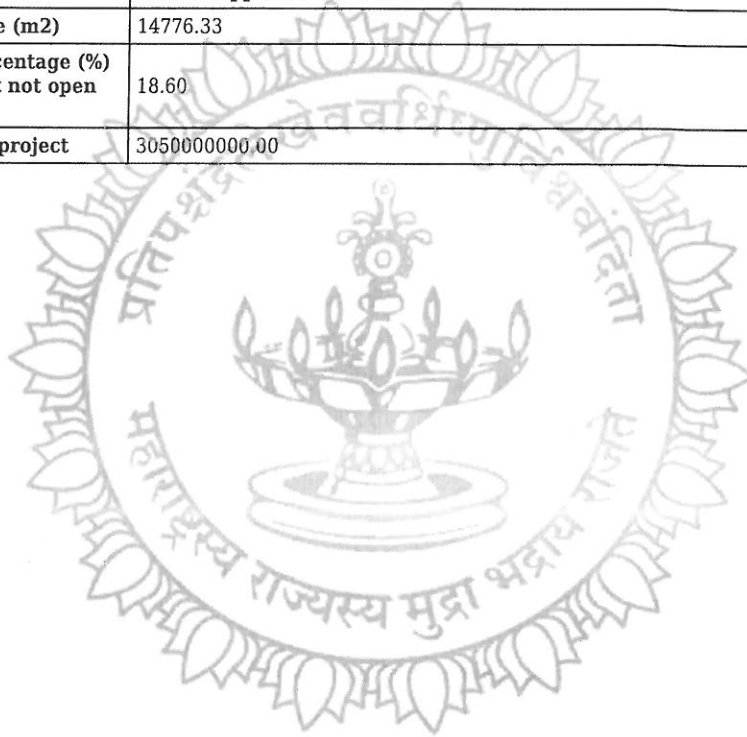
1.Name of Project	"River Residency" by M/s River Residency Developers
2.Type of institution	Private
3.Name of Project Proponent	Mr. Ishwar C. Parmar
4.Name of Consultant	Ultra-Tech (Environment Consultancy & Laboratory)
5.Type of project	Housing
6.New project/expansion in existing project/modernization/diversification in existing project	EC obtained vide letter No. SEAC-2011/CR.620/TC.2 dated 07th October 2011
7.If expansion/diversification, whether environmental clearance has been obtained for existing project	EC obtained vide letter No. SEAC-2011/CR.620/TC.2 dated 07th October 2011
8.Location of the project	Gat No. 90 & 75 Part
9.Taluka	Haveli
10.Village	Chikhali
Correspondence Name:	M/s River Residency Developers,
Room Number:	Ishwar Parmar Group
Floor:	Ground Floor
Building Name:	Parmar Trade Centre 'C' Wing
Road/Street Name:	Sadhu Waswani Chowk
Locality:	Near Pune Station
City:	Pune
11.Area of the project	Pimpri Chinchwad Municipal Corporation
12.IOD/IOA/Concession/Plan Approval Number	Approval Recieved
	IOD/IOA/Concession/Plan Approval Number: BP/ENV/1/2018 DATED 15.05.2018
	Approved Built-up Area: 134802.99
13.Note on the initiated work (If applicable)	EC obtained vide letter No. SEAC-2011/CR.620/TC.2 dated 07th October 2011 for Construction area 2,39,049.92m ² ; Out of above 1,89,291.66 m ² is already completed.

SEIAA Meeting No: 146 Meeting Date: December 5, 2018 (SEIAA-STATEMENT-0000000635)
SEIAA-MINUTES-0000000769
SEIAA-EC-0000000574

Page 1 of 14


Shri. Anil Diggikar (Member Secretary SEIAA)

14.LOI / NOC / IOD from MHADA/ Other approvals (If applicable)	NA
15.Total Plot Area (sq. m.)	232584.00
16.Deductions	153174.40 (including Resrvation Area 8733.89 , Green Belt including nature Park to be handed over 42934.69 and STP reservation 42747.07)
17.Net Plot area	79409.60
18 (a).Proposed Built-up Area (FSI & Non-FSI)	FSI area (sq. m.): 134802.99
	Non FSI area (sq. m.): 109448.75
	Total BUA area (sq. m.): 244251.74
18 (b).Approved Built up area as per DCR	Approved FSI area (sq. m.): 134802.99
	Approved Non FSI area (sq. m.): 109448.75
	Date of Approval: 15-05-2018
19.Total ground coverage (m2)	14776.33
20.Ground-coverage Percentage (%) (Note: Percentage of plot not open to sky)	18.60
21.Estimated cost of the project	3050000000.00



Government of Maharashtra

22. Production Details

Serial Number	Product	Existing (MT/M)	Proposed (MT/M)	Total (MT/M)
1	Not applicable	Not applicable	Not applicable	Not applicable

23. Total Water Requirement

Dry season:	Source of water	From PCMC, Water Tankers
	Fresh water (CMD):	1093
	Recycled water - Flushing (CMD):	539
	Recycled water - Gardening (CMD):	55
	Swimming pool make up (Cum):	7
	Total Water Requirement (CMD) :	1694
	Fire fighting - Underground water tank(CMD):	1400
	Fire fighting - Overhead water tank(CMD):	560
	Excess treated water	728
Wet season:	Source of water	From PCMC, Water Tankers
	Fresh water (CMD):	1093
	Recycled water - Flushing (CMD):	539
	Recycled water - Gardening (CMD):	00
	Swimming pool make up (Cum):	7
	Total Water Requirement (CMD) :	1639
	Fire fighting - Underground water tank(CMD):	1400
	Fire fighting - Overhead water tank(CMD):	560
	Excess treated water	783
Details of Swimming pool (If any)	Phase 1 - 2,05,000 lits Phase 3 - 43,200 lits	

995

24.Details of Total water consumed

Particulars	Consumption (CMD)			Loss (CMD)			Effluent (CMD)		
	Existing	Proposed	Total	Existing	Proposed	Total	Existing	Proposed	Total
Water Requirement									
Fresh water requirement	829	264	1093	82.9	26.40	109.3	746.1	237.60	983.7
Domestic	407	132	539	40.7	13.20	53.90	366.30	118.80	485.10
Gardening	55	00	55	55	00	55	00	00	00

25.Rain Water Harvesting (RWH)

Level of the Ground water table:	Wet Season 30m; Dry Season 60m
Size and no of RWH tank(s) and Quantity:	One quarry having capacity 30,000m3
Location of the RWH tank(s):	NA
Quantity of recharge pits:	Existing: 7 pits (Phase III) Proposed:13 pits (Phase IV)
Size of recharge pits :	Borehole dia 150mm having depth 100ft Size of the chamber - 900mm x 1200mm x 1000mm
Budgetary allocation (Capital cost) :	Rs. 25 Lakhs
Budgetary allocation (O & M cost) :	Rs. 1.5 Lakhs/Annum
Details of UGT tanks if any :	Domestic UG tank Capacity: 1639m3 Fire fighting: 1400m3 Rainwater harvesting Tank: 30,000m3

26.Storm water drainage

Natural water drainage pattern:	Sloping from South to North
Quantity of storm water:	2.31 m3/ sec
Size of SWD:	Ø600mm having slope 1:120 Ø 200-Ø600mm RCC Pipes

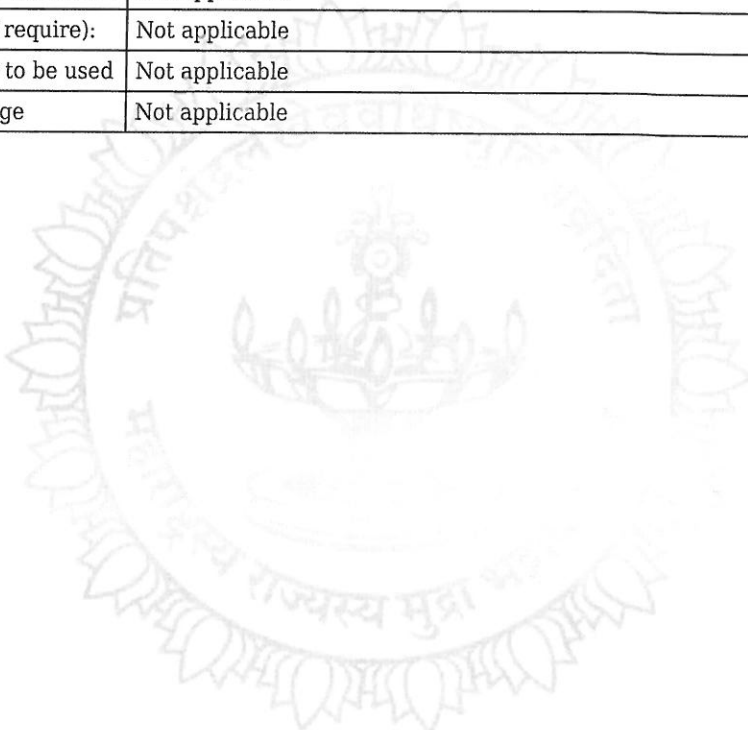
27.Sewage and Waste water

Sewage generation in KLD:	1469
STP technology:	MBBR
Capacity of STP (CMD):	Two streams of 750m3 each; Total 1500m3
Location & area of the STP:	Eastern centre of Plot
Budgetary allocation (Capital cost):	Rs. 300 Lakhs
Budgetary allocation (O & M cost):	Rs. 80 Lakhs/Annum

28.Solid waste Management		
Waste generation in the Pre Construction and Construction phase:	Waste generation:	81,257m3
	Disposal of the construction waste debris:	Quantities shall be reused for filling if remained shall be disposed to authorized recycler.
Waste generation in the operation Phase:	Dry waste:	2091
	Wet waste:	3412
	Hazardous waste:	NA
	Biomedical waste (If applicable):	NA
	STP Sludge (Dry sludge):	89
	Others if any:	NA
Mode of Disposal of waste:	Dry waste:	Handed over to PCMC
	Wet waste:	Smart Organic waste composter
	Hazardous waste:	NA
	Biomedical waste (If applicable):	NA
	STP Sludge (Dry sludge):	will be Used as manure
	Others if any:	NA
Area requirement:	Location(s):	North East, Centre East, West in the Plot
	Area for the storage of waste & other material:	65 m2
	Area for machinery:	140 m2
Budgetary allocation (Capital cost and O&M cost):	Capital cost:	Rs. 70 Lakhs
	O & M cost:	Rs. 15 Lakhs/Annum

Government of Maharashtra

29.Effluent Charecterestics					
Serial Number	Parameters	Unit	Inlet Effluent Charecterestics	Outlet Effluent Charecterestics	Effluent discharge standards (MPCB)
1	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Amount of effluent generation (CMD):		Not applicable			
Capacity of the ETP:		Not applicable			
Amount of treated effluent recycled :		Not applicable			
Amount of water send to the CETP:		Not applicable			
Membership of CETP (if require):		Not applicable			
Note on ETP technology to be used		Not applicable			
Disposal of the ETP sludge		Not applicable			



Government of Maharashtra

30.Hazardous Waste Details

Serial Number	Description	Cat	UOM	Existing	Proposed	Total	Method of Disposal
1	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable

31.Stacks emission Details

Serial Number	Section & units	Fuel Used with Quantity	Stack No.	Height from ground level (m)	Internal diameter (m)	Temp. of Exhaust Gases
1	100 kVA	Diesel - 19 ltr/hr	1	6	0.10	123
2	125 kVA	Diesel - 23 ltr/hr	1	6	0.10	133
3	160 kVA	Diesel - 30 ltr/hr	1	7	0.15	139
4	180 kVA	Diesel - 42 ltr/hr	2	7	0.15	139
5	320 kVA	Diesel - 55 ltr/hr	1	10	0.10	210
6	35 kVA	Diesel - 6 ltr/hr	1	5	0.10	115

32.Details of Fuel to be used

Serial Number	Type of Fuel	Existing	Proposed	Total
1	Diesel	169	48	217

33.Source of Fuel Authorized dealer

34.Mode of Transportation of fuel to site By road

35.Energy

Power requirement:	Source of power supply :	MSEDCL
	During Construction Phase: (Demand Load)	49 KW
	DG set as Power back-up during construction phase	62.5 KVA
	During Operation phase (Connected load):	10072KW / 11131 KVA
	During Operation phase (Demand load):	8005KW / 8548 KVA
	Transformer:	14 Nos. x 630 KVA
	DG set as Power back-up during operation phase:	1x320kVA, 1x 160kVA, 1x 125kVA, 2x 100kVA, 1x 35kVA & 2x 180kVA
	Fuel used:	Diesel
	Details of high tension line passing through the plot if any:	NA

Energy saving by non-conventional method:

999

Auto time control for external & common lighting
CFL, LED for common area lighting
Solar powered water heating
Electronics V3F Drives

36.Detail calculations & % of saving:

Serial Number	Energy Conservation Measures	Saving %
1	LED for common area lighting	37%
2	Solar powered water heating	5,994 KW

37.Details of pollution control Systems

Source	Existing pollution control system	Proposed to be installed
STP	Capacity - 2 x 750m3	NA
OWC	4 x 150kg and 2 x 1000kg	1 x 150kg and 1 x 1000kg
DG Set	Stacks of 1x320kVA, 1x 160kVA, 1x 125kVA, 1x 100kVA & 1x 180kVA	Stack of 1x 180kVA, 1x 35kVA,

Budgetary allocation (Capital cost and O&M cost):	Capital cost:	Rs. 240 Lakhs
	O & M cost:	Rs. 38 Lakhs/Annum

38.Environmental Management plan Budgetary Allocation

a) Construction phase (with Break-up):

Serial Number	Attributes	Parameter	Total Cost per annum (Rs. In Lacs)
1	Air	Water For Dust Suppression, air and noise monitoring	1.50
2	Water	Tanker water for construction, water monitoring	21.50
3	Land	Site Sanitation	7.23
4	Biological	Gardening	6.00
5	Socio-Economic	Safety, First Aid, Health Hygiene Facilities, Disinfection at site, Health Check Up, Crèches for children, Personal Protective Equipment, CFL lamps for labour hutments	12.50

b) Operation Phase (with Break-up):

Serial Number	Component	Description	Capital cost Rs. In Lacs	Operational and Maintenance cost (Rs. in Lacs/yr)
1	Water	STP	300	80
2	Rain Water Harvesting	RWH pits+ quarry and piping	25	1.5
3	Solid waste	OWC	70	15
4	Environmental monitoring	Air, water, soil monitoring & analysis	--	1.0
5	Land	Gardening	250	60

1000

6	Energy conservation	Solar water heating & Solar PV	215	3.5
7	swimmig Pool	swimming pool Phase 1 (157 Cum + 48 Cum) Swimming Pool Phase 4 43 Cum	42.4	4.2

39.Storage of chemicals (inflammable/explosive/hazardous/toxic substances)

Description	Status	Location	Storage Capacity in MT	Maximum Quantity of Storage at any point of time in MT	Consumption / Month in MT	Source of Supply	Means of transportation
Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable

40.Any Other Information

No Information Available



Government of Maharashtra

	CRZ/ RRZ clearance obtain, if any:	NA
	Distance from Protected Areas / Critically Polluted areas / Eco-sensitive areas/ inter-State boundaries	NA
	Category as per schedule of EIA Notification sheet	8b (B1)
	Court cases pending if any	NA
	Other Relevant Informations	NA
	Have you previously submitted Application online on MOEF Website.	Yes
	Date of online submission	10-02-2017

3. The proposal has been considered by SEIAA in its 146th meeting & decided to accord environmental clearance to the said project under the provisions of Environment Impact Assessment Notification, 2006 subject to implementation of the following terms and conditions:

Specific Conditions:

I	PP to submit cross section through the internal road showing Distance and the space left for SWD, plantation of trees and compound wall.
II	PP to submit undertaking for implementation of renewable energy along with terrace plan.
III	PP to submit details/section of UGT.
IV	PP to submit undertaking for CER activities.
V	PP to submit energy saving calculations.
VI	PP to submit water balance statement.
VII	PP to submit CER plan to District Collector and acknowledgment to be submitted to Member Secretary, SEIAA.

General Conditions:

I	E-waste shall be disposed through Authorized vendor as per E-waste (Management and Handling) Rules, 2016.
II	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.
III	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.
IV	PP has to abide by the conditions stipulated by SEAC & SEIAA.
V	The height, Construction built up area of proposed construction shall be in accordance with the existing FSI/FAR norms of the urban local body & it should ensure the same along with survey number before approving layout plan & before according commencement certificate to proposed work. Plan approving authority should also ensure the zoning permissibility for the proposed project as per the approved development plan of the area.
VI	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.
VII	All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.

VIII	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.
IX	The solid waste generated should be properly collected and segregated. dry/inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.
X	Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
XI	Arrangement shall be made that waste water and storm water do not get mixed.
XII	All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
XIII	Additional soil for leveling 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.
XIV	Green Belt Development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO/ Agriculture Dept.
XV	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.
XVI	Construction spoils, including bituminous material and other hazardous materials must not be allowed to contaminate watercourses and the dumpsites for such material must be secured so that they should not leach into the ground water.
XVII	Any hazardous waste generated during construction phase should be disposed off as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
XVIII	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.
XIX	The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from concern authority shall be taken.
XX	Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
XXI	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.
XXII	Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September 1999 and amended as on 27th August, 2003. (The above condition is applicable only if the project site is located within the 100Km of Thermal Power Stations).
XXIII	Ready mixed concrete must be used in building construction.
XXIV	Storm water control and its re-use as per CGWB and BIS standards for various applications.
XXV	Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
XXVI	The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.
XXVII	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. Discharge of this unused treated effluent, if any should be discharge in the sewer line. Treated effluent emanating from STP shall be recycled/refused to the maximum extent possible. Discharge of this unused treated effluent, if any should be discharge in the sewer line. Treatment of 100% gray water by decentralized treatment should be done. Necessary measures should be made to mitigate the odour problem from STP.
XXVIII	Permission to draw ground water and construction of basement if any shall be obtained from the competent Authority prior to construction/operation of the project.
XXIX	Separation of gray and black water should be done by the use of dual plumbing line for separation of gray and black water.
XXX	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.
XXXI	Use of glass may be reduced up to 40% to reduce the electricity consumption and load on air conditioning. If necessary, use high quality double glass with special reflective coating in windows.
XXXII	Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement.

XXXIII	Energy conservation measures like installation of CFLs /TFLs for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Use CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the extent possible like installing solar street lights, common solar water heaters system. Project proponent should install, after checking feasibility, solar plus hybrid non-conventional energy source as source of energy.
XXXIV	Diesel power generating sets proposed as source of backup power for elevators and common area illumination during operation 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. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
XXXV	Noise should be controlled to ensure that it does not exceed the prescribed standards. During nighttime the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.
XXXVI	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.
XXXVII	Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code, which is proposed to be mandatory for all air-conditioned spaces while it is aspiration for non-air-conditioned spaces by use of appropriate thermal insulation material to fulfill requirement.
XXXVIII	The building should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.
XXXIX	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.
XL	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.
XLI	Six monthly monitoring reports should be submitted to the Regional office MoEF, Bhopal with copy to this department and MPCB.
XLII	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 in Para 2. Prior certification from appropriate authority shall be obtained.
XLIII	Wet garbage 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. Local authority should ensure this.
XLIV	Local body should ensure that no occupation certification is issued prior to operation of STP/MSW site etc. with due permission of MPCB.
XLV	A complete set of all the documents submitted to Department should be forwarded to the Local authority and MPCB.
XLVI	In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Department.
XLVII	A separate environment management cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.
XLVIII	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 and year-wise expenditure should reported to the MPCB & this department.
XLIX	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 http://ec.maharashtra.gov.in .
L	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.
LI	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.

1004


LII	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, SO ₂ , 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.
LIII	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.
LIV	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.
LV	This EC is granted for FSI area 134802.99 m ² , Non FSI area:109448.75 m ² & Total BUA: 244251.74 m ² .



Government of Maharashtra

1005


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. 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.
6. The Environment department reserves the right to add any stringent condition or to revoke the clearance if conditions stipulated are not implemented to the satisfaction of the department or for that matter, for any other administrative reason.
7. Validity of Environment Clearance: The environmental clearance accorded shall be valid as per EIA Notification, 2006, and amendments by MoEF&CC Notification dated 29th April, 2015.
8. In case of any deviation or alteration in the project proposed from those submitted to this department for clearance, a fresh reference should be made to the department to assess the adequacy of the condition(s) imposed and to incorporate additional environmental protection measures required, if any.
9. 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.
10. 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.


Shri. Anil Diggikar (Member Secretary SEIAA)

Copy to:

1. SHRI JOHNY JOSEPH, CHAIRMAN-SEIAA
2. SHRI UMAKANT DANGAT, CHAIRMAN-SEAC-I
3. SHRI M.M.ADTANI, CHAIRMAN-SEAC-II
4. SHRI ANIL .D. KALE. CHAIRMAN SEAC-III
5. SECRETARY MOEF & CC
6. IA- DIVISION MOEF & CC
7. MEMBER SECRETARY MAHARASHTRA POLLUTION CONTROL BOARD MUMBAI
8. REGIONAL OFFICE MOEF & CC NAGPUR
9. MUNICIPAL COMMISSIONER PUNE
10. MUNICIPAL COMMISSIONER SATARA
11. REGIONAL OFFICE MPCB PUNE
12. REGIONAL OFFICE MIDC PUNE
13. MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO. LTD
14. COLLECTOR OFFICE PUNE
15. COLLECTOR OFFICE SATARA
16. COLLECTOR OFFICE SOLAPUR

SEIAA Meeting No: 146 Meeting Date: December 5, 2018 (SEIAA-STATEMENT-000000635)
SEIAA-MINUTES-0000000769
SEIAA-EC-0000000574


Page 14 of 14
Shri. Anil Diggikar (Member Secretary SEIAA)

1066

MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 4010437/4020781
/4037124/4035273
Fax : 24044532/4024068 /4023516
Email : rohq@mpcb.gov.in
Visit At : <http://mpcb.gov.in>



Kalpataru Point, 3rd & 4th floor, Sion- Matunga Scheme Road No. 8, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E), Mumbai - 400022

Infrastructure /LSI

Consent order No: Format I.0/BO/RO-HQ/CC-1808000103

Date- /06/2017

02/08/2018

To,
M/s. River Residency,
Gat no. 90, Near Mercedes Benz Factory,
Vill-Chikhali, Taluka-Haveli,
Dist-Pune.

Subject: Consent to Operate (2nd part) and renewal of consent to operate (1st part) for Residential Building Project in Red Category.

Ref :

1. Consent to Establish obtained vide no. MPCBHQ/ROHQ/Pune/CE/CC/50 dated 03.12.2011.
2. Environmental Clearance obtained vide no. SEAC-2011/CR.620/TC.2 dated 07.10.2011.
3. Consent to Operate (1st part) obtained vide no. Format I.0/ BO/ROHQ/CO/PN-25720-15/CC-14150 dated 06.11.2015 valid upto 31.1.2017.
4. Minutes of Consent Committee meeting held on 22/03/2017 & 12.2.2018

Your application MPCB-CONSENT-0000012452 Dated: 28.8.2016 and MPCB-CONSENT-0000021277 dated: 14.2.2017

For: Consent to Operate (2nd part) and renewal of consent to operate (1st part) resp. for Residential Building project under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Control of Pollution) Act, 1981, Authorization under Rule 5 of the Hazardous and Other Wastes (M & TM) Rules, 2016 and Municipal Solid Waste (Management & Handling)Rule, 2000 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. The consent to operate (part) is granted for a period up to 31.1.2020.
2. The capital investment of the (2nd part) project is Rs. 60.79 Crs. and that of 1st part is Rs. 142 crs. (As per C.A. Certificate submitted by project proponent, whereas total CI of the whole project is Rs. 349.12 crs. as per C to E)
3. The Consent to Operate (part) is valid for Residential Building Project developed by M/s. River Residency, at Gat no. 90, Near Mercedes Benz Factory, Vill-Chikhali, Tal-Haveli, Dist-Pune on total plot area of 2,31,000 sq.m. and construction completed built up area of 1,94,583.38 Sq.Mtrs (FSI+ non-FSI) out of total BUA of 2,39,049.92 sq.m.(FSI+Non-FSI) including utilities and services as per occupancy certificate issued by local body.

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

Sr. No.	Description	Permitted quantity of discharge (CMD)	Standards to be achieved	Disposal
1.	Trade effluent	NIL	NA	NA
2.	Domestic effluent	920	As per Schedule -I	60% should be reused & recycled and remaining should be discharged in

UAN No.21277 & 12452 M/s. River Residency

1007

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

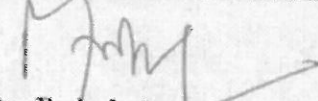
Sr. No.	Description of stack/ source	Capacity	Number Of Stack	Standards to be achieved
1	DG Set	160, 2x100, 2x320, 180 KVA	6	As Per Schedule -II

6. Conditions under Solid Waste Management Rules, 2016:

Sr. no.	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Bio-degradable	2178.56 Kg/Day	OWC	Used as Manure
2	Non-biodegradable	600 Kg/Day	--	Segregate and Hand over to Local Body for recycling
3	STP Sludge	Kg/Day	--	Used as Manure

7. Conditions under Hazardous and Other Wastes (M & TM) Rules, 2016 for treatment and disposal of hazardous waste: NIL.
8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same should 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. 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.
11. Project Proponent shall comply with the conditions stipulated in Environmental Clearance granted by GoM vide SEAC-2011/CR.64/TC2 dated 7.10.2011.
12. This consent is issued as per Architect certificate of Ar. Vikas Achalkar dated 17.10.2016 regarding part completion of the project having completed Built-up area 194583.38 sq.m. out of 2,39,049.92 sq.m.
13. PP shall submit an affidavit in Board's prescribed format within 15 days regarding the compliance of conditions of EC and C to O.
14. In case the project is not completed within validity period of EC and/ or C to E, PP shall not carry out construction work without revalidation of EC and/or C to E.

For and on behalf of the Maharashtra Pollution Control Board


 (Dr. P. Anbalagan, IAS)
 Member Secretary

Received Consent fee of -

Sr. No.	Amount (Rs.)	Transaction /DR No.	Date	Bank
1	1136000	0195552	2017-02-18	Kotak Mahindra Bank Ltd.
2	100000	0190151	2016-10-10	Kotak Mahindra Bank Ltd.

The consent fees for 1st part & 2nd part C to O for period upto 31.1.2020 is Rs. 12,21,960/-, Hence balance fees of Rs. 14040/- is pending with the Board.

Copy to:

1. Regional Officer, MPCB, Pune and Sub-Regional Officer, MPCB, Pune-I.-- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Mumbai.
3. CC/CAC desk- for record & website updation purposes.

Schedule-I

Terms & conditions for compliance of Water Pollution Control:

- 1) A] As per your application, you have provided Sewage Treatment Plants (STPs) with the design capacity of 700 CMD & 300 CMD.
- B] The Applicant shall operate the effluent 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	Standards prescribed by Board
		Limiting Concentration in mg/l, except for PH
01	BOD (3 days 27oC)	10
02	Suspended Solids	50
03	COD	100

C) The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, firefighting, on land for gardening etc and remaining shall be discharged in to the municipal sewerage system.

D] Project proponent shall operate STP for five years from the date of obtaining occupation certificate.

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 should 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

- 2) Project Proponent should regularly and properly, operate and maintain the online monitoring systems installed for BOD, SS & flow.
- 3) Project Proponent shall achieve the treated domestic effluent standard for the parameter BOD-10 mg/lit within three months.
- 4) The industry should 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.
- 5) The water consumption of the project is as under.

Sr. no.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Domestic purpose	1330

Schedule-II

Terms & conditions for compliance of Air Pollution Control:

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

Sr. No.	Stack Attached To	APC System	Height in Mtrs.	Type Of Fuel	Quantity	UOM	S %	SO ₂
1	DG Set (160 KVA)	Acoustic enclosure	4*	Diesel/ HSD	94	Lit/Hr	-	-
2	DG Set (2x100 KVA)							
3	DG Set (3x320 KVA)							
4	DG Set (180 KVA)	Acoustic enclosure	3*		20	Lit/Hr		

* Above roof of the building in which it is installed.

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

Particulate matter	Not to exceed	150 mg/Nm ³ .
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- The Applicant should obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement alteration well before its life come to an end or erection of new pollution control equipment.

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).

Schedule-III
Details of Bank Guarantees

Sr. No.	Consent (C to E/O/R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Operate	Rs. 10 lakh	15 Days	Towards O & M of pollution control system & compliance of EC and consent conditions	Continuous	31.5.2020



Maharashtra Pollution Control Board

1011

Schedule-IV

General Conditions:

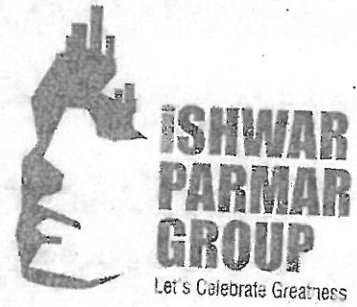
The following general conditions should apply as per the type of the industry.

- 1) The applicant should 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 should pay to the Board for the services rendered in this behalf.
- 2) The firm should strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and environmental protection Act 1986 and Solid Waste Management Rules, 2016 and E-Waste (Management) Rules, 2016.
- 3) Drainage system should be provided for collection of sewage effluents. Terminal manholes should be provided at the end of the collection system with arrangement for measuring the flow. No sewage should be admitted in the pipes/sewers downstream of the terminal manholes. No sewage should 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) should 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) The industry should take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 55 dB(A) during day time and 45 dB(A) during the night time. Day time is reckoned between 6 a.m. to 10 p.m and night time is reckoned between 10 p.m to 6 a.m.
 - d) 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.
 - 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 should 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 should comply with the notification of MoEF dated 17.05.2002 regarding noise limit for generator sets run with diesel.
- 6) Solid Waste – The applicant should provide onsite municipal solid waste processing system & should comply with Solid Waste Management Rules, 2016 & E-Waste (M) Rules, 2016.
- 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) The industry should submit official e-mail address and any change will be duly informed to the MPCB.
- 9) The firm should 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.
- 10) The applicant shall make an application for renewal of the consent at least 60 days before the date of expiry of the consent.

CONSENT TO OPERATE FEES CALCULATIONS				
Phases	Capital Investment of the project	Consent Fees/year 0.02% of the capital cost per Year	Consent Fees for 3 years upto 31 Jan 2020	Remark
For Phase I & II	1,420,000,000.00	284,000.00		
For Phase III	607,900,000.00	121,580.00		
Total	2,027,900,000.00	405,580.00	1,216,740.00	*Excluding any miscellaneous taxes & cess @ of 0.02% of the capital cost
Amount Paid to MPCB By IPG			1,236,000.00	
*Amount Charged by MPCB upto 31 Jan 2020			1,221,960.00	
*Amount Balance with MPCB			14,040	To be adjusted in next Consent to Operate Share of Phase 1 & 2 - (70%) = 9828 Share of Phase 3 & 4 = 4212

IPG/ENGG/RR/SA/19/2018

To,
The Member Secretary,
Maharashtra Pollution Control Board,
Kalptaru Point, Sion (East)
Mumbai-400022
Date: 30/8/2018



Sub: Correction in Consent to Operate (2nd Part) and renewal of Consent to Operate (1st Part) to Residential & Commercial Project 'River Residency' located at Gat No. 90, Village Chikhali, Taluka: Haveli, Dist. Pune, Maharashtra of M/s. River Residency Developers

Ref: Consent Order No. Format 1.0/BO/RO-HQ/CC-1808000103 dated 02.08.2018

Respected Sir,

We, M/s. River Residency Developers had obtained Consent to Operate (2nd Part) and renewal of Consent to Operate (1st Part) to Residential & Commercial Project 'River Residency' located at above mentioned address vide order no. Format 1.0/BO/RO-HQ/CC-1808000103 dated 02.08.2018. In this consent some points need to be corrected. Therefore, requesting you to kindly do the necessary correction in the consent as follows.

As per CTO issued	Details Mentioned in	Corrections to be done
Point no. 5 Page no. 2	DG set: 160 KVA, 2 x 100 KVA, 2 x 320 KVA & 180 KVA	DG sets: 100 KVA, 125 KVA, 160 KVA, 180 KVA & 320 KVA
Point no. 1 page no. 4	DG set: 160 KVA, 2 x 100 KVA, 3 x 320 KVA & 180 KVA	
Pont no. 6	Bio- degradable: 2178.56 kg/day Non-biodegradable: 600 kg/day	Bio- degradable: 2550.15 kg/day Non-biodegradable: 1563.00 kg/day
Schedule I STP capacities	700 CMD & 300 CMD	750 CMD & 750 CMD
Water consumption Domestic purpose	1330 CMD	808 CMD
Point no. 1 on Page no 4	Air Pollution control system provided	Air Pollution control system not provided

Y. S. Patil
11/9/2018
MAHARASHTRA POLLUTION CONTROL BOARD
Kalptaru Point, 3rd Floor, Sion Circle,
Opp. Cine Planet Cinema, Sion (E),
Mumbai - 400 022.
Tel: 24010437 / 24020781

Yours Faithfully

[Signature]
Authorized signatory

VIKAS ACHALKAR
Architect

ARCHITECTS, PLANNERS
URBAN DESIGNERS

15th December 2021

TO WHOM SOEVER IT MAY CONCERN

CLIENT NAME : M/S RIVER RESIDENCY DEVELOPERS

PROJECT NAME: RIVER RESIDENCY

SITE ADDRESS : Gat. NO. 90(P), 75(P), VILLAGE- CHIKHALI, TAL-HAVELI, DIST- PUNE

We hereby state that for our Project "River Residency" at Gat No. 90(P), 75(P), Village Chikhali, Taluka- Haveli, Dist. - Pune, State - Maharashtra, we have obtained Environmental Clearance vide letter no. SEIAA-EC-000000574 on 3rd January 2019 for plot area of 2, 32,584.00 sq.mt. (FSI Area 1, 34,802.99 sq.mt. + Non FSI Area 1, 09,448.75 sq.mt.) & Total Construction Area 2, 44,251.74 sq.mt.

Revised IOD Sanctioned vide no. B.P.ENV.CHKHALI-01-2018 on dated-15.05.2018 for plot area of 2, 32,584.00 sq. mt., FSI area 1, 34,802.99 sq.mt. Non FSI area 1, 09,448.75 sq.mt. & Total Construction Area 2, 44,251.74 sq.mt. Building Permission Sanctioned vide no.B P.CHIKHALI.130.2017 on dated 30.12.2017.

Construction Area Statement is given below:-

	Sr. No	Building Type	No Of Floor Constructed	FSI Area	Non FSI Area	Construction Area	Remark
Phase I	1	A-Type	P+12	5,676.71	4,161.46	9,838.17	completed
	2	B-Type	P+12	5,526.78	3,834.50	9,361.28	completed
	3	C-Type	P+12	5,525.49	3,835.80	9,361.29	completed
	4	D-Type	P+12	8,355.47	6,363.18	14,718.65	completed
	5	E-Type	P+12	5,675.44	4,153.04	9,828.48	completed
	6	F-Type	P+12	5,675.44	4,153.04	9,828.48	completed
	7	G-Type	P+12	3783.14	2,554.12	6,337.26	completed
	8	H-Type	P+12	3783.14	2,553.68	6,336.82	completed
	9	I-Type	P+12	3783.14	2,554.12	6,337.26	completed
	10	J-Type	P+12	3783.14	2,553.68	6,336.82	completed
	11	K-Type	P+12	3783.14	2,554.12	6,337.26	completed
	12	L-Type	P+12	3783.14	2,553.68	6,336.82	completed
	13	M-TYPE	P+12	5674.82	4,164.96	9,839.78	completed
	14	Club House 1	G+01	0.00	456.39	456.39	completed
	-Total constructed building areas on site			64,808.99	46,445.77	1,11,254.76	
Phase II	15	A16 ABC-Type (Comm.)	Ground	551.14	551.14	1,102.28	completed
	16	A16 A-Type	P+11	3720.05	3,062.85	6,782.90	completed
	17	A16 B-Type	P+11	3384.40	2,893.86	6,278.26	completed
	18	A16 C-Type	P+11	3,721.11	3,018.11	6,739.22	completed
	Total constructed building areas on site			11,376.70	9,525.96	20,902.66	

Page 01 Of 02

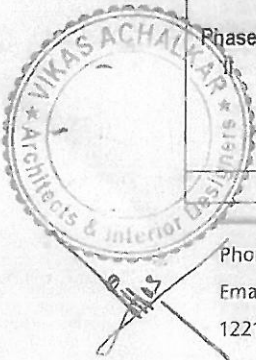
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1015

VIKAS ACHALKAR

Architect

ARCHITECTS, PLANNERS

URBAN DESIGNERS

Phase III	19	A17-Type (Comm.)	Ground	233.14	233.14	466.28	completed
	20	A17-Type (Rest.)	P+11	3,494.08	2,916.69	6,410.77	completed
	Total constructed building areas on site			3,727.22	3,149.83	6,877.05	
Phase IV	21	N1-Type	P+12	4993.24	3,429.03	8,422.27	completed
	22	N2-Type	P+12	4993.24	3,429.03	8,422.27	completed
	23	P-Type	P+12	4,519.44	3,212.29	7,731.73	completed
	24	Q-Type	P+12	3643.71	2,730.41	6,374.12	completed
	25	R-Type	P+12	3643.67	2,730.55	6,374.22	completed
	26	S-Type	P+12	4,693.79	2,463.32	7,157.11	completed
	27	N4-Type (P+12)	P+09	4,485.04	2,684.79	7,169.83	(P+09) completed
	28	Club house 2	-	-	203.48	203.48	completed
Total constructed building areas on site			30,972.13	20,882.90	51,855.03	completed	
Total constructed Common service & Parking areas on site (Ph.-I,II,III,IV part)			-	8,674.11	8,674.11		
Proposed Phase IV	31	N4-Type(P+12)	N4-Type (10 th To 12 th Floor)	1,536.45	684.71	2,221.16	(10 th To 12 th Floor) Pending
	32	N3-Type	P+12	5,363.08	3,184.05	8,547.13	Not yet started
	33	T-Type	P+12	5,290.19	3,165.41	8,455.60	Not yet started
	34	U-Type	P+12	6,697.98	4,278.33	10,976.31	Not yet started
	35	V-Type	P+12	5,030.25	2,832.46	7,862.71	Not yet started
	36	Club house3	-	-	53.98	53.98	Not yet started
Total proposed Building areas on site			23,917.95	14,198.94	38,116.89		
Total proposed Common service & Parking areas on site (Ph.-IV Remaining)			-	6,571.24	6,571.24		
Grand Total			1,34,802.99	1,09,448.75	2,44,251.74		

Further, we inform you that total completed constructed area is as on date 15.12.2021 is 1,99,563.61 sq.mt.

This is for your information & record.

Thanking you,

AR. VIKAS ACHALKAR



Disclaimer. This information is issued by M/S. Vikas Achalkar Associates, a firm through its proprietor Ar. Vikas Achalkar on request of promoter & Developers as mentioned above. This report is prepared by the company on the reports submitted by the subordinates, documents & information provided by promoters & Developers, and is prepared and issued without prejudice, as a technical information, issued by the Architect on request. The Company or the Architect is in no way concerned with the issues or disputes if any arising out of the information provided, except the facts given in the report on the technical knowledge and expertise of the Architect. While every effort to check the documents of Building mentioned in this report, is done, provided with no warranties whether expressed, statutory or implied. The information and the matter in this report are given in reliance of the oral or written report/documents / information received from client or his representative / M/S Vikas Achalkar Associates and its staff shall not be held responsible for errors performed by client or his representative / subordinate and shall not be involved in any dispute arising out of this report. The building name / number or the flat name / number is as per the latest sanction plan which is subject to change on the Client's discretion. These details are based on action plans. Any changes done on site are not incorporated.

Page 01 Of 02

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