

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO. 39 OF 2024 (WZ)**

Kalpesh Chandrakant Yadav Applicant

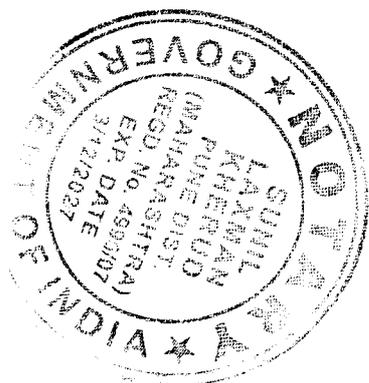
Versus

M/s Krishna Constructions & Ors. Respondents

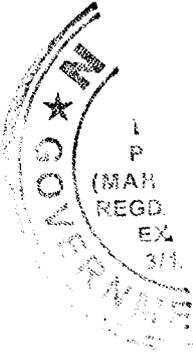
**AFFIDAVIT IN REPLY ON BEHALF OF MAHARASHTRA
POLLUTION CONTROL BOARD i.e. RESPONDENT NO. 2.**

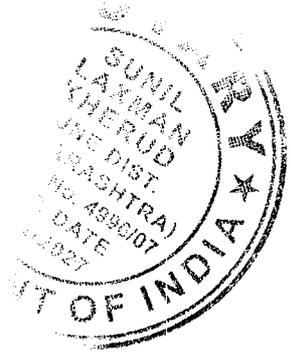
I, Kartikeya Langote, aged about 52 years, occupation – Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Pune-I, having office address at 2nd Floor, Jog Centre, Wakdewadi, Pune – 411003, do hereby state on solemn affirmation as under : –

- (1) I say and submit that I have perused the papers of proceedings and I am filing this Affidavit on behalf of the Respondent Board in compliance of the order dated 06/03/2024 passed by this Hon'ble NGT.
- (2) I say and submit that the Applicant is filed the present Application alleging that Respondent No.1-Project Proponent–M/s Krishna Construction has carried out construction of residential & commercial project named “Lotus Court” located at Survey No.28/1, Old Kharadi-Mundhwa Road, Kharadi, Pune in violation of conditions of Environment Clearance, Consent conditions etc.



- (3) I say and submit that the Respondent no. 1-Project Proponent has obtained Environment Clearance from the State Level Environment Impact Assessment Authority (SEIAA) for the abovementioned construction project vide letter dated 10/08/2022 for Total Plot Area 10,100.00 Sq.mtrs. for Total Built-up Area 21,517.88 Sq.mtrs. A copy of the Environment Clearance dated 10/8/2022 is attached and annexed as an **Annexure I.**
- (4) I say and submit that the Respondent – MPC Board has granted Consent to Establish dated 13/10/2022 for the abovementioned construction project for Total Plot Area 10,100.00 Sq.mtrs. for Proposed Total Built-up Area 21,517.88 Sq.mtrs., which is valid up to commissioning of the project or 5 years whichever is earlier. A Copy of the Consent to Establish dated 13/10/2022 is attached and annexed as an **Annexure II.**
- (5) I say and submit that the Respondent-MPC Board has granted Consent to Operate dated 18/04/2023 for the abovementioned construction project for Total Plot Area 10,100.00 Sq.mtrs. for Total completed Built-up Area 21,457.99 Sq.mtrs out of proposed total construction Built-up Area of 21,517.88, which is valid upto 31/03/2027. A copy of the Consent to Operate dated 18/04/2023 is attached and annexed as an **Annexure III.**



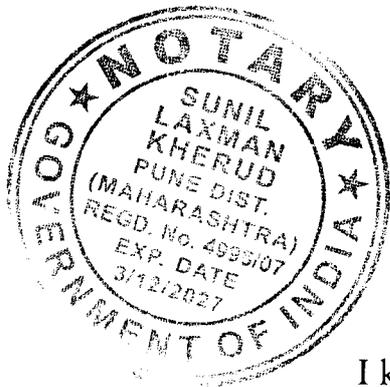


- (6) I say and submit that in order to verify the complaint made by the Applicant on 16/11/2023, the Official of the Respondent-MPC Board at Pune visited the above mentioned construction project on 24/11/2023 and on the basis of observations, the Respondent Board has issued Proposed Direction to Respondent No.1 - Project Proponent on 19/03/2024 for not applying Environment Clearance, Consent to Establish and Consent to Operate for constructed excess Built Up Area. A copy of the Proposed Directions dated 19/03/2024 is attached and annexed as an **Annexure IV**.
- (7) I say and submit that in response to the Proposed Directions dated 19/03/2024 issued by Respondent Board, the Respondent No.1-PP has submitted its reply dated 21/3/2024 and stated that they have applied for expansion of Environment Clearance. A copy of the reply dated 21/3/2024 is attached and annexed as an **Annexure-V**.
- (8) I say and submit that in order to verify the present status, the Officials of the Respondent-MPC Board at Pune visited the above-mentioned project on 30/04/2024 and observed that PP has constructed more built up area than Environment Clearance, Consent to Establish and Consent to Operate, PP has not applied for Consent to Establish and Consent to Operate for built up area 23,054.67 sq.mtrs, PP has applied for revised Environment Clearance on 9/10/2023, PP has completed construction of residential and commercial building -B+G+MEZZ+PO+15th floor, PP has provided

Primary, Secondary and Tertiary STP having capacity 100 CMD, during visit the STP was found in operation, PP has provided OWC having capacity 300 kg./day and it was found in operation during visit. A copy of the Visit Report dated 30/04/2024 is attached and annexed as an **Annexure-VI**.

(9) I say and submit that in the interest of natural justice, the Respondent Board will extend an opportunity of personal hearing to the Respondent No.1-PP on 14/5/2024. During the course of hearing, it has been decided to issue directions that the Respondent No.1-PP shall immediately apply for the consent for additional Built-up area of 1536.79 sq.mtrs. by following due procedure, also apply for Environmental Clearance for the additional Built-up area of 1536.79 sq.mtrs. and shall regularly operate and maintain sewage treatment plant and organic waste convertor. Accordingly, the directions were issued to the Respondent No.2-Industry vide letter dated 15/5/2024. A copy of the directions dated 15/5/2024 is enclosed herewith and marked as an **Annexure-VII**.

Solemnly affirmed on this^{15th}..... day of May, 2024 at Pune.



I know the affiant

For and on behalf of Maharashtra Pollution Control Board i.e. Respondent No. 2.

Langote 15/5/24

(Kartikeya Langote)

Sub-Regional Officer, MPCB, Pune-I

ADVOCATE

SUNIL LAXMAN KHERUD
NOTARY-GOVT. OF INDIA
B/3, MANIRATAN SOCIETY,
ARYANESHWAR, PUNE-411009



BEFORE ME

SUNIL LAXMAN KHERUD
NOTARY GOVT. OF INDIA
Regd. No. 4996/07
Noted & Register No.

15 MAY 2024

ENVIRONMENTAL
CLEARANCE

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

To,

The Partner
KRISHNA CONSTRUCTIONS
survey no28/1 near old relax hotel old kharadi mundhwa road kharadi pune
-411014

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

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/MH/MIS/211818/2021 dated 14 May 2021. The particulars of the environmental
clearance granted to the project are as below.

- | | |
|---|---|
| 1. EC Identification No. | EC22B038MH182329 |
| 2. File No. | SIA/MH/MIS/211818/2021 |
| 3. Project Type | New |
| 4. Category | B2 |
| 5. Project/Activity including
Schedule No. | 8(a) Building and Construction projects |
| 6. Name of Project | Proposed project "Lotus Court" at
Kharadi, Pune by M/s. Krishna
Constructions |
| 7. Name of Company/Organization | KRISHNA CONSTRUCTIONS |
| 8. Location of Project | Maharashtra |
| 9. TOR Date | N/A |

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

Date: 10/08/2022

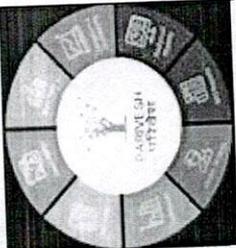
(e-signed)
Manisha Patankar Mhaiskar
Member Secretary
SEIAA - (Maharashtra)

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

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PARIVESH

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and Virtuous Environmental Single-Window Hub)



STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

No. SIA/MH/MIS/211818/2021
Environment & Climate
Change Department
Room No. 217, 2nd Floor,
Mantralaya, Mumbai- 400032.

To
M/s. Krishna Constructions,
Survey No. 28/1, Near Old Relax Hotel,
Old Kharadi Mundhwa Road, Kharadi,
Pune - 411014.

Subject : Environmental Clearance for Proposed project "Lotus Court" at Survey
No. 28/1, Near Old Relax Hotel, Old Kharadi Mundhwa Road, Kharadi
Pune - 411014 by M/s. Krishna Constructions

Reference : Application no. SIA/MH/MIS/211818/2021

This has reference to your communication on the above-mentioned subject. The proposal was considered by the SEAC-3 in its 124th meeting under screening category 8 (a) B2 as per EIA Notification, 2006 and recommend to SEIAA. Proposal then considered in 246th (Day-2) meeting of State Level Environment Impact Assessment Authority (SEIAA).

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

Proposal Number	PARIVESH NO: MIS/211818	
Name of Project	Proposed Project "Lotus Court" at Kharadi, Pune by M/s. Krishna Constructions	
Project category	Schedule 8(a) Category B2	
Type of Institution	Private	
Project Proponent	Name	Mr. Mittal Pranjivan Mistry, M's Krishna Constructions
	Regd. Office address	Survey No.28/1, Near Old Relax Hotel, Old Kharadi Mundhwa Road Village - Kharadi, Taluka - Haveli District - Pune- 411014
	Contact number	9673788488
	e-mail	mittal_mistry@hotmail.com
Applied for	New	
Details of previous EC	NA	
Location of the project	Survey No. 28/1, Near Old Relax Hotel, Old Kharadi Mundhwa Road, Village - Kharadi, Taluka - Haveli, District - Pune- 411014	
Latitude and Longitude	18°33'3.89" N 73°55'45.60 E	
Total Plot Area (m2)	10100	
Deductions (m2)	376.29	
Net Plot area (m2)	8265.15	
Proposed FSI area (m2)	14177.98	
Proposed Non-FSI area (m2)	8528.04	

Proposed TBUA (m2)	22706.02			
TBUA (m2) approved by Planning Authority till date	22706.02			
Total Project Cost (Rs.)	480000000			
CER as per MoEF & CC circular dated 01/05/2018	Activity	Location	Cost (Rs.)	
	Details in CER activities annexure			
Details of Building Configuration : <Please use following legends: Floor = F , Parking = Pk, Podium = Po, Stilt =St, Lower Ground = LG, Upper Ground = UG, Basement = B, Shops = Sh>			Reason for Modification / Change	
Previous EC / Existing Building		Proposed Configuration		
Building Name	Configuration	Height (m)	Building Name	
-	-	-	Residential+ Commercial Building	
			B+G+MEZZ+PO+ 15 FLOORS	
			55.95	
Total number of tenements	126			
Water Budget	Dry Season (CMD)		Wet Season (CMD)	
	Fresh Water	79	Fresh Water	79
	Recycled	56.85	Recycled	45
	Swimming Pool	0	Swimming Pool	0
	Flushing	45	Flushing	45
	Total	105.41	Total	124
	Waste water Generation	97.30	Waste water generation	97.30
Water Storage Capacity for Firefighting / UGT	As per NOC			
Source of water	PMC			
Rainwater Harvesting (RWH)	Level of the Ground water table		15-20m	
	Size and no of RWH tank(s) and Quantity		N.A.	
	Quantity and size of recharge pits		Quantity: 4 Nos & Size: 2mX2mX2m	
	Details of UGT tanks if any		Domestic	120
			Flushing	60
Fire			As per NOC	
Sewage and Waste water	Sewage generation in CMD	97.30		
	STP technology	MBBR		
	Capacity of STP (CMD)	100		
Solid Waste	Type	Quantity (kg/d)	Treatment / disposal	

Management during Construction Phase	Dry waste	3	Through authorized agency	
	Wet waste	2	Through authorized agency	
	Construction waste	5	Through authorized agency	
Solid Waste Management during Operation Phase	Type	Quantity (kg/d)	Treatment / disposal	
	Dry waste	145	Handed over to Authorized Agency	
	Wet waste	198	In-situ Composting	
	Hazardous waste	Negligible	Negligible	
	Biomedical waste	N.A.	N.A.	
	E-Waste	1.45	Handed over to Authorized Dismantler / Recycler	
	STP Sludge (dry)	9	In-situ Composting	
Green Belt Development	Total RG area (m2)	972.37		
	Existing trees on plot	52		
	Number of trees to be planted	93		
	Number of trees to be cut	0		
	Number of trees to be transplanted	NIL		
Power Requirement	Source of power supply	MSEDCL		
	During Construction Phase (Demand Load)	70 kW		
	During Operation phase (Connected load)	5073 kW		
	During Operation phase (Demand load)	514 kW		
	Transformer	630 kVA X 1 Nos.		
	DG set	200 kVA X 1 Nos.		
	Fuel used	Diesel		
Details of Energy saving	<p>Measures to reduce energy consumption:</p> <p>Ø Generally we have proposed high efficiency transformer, motors etc. to reduce losses.</p> <p>Ø Electronic Ballasts and Energy efficient lamp source either triposphere or LED are proposed for common area & general lighting with automatic time-based control to save power by switching ON & OFF the lights at appropriate time. The estimated saving in common lighting consumption is up to 20 % due to adopting above measures.</p>			
Environmental Management plan budget during Construction phase	No.	Details	Cost	
	1	Water for Construction, Labour & Dust Suppression	Rs. 4 Lacs	
	2	Site Sanitation & Health & Safety PPE Kits	Rs. 3 Lacs	
	3	Environmental Monitoring	Rs. 4 Lacs	
	4	Disinfection & Health & Safety	Rs. 3 Lacs	
	5	Health Check up	Rs. 3 Lacs	
Environmental Management	Component	Details	Capital (Rs. In Lacs)	O&M (Rs. In Lacs/Yr)
	Sewage treatment	Waste Water Management	13.75	8.9

plan Budget during Operation phase	RWH	RWH Pits	3	0.6
	Solid Waste	Organic Waste Composting	5.75	1.75
	Green belt development	Tree Plantation	8.5	2.13
	Energy saving	Energy Conservation	20	1
	Environmental Monitoring	Pollution Control	0	6
	Disaster Management	Fire & LA	53.79	2.69
	PPE Kits Health & Safety	Biomedical Waste Management	0	1
Traffic Management	Type	Required as per DCR	Actual Provided	Parking Area (m ²)
	4-Wheeler	132	132	2138.61
	2-Wheeler	440	440	
	Bicycles	0	0	

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

Specific Conditions:

A. SEAC Conditions-

1. PP to ensure that, there should be clear 6mt drive way along with 9mt turning radius for smooth fire tender movement. PP to provide fire Hydrant System with all accessories and equipment's as Fire Tender cannon reach to the higher floors of Buildings proposed on East side of the plot.
2. As agreed during presentation PP to plant 93 trees in addition to retaining 52 trees. No tree cutting is involved in the project.
3. PP to submit the sewer line section.
4. PP to provide minimum 30% of total parking arrangement with electric charging facility by providing charging points at suitable places.

B. SEIAA Conditions-

1. PP to keep open space unpaved so as to ensure permeability of water. However, whenever paving is deemed necessary, PP to provide grass pavers of suitable types & strength to increase the water permeable area as well as to allow effective fire tender movement.
2. PP to achieve at least 5% of total energy requirement from solar/other renewable sources.
3. PP Shall comply with Standard EC conditions mentioned in the Office Memorandum issued by MoEF& CC vide F.No.22-34/2018-IA.III dt.04.01.2019.
4. SEIAA after deliberation decided to grant EC for – FSI – 12989.84 m², Non FSI- 8528.04 m², Total BUA- 21517.88m². (Plan approval No.CC/0470/22, dated- 26.05.2022)

General Conditions:

a) Construction Phase :-

1. The solid waste generated should be properly collected and segregated. Dry/inert solid

- waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- II. Disposal of muck, Construction spoils, including bituminous material during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in the approved sites with the approval of competent authority.
 - III. Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
 - IV. Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
 - V. Arrangement shall be made that waste water and storm water do not get mixed.
 - VI. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices.
 - VII. The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.
 - VIII. Permission to draw ground water for construction of basement if any shall be obtained from the competent Authority prior to construction/operation of the project.
 - IX. Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
 - X. The Energy Conservation Building code shall be strictly adhered to.
 - XI. All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
 - XII. Additional soil for levelling of the proposed site shall be generated within the sites (to the extent possible) so that natural drainage system of the area is protected and improved.
 - XIII. Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
 - XIV. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.
 - XV. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.
 - XVI. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.
 - XVII. Vehicles hired for transportation of Raw material shall strictly comply the emission norms prescribed by Ministry of Road Transport & Highways Department. The vehicle shall be adequately covered to avoid spillage/leakages.
 - XVIII. Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be

closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/MPCB.

- XIX. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during construction phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel is preferred. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- XX. Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings by a separate environment cell /designated person.

B) Operation phase:-

- I. a) The solid waste generated should be properly collected and segregated. b) Wet waste should be treated by Organic Waste Converter and treated waste (manure) should be utilized in the existing premises for gardening. And, no wet garbage will be disposed outside the premises. c) Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- II. E-waste shall be disposed through Authorized vendor as per E-waste (Management and Handling) Rules, 2016.
- III. a) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the MPCB and Environment department before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Necessary measures should be made to mitigate the odour problem from STP. b) PP to give 100 % treatment to sewage /Liquid waste and explore the possibility to recycle at least 50 % of water, Local authority should ensure this.
- IV. Project proponent shall ensure completion of STP, MSW disposal facility, green belt development prior to occupation of the buildings. As agreed during the SEIAA meeting, PP to explore possibility of utilizing excess treated water in the adjacent area for gardening before discharging it into sewer line No physical occupation or allotment will be given unless all above said environmental infrastructure is installed and made functional including water requirement.
- V. The Occupancy Certificate shall be issued by the Local Planning Authority to the project only after ensuring sustained availability of drinking water, connectivity of sewer line to the project site and proper disposal of treated water as per environmental norms.
- VI. Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- VII. PP to provide adequate electric charging points for electric vehicles (EVs).
- VIII. Green Belt Development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO/ Agriculture Dept.
- IX. A separate environment management cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.

- X. Separate funds shall be allocated for implementation of environmental protection measures/EMP along with item-wise breaks-up. These cost shall be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes.
- XI. The project management shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the Marathi language of the local concerned within seven days of issue of this letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the Maharashtra Pollution Control Board and may also be seen at Website at parivesh.nic.in
- XII. Project management should submit half yearly compliance reports in respect of the stipulated prior environment clearance terms and conditions in hard & soft copies to the MPCB & this department, on 1st June & 1st December of each calendar year.
- XIII. A copy of the clearance letter shall be sent by proponent to the concerned Municipal Corporation and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
- XIV. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sector parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

C) General EC Conditions:-

- I. PP has to strictly abide by the conditions stipulated by SEAC & SEIAA.
- II. If applicable Consent for Establishment" shall be obtained from Maharashtra Pollution Control Board under Air and Water Act and a copy shall be submitted to the Environment department before start of any construction work at the site.
- III. Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining environmental clearance.
- IV. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.
- V. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.
- VI. No further Expansion or modifications, other than mentioned in the EIA Notification, 2006 and its amendments, shall be carried out without prior approval of the SEIAA. In case of deviations or alterations in the project proposal from those submitted to SEIAA for clearance, a fresh reference shall be made to the SEIAA as applicable to

the adequacy of conditions imposed and to add additional environmental protection measures required, if any.

VII. This environmental clearance is issued subject to obtaining NOC from Forestry & Wild life angle including clearance from the standing committee of the National Board for Wild life as if applicable & this environment clearance does not necessarily implies that Forestry & Wild life clearance granted to the project which will be considered separately on merit.

4. The environmental clearance is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this clearance does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.
5. This Environment Clearance is issued purely from an environment point of view without prejudice to any court cases and all other applicable permissions/ NOCs shall be obtained before starting proposed work at site.
6. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environment clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.
7. Validity of Environment Clearance: The environmental clearance accorded shall be valid as per EIA Notification, 2006, amended from time to time.
8. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and rules there under, Hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public Liability Insurance Act, 1991 and its amendments.
9. Any appeal against this Environment clearance shall lie with the National Green Tribunal (Western Zone Bench, Pune), New Administrative Building, 1st Floor, D-Wing, Opposite Council Hall, Pune, if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.


 Manisha Patankar Mhaiskar
 (Member Secretary, SEIAA)
 3/8/2022

Copy to:

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

MAHARASHTRA POLLUTION CONTROL BOARD

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



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

Infrastructure/ORANGE/S.S.I

No:- Format1.0/JD (WPC)/UAN No.0000144565/CE/2210000974

Date: 13/10/2022

To,
 M/s. Krishna Constructions,
 Survey No. 28/1, Near Old Relax Hotel, Old
 Kharadi- Mundhwa Road,
 Kharadi, Tal Haveli, Dist Pune



Your Service is Our Duty

Sub: Consent to Establish for Residential & commercial construction project under Orange Category

Your application NO. MPCB-CONSENT-0000144565

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

1. The consent to Establish is granted for period upto commissioning of the project or five years whichever is earlier
2. The capital investment of the project is Rs.38.83 Cr. (As per C.A Certificate submitted by industry).
3. The Consent to Establish is valid for Residential & commercial construction project named as M/s. Krishna Constructions, Survey No. 28/1, Near Old Relax Hotel, Old Kharadi- Mundhwa Road, Kharadi Tal Haveli, Dist Pune on Total Plot Area of 10100 SqMtrs for proposed total construction BUA of 21517.88 SqMtrs as per specific condition of EC granted dated 10.08.2022 including utilities and services.

Sr.No	Permission Obtained	Plot Area (SqMtr)	BUA (SqMtr)
1	Environmental Clearance dtd 10.08.2022	10100.00	21517.88

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

Sr No	Description	Permitted (in CMD)	Standards to	Disposal
1.	Trade effluent	Nil	NA	NA
2.	Domestic effluent	97.30	As per Schedule - I	The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be connected to the sewerage system provided by local body

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

Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
S-1	DG Set-62.5 kVA	01	As per Schedule -II

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

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Wet Waste	198 Kg/Day	OWC and Composting/Biogas Digester with composting	As Manure
2	Dry Waste	145 Kg/Day	Segregation	To Local Body
3	STP Sludge	9 Kg/Day	Dewatering	As Manure

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

Sr No	Category No.	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	50	Ltr/A	Reprocessing	To Authorized Reprocessor

8. This Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government agencies.
10. Project Proponent shall install online monitoring system for the parameter pH, SS, BOD and flow at the outlet of STP.
11. Project Proponent shall provide Organic waste digester with composting facility or biodigester with composting facility.
12. 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.
13. The project proponent shall make provision of charging of electric vehicles in atleast 40 % of total available parking area.
14. The project proponent shall take adequate measures to control dust emission and noise level during construction phase.
15. The Project Proponent shall comply with the Environmental Clearance obtained vide No SIA/MH/MIS/211818/2021 dtd.10.08.2022 for construction project having total Plot area 10100.00 Sq.Mtr, & total construction BUA 21517.88 Sq.Mtr as per specific condition of EC.
16. PP shall submit an affidavit in Boards prescribed format within 15 days regarding compliance of C to E & Environmental Clearance.



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Signed by: Dr. Y.B.Sontakke
 Joint Director (WPC)
 For and on behalf of,
Maharashtra Pollution Control Board
 jdwater@mpcb.gov.in
 2022-10-13 15:38:23 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	75000.00	MPCB-DR-13382	17/08/2022	NEFT

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, Sion, Mumbai

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

- 1) A] As per your application, you have proposed to provide Sewage Treatment Plant of designed capacity 100 CMD with MBBR technology for the treatment of 97.30 CMD of sewage.
- B] The Applicant shall operate the sewage treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

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

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

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	105.41
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00

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

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

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

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
S-1	DG Set-62.5 kVA	Acoustic Enclosure	3.00	HSD 12.5 Ltr/Hr	1	SO2	6 Kg/Day

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

Total Particular matter	Not to exceed	150 mg/Nm ³
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- 3) The Applicant shall 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.
- 4) The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
- 5) **Conditions for utilities like Kitchen, Eating Places, Canteens:-**
- The kitchen shall be provided with exhaust system chimney with oil catcher connected to chimney through ducting.
 - The toilet shall be provided with exhaust system connected to chimney through ducting.
 - The air conditioner shall be vibration proof and the noise shall not exceed 68 dB(A).
 - The exhaust hot air from A.C. shall be attached to Chimney at least 5 mtrs. higher than the nearest tallest building through ducting and shall discharge into open air in such a way that no nuisance is caused to neighbors.

SCHEDULE-III
Details of Bank Guarantees:

Sr. No.	Consent(C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C to E	Rs 10 Lakhs	15 Days	Compliance of Consent Conditions & EC Conditions	upto commissioning of the project	upto commissioning of the project

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

BG Forfeiture History

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

BG Return details

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

SCHEDULE-IV**Conditions during construction phase**

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

General Conditions:

- 1 The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2 The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act 1986 and Solid Waste Management Rule 2016, Noise (Pollution and Control) Rules, 2000 and E-Waste (Management & Handling Rule 2011.
- 3 Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.
- 4 Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 5 Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f) D.G. Set shall be operated only in case of power failure.
 - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.

- 6 Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rule 2016 & E-Waste (M & H) Rule 2011.
- 7 Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8 Applicant shall submit official e-mail address and any change will be duly informed to the MPCB.
- 9 The treated sewage shall be disinfected using suitable disinfection method.
- 10 The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 11 The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.

This certificate is digitally & electronically signed.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
 Fax: 24023516
 Website: <http://mpcb.gov.in>
 Email: cac-cell@mpcb.gov.in



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

Infrastructure/ORANGE/S.S.I

No:- Format1.0/CC/UAN No.0000159117/CO/2304001138

Date: 18/04/2023

To,
 M/s. Krishna Constructions,
 Survey No. 28/1, Near Old Relax Hotel, Old
 Kharadi- Mundhwa Road,
 Kharadi, Tal Haveli, Dist Pune



Your Service is Our Duty

Sub: Consent to Operate for residential and commercial construction under Orange Category

Ref: Consent to establish granted vide No Format1.0/JD (WPC)/UAN
 No.0000144565/CE/2210000974 dtd 13/10/2022

Your application NO. MPCB-CONSENT-0000159117

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

1. The consent to Operate is granted for period upto 31.03.2027
2. The capital investment of the project is Rs.47.08 Cr. (As per C.A Certificate submitted by industry).
3. The Consent to Operate is valid for construction project named as M/s. Krishna Constructions, Survey No. 28/1, Near Old Relax Hotel, Old Kharadi Mundhwa Road, Kharadi Tal Haveli, Dist Pune on Total Plot Area of 10100 SqMtrs for completed total construction BUA of 21457.99 SqM out of proposed total construction BUA of 21517.88 SqMtrs as per EC granted dated 10.08.2022 including utilities and services

Sr.No	Permission Obtained	Plot Area (SqMtr)	BUA (SqMtr)
1	Environmental Clearance dtd 10.08.2022	10100.00	21517.88
2	Consent to Establish dtd 13.10.2022	10100.00	21517.88

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

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

Sr No	Description	Permitted	Standards to	Disposal
2.	Domestic effluent	97.30	As per Schedule - I	The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be connected to the sewerage system provided by local body

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

Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
S-1	DG Set-62.5 kVA	01	As per Schedule -II

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

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Wet Waste	198 Kg/Day	OWC and Composting/Biogas Digester with composting	As Manure
2	Dry Waste	145 Kg/Day	Segregation	To Local Body
3	STP Sludge	9 Kg/Day	Dewatering	As Manure

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

Sr No	Category No.	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	50	Ltr/A	Reprocessing	To Authoried Reprocessor

8. This Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government agencies.
10. Project Proponent shall install online monitoring system for the parameter pH, SS, BOD and flow at the outlet of STP.
11. Project Proponent shall operate Organic waste digester with composting facility or biodigester with composting facility effectively.
12. The project proponent shall make provision of charging of electric vehicles in atleast 30 % of total available parking area.
13. The Project Proponent shall comply with the Environmental Clearance obtained vide No SIA/MH/MIS/ 211818/2021 dtd.10.08.2022 for construction project having total Plot area 10100.00 Sq.Mtr, & total construction BUA 21517.88 Sq.Mtr as per specific condition of EC.

14. PP shall submit an affidavit in Boards prescribed format within 15 days regarding compliance of C to O & Environmental Clearance.

This consent is issued as per communication letter dated 03/11/2022 which is approved by competent authority of the board.



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Signed by: Dr. J. B. Sangewar
Joint Director (WPC)
For and on behalf of,
Maharashtra Pollution Control Board
jdwater@mpcb.gov.in
2023-04-18 16:20:05 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	150000.00	MPCB-DR-16717	07/02/2023	NEFT
2	25000.00	MPCB-DR-18189	03/04/2023	NEFT

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, Sion, Mumbai

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

- 1) A) As per your application, you have provided Sewage Treatment Plant of designed capacity 100 CMD with MBBR technology for the treatment of 97.30 CMD of sewage.
- B) The Applicant shall operate the sewage treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

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

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

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

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	105.41
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00

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

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

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

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
S-1	DG Set-62.5 kVA	Acoustic Enclosure	3.00	HSD 12.5 Ltr/Hr	1	SO2	6 Kg/Day

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

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

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

SCHEDULE-III
Details of Bank Guarantees:

Sr. No.	Consent(C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C to O	Rs 10 Lakhs	Existing	Compliance of Consent Conditions & Operation and maintenance of Pollution Control Systems	Continious	31.07.2027

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

BG Forfeiture History

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

BG Return details

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

SCHEDULE-IV**General Conditions:**

- 1 The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2 The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act 1986 and Solid Waste Management Rule 2016, Noise (Pollution and Control) Rules, 2000 and E-Waste (Management & Handling Rule 2011).
- 3 Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.
- 4 Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 5 Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f) D.G. Set shall be operated only in case of power failure.
 - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
- 6 Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rule 2016 & E-Waste (M & H) Rule 2011.
- 7 Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8 Applicant shall submit official e-mail address and any change will be duly informed to the MPCB.
- 9 The treated sewage shall be disinfected using suitable disinfection method.

- 10 The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 11 The applicant shall make an application for renewal of the consent at least 60 days before date of the expiry of the consent.

This certificate is digitally & electronically signed.

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE**

Phone No. 020-25811694
Fax No. 020-25811701
e-mail : ropune@mpcb.gov.in
visit us : www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
Wakdevadi,
Old-Pune Mumbai Road,
Pune- 411003

MPCB/ROP/PD/2403010004

Date: 19/03/2024

To,
M/s. Krishna Constructions,
Survey No. 28/1, Near Old Relax Hotel,
Old Kharadi Mundhwa Road, Kharadi, Pune.

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974 and 31A of Air (Prevention & Control of Pollution) Act.

- Ref:**
- 1) Consent to Operate granted by the Board on 18/04/2023 valid upto 31/03/2027
 - 2) Complaint received from Shir. Kalpesh Yadav, Chawa Pratishtan, Pune on 16/11/2023 against you regarding constructed more built-up area than EC and due to construction work of project AQI of Pune is increased.
 - 3) Visit of the Board Official to your construction project on 24/11/2023.
 - 4) Proposal submitted by SRO Pune-I vide no. MPCB-LEGAL-ACTIONS – 301123006 Dtd. 18/12/2023.

WHEREAS, the Maharashtra Pollution Control Board has granted Consent to Operate u/s 26 of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981 & Authorization under Rule 6 of the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016, on 18/04/2023 which is valid upto 31/03/2027 for construction project on total plot area 10100 Sq. Mtrs for completed total construction BUA of 21457.88 Sq. Mtrs as per Environmental Clearance granted dated 10/08/2022 including utilities and services, subject to certain terms and conditions.

AND WHEREAS, it is obligatory on your part to provide adequate pollution control devices and comply with the consent conditions so as to achieve the standards prescribed by the Board in its consent.

AND WHEREAS, it is obligatory on your part to obtain Consent to Establish and Consent to Operate of the Board under section 25 and 26 respectively of the Water (Prevention & Control of Pollution) Act, 1974 under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Other Wastes (Management and Transboundary Movement) Rules, 2016 followed by further amendments made therein from time to time before carried out expansion of the construction project than the built up area granted for construction as per the Consent to Operate Granted by the Board.

AND WHEREAS, it is obligatory on your part to provide pollution control systems and to operate and maintain the same continuously and effectively so as to achieve the standards prescribed in the consent and environmental norms.

AND WHEREAS, the Board has received a complaint regarding constructed more built-up area than EC and due to construction work of project AQI of Pune is increased.

AND WHEREAS, in order to verify the complaint, the officials of the Board at Sub Regional Office, Pune-I visited the site on 24/11/2023 and accordingly Sub Regional

Officer, Pune-I submitted the legal action proposal vide reference (4) above and therein following non-compliances reported,

1. You have obtained consent to operate for construction project for the construction of total construction BUA of 21457.88 Sq. Mtrs as per Environmental Clearance Granted Dated 10/08/2022. However, you have constructed BUA is 23054.67 Sq. Mtrs as per the architect certificate Dtd. 16/10/2023, which is more than the consent granted BUA.
2. You have not obtained Environmental Clearance, Consent to Establish and Consent to Operate for the constructed excess built-up area.

AND WHEREAS it has been observed that you have failed to comply with the conditions stipulated in the combined Consent to Operate granted by the Board and thereby thereby may be causing water and air pollution into the environment.

NOW THEREFORE, in view of the above non-compliance, you are hereby directed to show cause as to:

1. Why your consent shall not be revoked.
2. Why you shall not be directed to closedown construction activity/project forthwith?
3. Why the competent authorities shall not be directed to disconnect Water / electricity supply of your construction project?

You are hereby given an opportunity to **respond within 7 days** from issuance of these directions, failing which, MPCB will initiate legal action against your unit without giving any further notice in accordance with the provisions of the Water (prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, which please note.

This Directions issued with the approval of the Board's Competent Authority.

For and on behalf of
Maharashtra Pollution Control Board



(Ravindra Andhale)
Regional Officer,
M. P. C. Board Pune

Copy Submitted for information to

1. Joint Director (APC), M.P.C. Board, Mumbai.
2. Law Officer, M.P.C. Board, Mumbai.

Copy to- The Sub-Regional Officer, M.P.C. Board, Pune-I :- You shall submit the compliance report of this directions within time please.

TO,

Date – 21/03/2024

RO-PUNE,

MPCB , PUNE.

Subject- Reply to proposed directions of M/s. KRISHNA CONSTRUCTIONS, S. No. 281/1, Near old relax hotel old kharadi mudhwa road, kharadi, Pune.

Sub : Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974 and 31A of Air (Prevention & Control of Pollution) Act.

Ref – 1)RO MPCB Pune proposed directions Vide No. Format 1.0/CC/UAN NO 0000191171/CO/23004001138dt 18/04/2023 valid upto 31/03/2027.

2) EC granted vides EC Identification on No EC22B03MH182329 by Hon'ble Member Secretary SEIAA- (Maharashtra)

3) Visit of the Board official on 24/11/2023.

Respected Sir,

We are in receipt of your referred proposed directions & noted the content therein, in view of that the detailed reply is submitted as below,

Sr. No	Observation & Remark	Justification
	<p>WHEREAS, the Maharashtra Pollution Control Board has granted Consent to Operate u/s 26 of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981 & Authorization under Rule 6 of the Hazardous and other Wastes (Management and Trans-boundary Movement) Rules, 2016, on 18/04/2023 which is valid upto 31/03/2027 for construction project on total plot area 10100 Sq.Mtrs for completed total construction BUA of 21457.88 Sq.Mtrs as per Environmental Clearance granted dated 10/08/2022 including utilities and services, subject to certain terms and conditions.</p>	<p>AGREED</p> <div data-bbox="970 1220 1396 1433" style="border: 1px solid black; padding: 5px; margin: 10px auto;"> <p>Received on Dt. 21/03/2024</p> <p><i>[Signature]</i></p> <p>Clerk</p> <p>R. O. M. P. C. B. Pune</p> </div>
	<p>AND WHEREAS, it is obligatory on your part to provide adequate pollution control</p>	<p>AGREED</p>

 KRISHNA

<p>devices and comply with the consent conditions so as to achieve the standards prescribed by the Board in its consent.</p>	
<p>AND WHEREAS, it is obligatory on your part to obtain Consent to Establish and Consent to Operate of the Board under section 25 and 26 respectively of the Water (Prevention & Control of Pollution) Act, 1974 under section 21 of the Air (Prevention & Control of Pollution) Act,1981 and other Wastes (Management and Transboundary Movement) Rules, 2016 followed by further amendments made therein from time to time before carried out expansion of the construction project than the built up area granted for construction as per the Consent to Operate granted by the board.</p>	<p>NOTED, Compliance report is enclosed herewith for your kind perusal.</p>
<p>AND WHEREAS, it is obligatory on your part to provide pollution control systems and to operate and maintain the same continuously and effectively so as to achieve the standards prescribed in the consent and environmental norms.</p>	<p>AGREED, effects have been taken to put the pollution control systems continuously & effectively in operation thereby consent standards achieved.</p>
<p>AND WHEREAS, the Board has received a complaint regarding constructed more built-up area than EC and due to construction work of project AQI of Pune is increased.</p>	<p>Not denied, however the construction in excess of EC as granted undertaken, the same issue observed because of interpretation that the parking space becomes increasing due to architect overlooked earlier as appointed by PP, but upon its notice, now new architect is appointed who re worked out project built up area & for which application is made for EC amendment for such changed area, the same is yet to be granted by the concerned authorities. In such circumstances as such no additional load increased / changed. it is our say at our end, regarding air quality.</p>
<p>AND WHEREAS, in order to verify the complaint, the officials of the Board at Sub Regional</p>	<p>NOTED</p>

	Office, Pune-1 visited the site on 24/11/2023 and accordingly Sub Regional Officer, Pune-1 submitted the legal action proposal vide reference (4) above and therein following non-compliances reported,	
	You have obtained consent to operate for construction project for the construction of total construction BUA of 21457.88 Sq .Mtrs as per Environmental Clearance Granted Dated 10/08/2022. However, you have constructed BUA is 23054.67 Sq. Mtrs as per the architect certificate Dtd.16/10/2023, which is more than the consent granted BUA.	AGREED. Applied for expansion EC under violation casese circular vide No. 22-21/2020-IA.III dated 07/07/2021 TOR is granted , please find enclosed herewith for your perusal, please. Annexure- 1 – TOR for expansion EC
	You have not obtained Environmental Clearance, Consent to Establish and Consent to Operate for the constructed excess built-up area.	Sir, we have applied for the expansion EC and we are in process for getting the same, in the meantime we will apply for CTE for additional area, to begin with no further effective steps until grant of CTE- expansion by competent authority we will take.
	AND WHEREAS, it has been observed that you have failed to comply with the conditions stipulated in the combined Consent to Operate granted by the Board and thereby may be causing water and air pollution into the environment.	Noted , efforts has been initiated regarding application of EC & further work about such increased area stopped, until to get permissions. Hence no further action required as compliance made at our end relating to pollution control devices ®ular operations too.
	NOW THEREFORE, in view of the above non-compliance, you are hereby directed to show cause as to :	--
1.	Why your consent shall not be revoked.	Sir, due to misinterpretation / error in the calculation of BUA the unintended mistake has happened. As a law-abiding citizen as soon as we came to know the loopholes in the process, su muto actions have been taken, we have applied for the expansion EC under violation and TOR has been approved. We are in process of getting the amended EC under violation.

		Therefore we humbly request you to please not to revoke the consent as kindly bear us the period to regularise the EC amendment / expansion process and related approvals, till them we will not take / ensure any effective steps pertaining to expansion, please.
2.	Why you shall not be directed to closedown construction activity/ project forthwith?	In view of the compliance relating to water, air & solid waste pollution control facilities have been already attended for full capacities. Therefore no such legal action in the form of to revoke CTO as granted is very, much requested at our end, please as being law abiding organization.
3.	Why the competent authorities shall not be directed to disconnect Water/ electricity supply of your construction project ?	As above & because of enough efforts have been taken at our end to provide control devices & its continuous operations thereby, to meet norms accordingly, please. we hubbly request not to initiate disconnect Water/ electricity supply of your construction project, please.
	You are hereby given an opportunity to respond within 7 days from issuance of these directions, failing which, MPCB will initiate legal action against your unit without giving any further notice in accordance with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, which please note.	We have submitted the reply within the timeframe for your perusal and kind consideration, please.

Finally, it is again very much requested to consider our case based on compliance of consent conditions at your end, please.

Any further suggestions/ instructions are being accepted at our end if needed further to improvement at our end, please

Yours faithfully,



MAHARASHTRA POLLUTION CONTROL BOARD

SUB-REGIONAL OFFICER PUNE 1

Phone No. 25811 222
Fax No. 25811 029
Email ID – sropune1@mpcb.gov.in



Jog Center, 3rd floor
Wakadewadi Mumbai-Pune,
Road Pune – 411003

-: Visit Report :-

Dtd. 30.04.2024

Name & Address of Industry: M/s Krishna Constructions,
Survey No. 28/1, Near Old Relax Hotel, Old
Kharadi- Mundhwa Road,
Kharadi, Tal Haveli, Dist Pune

Industry/PP Representative: Mittal Mistry, Project Proponent

Email: mittal_mistry@hotmail.com

Contact no. 9673788488

Consent status: Obtained C to E & C to O.

Observations:

1. NGT Original Application No. 39 OF 2024 (WZ) filled by Kalpesh Chandrakant Yadav (Applicant) Versus M/s Krishna Constructions & Ors. (Respondents) regarding constructed more built-up area than Environment Clearance, Consent to Establish & Operate.
2. PP has obtained EC on 10/08/2022 for total plot area 10100 Sq.m & Approved BUA 21517.88 Sq.m.
3. PP has obtained C to E on 13/10/2022 for total plot area 10100 Sq.m & BUA 21517.88 Sq.m.
4. PP has obtained full C to O on 18/04/2023 for total plot area 10100 Sq.m & BUA 21457.99 SqM out of total construction BUA of 21517.88 Sq Mtrs, which is valid upto 31/03/2027.
5. As per architect certificate dtd. 16/10/2023 completed BUA 23054.67 Sq.m.
6. PP has constructed more built-up area than EC, C to E & C to O.
7. PP has not obtained / applied for C to E & C to O for Built up area 23054.67 Sq.m.

8. PP has applied for revise EC – under violation window on 09/10/2023, the said case is discussed in SEIAA 267th meeting on 17/10/2023.
9. Provided 01 building – B+G+M+Podium+15 floor which is completed. Possession given to appro. 20 tenants.
10. During visit no any construction work found in progress.
11. Provided Primary, Secondary, and Tertiary STP having capacity 100 CMD, during visit STP was found in operation.
12. Provided OWC having capacity 300 Kg/day, OWC found in operation.



(Mittal Mistry)
Project Proponent
Krishna Constructions



(Sushma Kumbhar)
Field Officer, Pune-1
M.P.C. Board, Pune

MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE

Phone No. 020-25811694
Fax No. 020-25811701
e-mail
ropune@mpcb.gov.in
visit us : www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
Wakdewadi,
Old-Pune Mumbai Road,
Pune- 411003

ROP/ MPCB/Directions / 240515-PPS - 0186

Date: 15/05/2024

To,
M/s. Krishna Construction,
S. No. 28/1, Old Kharadi-Mudhwa Road,
Kharadi Pune

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

Ref : 1) Legal Action Proposal Submitted by Sub Regional Officer, Pune-II vide MPCB- LEGAL-ACTIONS-301123006.
2) Personal hearing extended at MPCB-HQ, Mumbai on 14/05/2024
3) Minutes of personal hearing received on 15/05/2024

With reference to above, the personal hearing extended on 14/05/2024 before the Board's Competent Authority at MPCB-HQ, Sion, Mumbai and the minutes of personal hearing received on 15/05/2024, Considering your submissions during the hearing and Report of Sub Regional Officer Pune-II. The Board has decided to issue following directions,

- (1) You shall immediately apply for the consent for additional built up area of 1536.79 Sq. mtr by following due procedure.
- (2) You shall obtain environmental clearance for the additional built up area of 1536.79 sq mtr.
- (3) You shall regularly operate and maintain provided sewage treatment plant and organic waste converter.

You shall submit the action taken report on above directions within 07 days, in case you fail to comply with the above directions the Board will have no option to initiate further legal action as deemed fit, which may please be noted.

For and on behalf of
Maharashtra Pollution Control Board


(Ravindra Andhale)
Regional Officer,
M. P. C. Board Pune

Copy submitted to:-

1. Joint Director (APC), MPCB, Mumbai
2. P & Law Division / Law Officer, MPCB, Mumbai.

Copy to : The Sub-Regional Officer, M.P.C. Board, Pune-II : You shall submit the verification report of above directions within 07 days and submit present status as directed by HQ.