



**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
Original Application No.144/2017 (WZ)**

Umarshad Khan & Ors

----Applicant(s)

Vs

State of Maharashtra & Ors

----Respondent(s)

Affidavit in Reply on behalf of Maharashtra Pollution Control Board i.e. Respondent No.4 :

I, Kishor Kerlikar, Age-adult , Occupation -Service , the Sub-Regional Officer of the Maharashtra Pollution Control Board at Mumbai-II, having my office address at Kalpataru Point, 1st Floor, Sion-Matunga Scheme Road No.8, Sion (East), Mumbai-400 022, do hereby state on solemn affirmation as under:-

- (1) I say and submit that the Applicant has filed the present application alleging that Respondent No.7 -M/s.Rizvi Land Developments Pvt Ltd. carried out their construction of Residential cum Commercial project under the Slum Rehabilitation Scheme at Village – Kolekalyan, Behind Kalina Church, Kalina, Santacruz (East), Mumbai by violating the conditions of Environmental Clearance dated 23/1/2012.
- (2) I say and submit that the Respondent No.1 had granted Environment Clearance to Respondent No.7 -M/s.Rizvi Land

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Developments Pvt Ltd. for their aforesaid project on 23/1/2012 having Total Built Up Area of 58,741.32 sq.mtrs.

- (3) I say and submit that the Respondent -Board has granted Consent to Establish dated 9/1/2012 to Respondent No.7-Project Proponent(PP), for their aforesaid Residential-cum-Commercial Project under the Slum Rehabilitation Scheme (SRA Scheme) for a period upto the commissioning of the project or 5 years, whichever is earlier for Total Plot Area of 15,429.84 sq.mtrs. and total construction BUA of 58,741.48 sq.mtrs., subject to certain terms and conditions. A copy of the Consent to Establish dated 9/1/2012 is annexed herewith as an **Annexure-I**.
- (4) I say and submit that the Respondent -Board has granted Revalidation of Consent to Establish dated 20/7/2022 to Respondent No.7-PP for construction of built up area of 58741.32 sq.mtrs. subject to certain terms & conditions. The Respondent Board has forfeited the bank guarantee of Rs.24.75 Lakhs for not obtaining revalidation of Consent to Establish within stipulated time period. A copy of the Consent to Establish dated 20/7/2022 is annexed herewith as an **Annexure-II**.
- (5) I say and submit that in order to verify the compliance of the consent conditions, the Officials of the Respondent -Board at Mumbai visited to the project site of Respondent No.7-PP on 3/8/2023 and observed as follows :-

1/2/23



- i) The Respondent No. 7-PP had obtained Environment Clearance on 23/1/2012 for the aforesaid site, having plot area of 15429.0 sqmtrs and built up area of 58741.32 sq.mtrs.
- ii) The no of buildings consists of 9 rehab bldgs. (G+7) and 2 sale buildings (G+8). The Respondent No.7-PP has obtained Consent to Establish dated 20/7/2022 .
- iii) Respondent No.7-PP has completed construction of 5 rehab buildings out of 9 rehab buildings. Part Occupancy Certificate of 5 rehab buildings are received from SRA.
- iv) As per Environment Clearance, there are 2 nos of sale buildings, consisting of 5 wings namely A, B,C,D & E. The Respondent No.7-PP has completed construction of 3 wings (A, B, C) . Out of 5 wings of one sale bldg, Part OC of A & B wings are received.
- v) The Respondent No.7-PP has applied for Part Consent to operate on 8/5/2023 , the same is in process.
- vi) The Respondent No.7-PP has provided 2 nos. of Sewage Treatment Plants for the treatment of domestic effluent. The STP of rehab building is of 300 KLD capacity consisting of Collection tank, Tube settler, Aeration tank and Sand & Carbon Filters and the same was found in idle

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condition. The operation and maintenance of the said STP seems poor and housekeeping nearby STP is found in very bad shape.

- vii) The Storm water drains of rehab building were found in choked conditions.
- viii) The Respondent No.7-PP has installed STP of 160 KLD capacity for sale building which was found in commissioning stage and as informed by the representative of the Respondent No.7-PP, it will be fully commissioned within a period of 15 days.
- ix) Treated water from the STP is stored into storage tank and the same is used for toilet flushing purpose etc.
- x) Organic Waste Converter (OWC) installed at rehab buildings was found non-operating and in idle condition. However, OWC installed at sale building is found in working condition.
- xi) Respondent No.7-PP has not provided DG sets as per EC conditions and not set up separate Environment Management Cell etc.

A copy of the visit report dated 3/8/2023 is annexed herewith as an **Annexure-III**.

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- (8) I say and submit that thereafter the Respondent -Board vide letter dated 1/11/2023 has directed the Respondent No.7-PP to stop their ongoing construction activity at the aforesaid site forthwith. A copy of the directions dated 1/11/2023 is annexed herewith as an **Annexure-VII**.
- (9) I say and submit that in compliance of the Order dated 10/5/2023 passed by this Hon'ble Tribunal, the Joint Committee consisting Member each of SEIAA, MPCB and CPCB have visited to the site of aforesaid Residential-cum-Commercial Project on 31/7/2023 and accordingly the Joint Committee has submitted its Report before this Hon'ble Tribunal on 10/10/2023, which was taken on record.

Solemnly affirmed on this 12th day of December, 2023 at Mumbai.

For & on behalf of Respondent
No.4-MPCB,

Kishor Kerlikar
(Kishor Kerlikar)

Sub-Regional Officer-Mumbai-II

BEFORE ME

Vasant B. More
12-12-2023

VASANT B. MORE

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

REGISTER Sr. No 957/2023





In view of the above non-compliances, the Respondent-Board has issued Proposed directions u/s 33A of the Water (P&CP) Act,1974 and u/s 31A of the Air (P&CP) Act,1981 vide letter dated 29/8/2023 to the Respondent No.7-PP. A copy of the Proposed directions dated 29/8/2023 is annexed herewith as an **Annexure-IV.**

- (6) I say and submit that, the Respondent No.7 PP has made an application for Consent to 1st operate bearing UAN No.0000169563. On scrutiny of the said application it was observed that the Respondent No.7-PP has not obtained re-validated Environmental Clearance, given possession of the building, without obtaining Consent to operate from the Respondent -Board etc. In view of the said non-compliances, the Respondent -Board has issued Show Cause notice for refusal of Consent to 1st operate to the Respondent No.7-PP on 5/10/2023. A copy Show cause notice for refusal of Consent to 1st Operate vide letter dated 5/10/2023 is annexed herewith as an **Annexure-V.**

- (7) I say and submit that the Respondent-PP has failed to submit reply to the said Show cause notice dated 5/10/2023. Therefore, the Respondent -Board has refused Consent to Operate to the Respondent No.7-PP vide letter dated 18/10/2023. A copy of the Refusal of Consent to operate dated 18/10/2023 is annexed herewith as an **Annexure-VI.**
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MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 24020781 / 24010437

Fax : 24024068 / 24044532

Email : mpcb@vsnl.netVisit At : <http://mpcb.gov.in>Kalpataru Point, 2nd, 3rd & 4th Floor,
Opp. Cineplanet, Near Sion Circle,
Sion (E), Mumbai-400022.

EIC No: MU-3069-11

Infrastructure Project/LSI

Consent No. BO/RO(HQ)/Mumbai/CE/CC-04

Date: 09/01/2012

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 5 of the Hazardous Wastes (Management, Handling & Transboundary Movement) Rules 2008

CONSENT is hereby granted to,

M/s. Rizvi Land Developments Pvt.Ltd,

CTS No: 6422, 6422/1-31, 6423, 6423/1-6, 6424-A, 6424-B, 6424-B/1-4, 6424-C, 6424-C/1-3, 6426, 6426/1-17, 6427, 6427/1-16, 6249A, 6429A/1-11, 7370, 7374, 7375, 7376A, 7376A/1-16, 7377, 7379, 7319/1-3, 7381, 7381/1-16, 7382, 7382/1-3, 7394, 7394/1-6, 7396, 7396/1-6, 7400, 7401(pt), 7402, 7402/1-17, 7403A, 7403A/1-47, 7403B, 7403D, 7403D/1-20, 7408, 7408/1-6, 7437, 7437/1-53, 7438, 7438/1-7, 7440, 7440/1-14, 7441, 7441/1-14, 7448, 7448/1-17, 7451, 7451/1-11, Village Kolekalyan, Behind kalina Church, Kalina, Santacruz (E), Mumbai.

located in the area declared under the provisions of the Water Act, Air act and Authorization under the provisions of HW(M&H) Rules and amendments thereto subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

1. **The Consent to Establish is granted for a period up to: Commissioning of the Project or 5 years whichever is earlier.**

For development of land / plot as new construction activities of residential cum commercial project under SRA Scheme named as **M/s. Rizvi Land Developments Pvt.Ltd**, CTS No: 6422, 6422/1-31, 6423, 6423/1-6, 6424-A, 6424-B, 6424-B/1-4, 6424-C, 6424-C/1-3, 6426, 6426/1-17, 6427, 6427/1-16, 6249A, 6429A/1-11, 7370, 7374, 7375, 7376A, 7376A/1-16, 7377, 7379, 7319/1-3, 7381, 7381/1-16, 7382, 7382/1-3, 7394, 7394/1-6, 7396, 7396/1-6, 7400, 7401(pt), 7402, 7402/1-17, 7403A, 7403A/1-47, 7403B, 7403D, 7403D/1-20, 7408, 7408/1-6, 7437, 7437/1-53, 7438, 7438/1-7, 7440, 7440/1-14, 7441, 7441/1-14, 7448, 7448/1-17, 7451, 7451/1-11, Village Kolekalyan, Behind kalina Church, Kalina, Santacruz (E), Mumbai on total plot area of 15,429.84 sq.mtrs, Proposed BUA (As per FSI) of 41,027.16 sq.mtrs & Total Construction BUA of 58,741.48 sq.mtrs including utilities of residential cum commercial project under SRA Scheme as per construction commencement certificate issued by local body.

This project requires Environment Clearance under EIA Notification dt: 14/09/2006 of MoEF, GOI as amended on dt: 1/12/2009. Therefore the effective date of this consent to Establish shall be from the date of obtaining Environment Clearance from Competent authority by the project proponent.



2. **CONDITIONS UNDER WATER ACT:**

(i) The daily quantity of sewage effluent from construction project shall not exceed 466.0 M³.

(ii) **Sewage Effluent Treatment:** The applicant shall provide comprehensive treatment system as is warranted with reference to influent quality and operate and maintain the same continuously so as to achieve the quality of treated effluent to the following standards.

1	pH	Not to exceed	6.5 to 9.0
2	Suspended Solids	Not to exceed	100 mg/l.
3	BOD 3 Days 27 degree C	Not to exceed	100 mg/l.
4	Fecal Coliform	Not to exceed	500/100/1 mg/h
5	Residual Chlorine	Not to exceed	01 mg/l.
6	Detergent	Not to exceed	01 mg/l.
7	Floating matters	Not to exceed	10 mg/l
8	COD	Not to exceed	50 mg/l

(iii) **Sewage Effluent Disposal:** The treated domestic effluent shall be 80% recycled and reused for flushing, fire fighting and cooling of Air conditioners and remaining shall be discharged to Municipal sewer. In no case, effluent shall find its way to any water body directly/indirectly at any time.

[The project proponent authorities should opt environmental friendly technologies like ozonation, UV treatment etc by replacing chlorination]

(iv) **Non-Hazardous Solid Wastes:**

Sr.No	Type of Segregated solid waste	Quantity/ Day)	Treatment	Disposal
1.	Wet Garbage	890	Composting	landfill site
2.	STP Sludge	27		
2.	Dry Garbage	1336		

3. **Other Conditions (during Construction Phase):**

- All activities shall be in resonance with the provisions of Indian Forest Act, 1927 (16 of 1927), Forest (Conservation) Act, 1980 (69 of 1980) and Wildlife (Protection) Act, 1972 (53 of 1972), and special notification published for area wherever applicable and all the Environmental Statutes and Instruments.
- This Consent to Establish is issued only for New Construction/Developing Construction Project purposes.
- No quarrying activities shall be commenced in the area unless appropriate permissions are obtained for a limited quarrying material required for construction of local residential housing and traditional road maintenance work, provided that such quarrying is not done on Forest Lands and the material is not exported to the outside area.
- There shall be no felling of trees whether on Forest, Government, Revenue or Private lands except as per prevailing Rules.
- Extraction of Groundwater for the project shall require prior permission of the State Ground Water Authority or other relevant authorities, as applicable.
- Near the activities that are related to water (like activity of water parks, water sports) and/or in the vicinity of lake, Dissolved Oxygen shall not be less than 5 mg/liter.

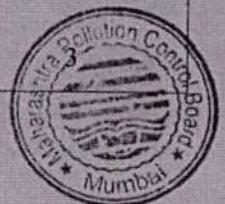


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7. In order to ensure that the water from this project do not enter into outside environment, the nallas crossing the township/complex premises, shall be lined, covered and made water tight by the applicant within the premises with intermittent inspection of chambers following good engineering practices as per the regulations of local body.
 8. The Applicant shall prepare management plan for water harvesting, roof-water reclamation, water/storm water conservation and implement the same before handing over of complex for occupation.
 9. Applicant shall provide 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.
 10. The Applicant shall draw plans for the segregation of solid wastes into biodegradable and non-biodegradable components. The biodegradable material shall be recycled through scientific in-house composting (i.e vermi-composting facility within premises) with the approval of local body. The proper demarked area shall be identified for collection & storage of MSW properly which, shall be finally disposed off at approved Municipal Solid Waste landfill site of local body environmentally acceptable location and method. It is clarified that the term solid waste includes domestic, commercial, and garden wastes, but does not include hazardous and bio-medical wastes. The activities of bio-composting and engineered landfill shall be as per the Municipal Solid Waste (M&H) Rules, 2000
 11. Applicant shall be responsible to take adequate precautionary measures as detailed in this consent.
 12. The applicant/generator shall be responsible for safe and scientific collection, transportation, treatment and disposal of Bio-Medical Waste as per the provisions made under the Bio-Medical Waste (Management & Handling) Rules, 1998. Any activity as defined under BMW (M & H) Rules has to obtain a separate Authorization from Maharashtra Pollution Control Board.
 13. For disinfections of waste water ultra violet radiation shall be used in place of chlorination.
 14. Vehicles hired for construction activities should be operated only during non peak hours.
 15. Ready mixed concrete used in building construction should apply separately for consent from the Board.
 16. applicant, during the construction stage shall provide
 - a. Septic tank and soak pit of adequate capacity for the domestic effluent generated due to workers residing at site.
 - b. Proper loading and unloading of construction material, excavated material and its proper disposal as per MSW (M&H) Rules 2000.
 - c. Cutting of trees is not permitted, however in unavoidable conditions necessary permission from the local body shall be obtained.
 - d. Green belt of 33% of the open space shall be developed.
 17. E-Waste shall be disposed to authorized re processor.

4. The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) and amendment Rules, 2003 there under

The daily water consumption for the following categories is as under:

(i) Domestic	...	582.00 CMD
(ii) Water gets Polluted & Pollutants are Biodegradable CMD
(iii) Water gets Polluted, Pollutants are not Biodegradable & Toxic CMD
(iv) Industrial Cooling, spraying CMD



The applicant shall regularly submit to the Board the returns of water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.

5. CONDITIONS UNDER AIR (Prevention & Control of Pollution) ACT, 1981:

- (i) The Applicant may install 2-nos. of diesel generating sets (DG Sets) of capacity 450 KVA & 400 KVA each and shall be equipped with comprehensive control system as is warranted with reference to generations of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

a. Standards for Emissions of Air Pollutants:

- | | | |
|-------------------------------|---------------|------------------------|
| (i) SPM/TPM | Not to exceed | 150 mg/Nm ³ |
| (ii) SO ₂ (DG Set) | Not to exceed | 30 Kg/day. |

- (ii) The following measures shall be taken:

- a. Adequate mitigation measures shall be taken to control emissions of SO₂, NO_x, SPM, and RSPM.
b. Applicant shall achieve following Ambient Air Quality standards.

1.	SPM Not to Exceed (Annual Average)	140	µg/ m ³
	Not to Exceed (24 hours)	200	µg/ m ³
2.	SO ₂ Not to Exceed (Annual Average)	60	µg/ m ³
	Not to Exceed (24 hours)	80	µg/ m ³
3.	NO _x Not to Exceed (Annual Average)	60	µg/ m ³
	Not to Exceed (24 hours)	80	µg/ m ³
4.	RSPM Not to Exceed (Annual Average)	60	µg/ m ³
	Not to Exceed (24 hours)	100	µg/ m ³

- (iii) The applicant shall observe the following fuel pattern:-

Sr. No.	Type Of Fuel	Quantity
1	HSD	142 Ltrs/Hr

- (iv) The applicant shall erect the chimney(s) of the following specifications:-

Sr. No.	Chimney Attached To	Height above the roof of building in which it is installed
1	DG Sets 450 KVA X 400 KVA	4.5 & 4.0 mtrs rach

- (v) Conditions for D.G. Set:

- Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
- 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.





3. The industry shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 75 dB(A) during day time and 70 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.
4. 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.
5. Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
6. 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.
7. D.G. Set shall be operated only in case of power failure.
8. The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.

(vi) **Other Conditions:**

- a) The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
- b) Water spraying shall be done on ground to avoid fugitive emissions.
- c) Construction material shall be carried in enclosed vehicles during construction activities.

(vii) **Conditions for Utilities like Kitchen, Eating Places etc:**

1. The kitchen shall be provided with exhaust system chimney with oil catcher connected to chimney through ducting.
2. The toilet shall be provided with exhaust system connected to chimney through ducting.
3. The air conditioner shall be vibration proof and the noise shall not exceed 68 dB (A).
4. 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 way that no nuisance is caused to neighbors.

(viii) The Applicant shall take adequate measures for control of noise levels from its own sources within the complex (residential cum Commercial) in respect of noise to less than 55 dB(A) during day time and 45 dB(A) during the night time. Daytime is reckoned as between 6 a.m. to 10 p.m. and Nighttime is reckoned between 10 p.m. to 6 a.m.

- (ix) Construction equipments generating noise of less than 65/90 db(A) are permitted.
- (x) No construction work is permitted during nighttime.

6. CONDITIONS UNDER HAZARDOUS WASTE (MANAGEMENT, HANDLING & TRANSBOUNDRY MOVEMENT) RULES, 2008:

(i) The Industry shall handle hazardous wastes as specified below.

Sr. No.	Type Of Waste	Quantity	UOM	Disposal
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The applicant shall not generate any type of Hazardous Waste.



7. The applicant shall certify that the bricks used in construction are manufactured using the ash from Thermal Power stations if it is within a radius of 100 km. from Thermal Power Plant and submit the names of bricks manufacturer. The applicant shall use fly ash based material/products as per the provisions of fly ash Notification of 14.09.1999 and as amended on 27.08.2003.
8. **The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.**
9. The applicant shall adopt environment friendly technology in development of the project.
10. The applicant shall take the proper remediation measures to ensure that the ground water and soil contamination is prevented and follow the diligence at the construction stage.
11. The applicant shall use fly ash based material/products as per the provisions of fly ash Notification of 14.09.1999 and as amended on 27.08.2003.
12. Energy conservation measures like installation of solar panels for lighting the area outside the building should be integrated part of the project design.
13. This Board reserves the right to amend or add any conditions in this consent and the same shall be binding on the Applicant.
14. The applicant shall provide Environmental friendly road transportation by adopting mechanical type closed trucks for transportation of minerals & metals / construction debris with effect from 1/04/2012.
15. **The applicant should not take any effective steps for implementation of the project before obtaining Environment clearance as per EIA Notification, 2006.**
16. The applicant shall submit Bank Guarantee of Rs. 5.0 Lakhs towards the compliance of consent conditions at Regional Office, MPCB, Mumbai within 15-days.
17. The capital investment of the project is Rs. 75.0 Cr.



(Handwritten signature)
 9-1
 (Milind Mhaiskar)
 Member Secretary

To,
 M/s. Rizvi Land Developments Pvt.Ltd,
 CTS No: 6422, 6422/1-31, 6423, 6423/1-6, 6424-A, 6424-B, 6424-B/1-4, 6424-C, 6424-C/1-3,
 6426, 6426/1-17, 6427, 6427/1-16, 6249A, 6429A/1-11, 7370, 7374, 7375, 7376A, 7376A/1-
 16, 7377, 7379, 7319/1-3, 7381, 7381/1-16, 7382, 7382/1-3, 7394, 7394/1-6, 7396, 7396/1-6,
 7400, 7401(pt), 7402, 7402/1-17, 7403A, 7403A/1-47, 7403B, 7403D, 7403D/1-20, 7408,
 7408/1-6, 7437, 7437/1-53, 7438, 7438/1-7, 7440, 7440/1-14, 7441, 7441/1-14, 7448, 7448/1-
 17, 7451, 7451/1-11, Village Kolekalyan, Behind kalina Church, Kalina, Santacruz (E),
 Mumbai.

Copy to-

1. Regional Officer, MPCB, Mumbai - He is directed to obtain necessary Bank Guarantee from the applicant and ensure compliance of consent conditions
2. Sub Regional officer, Mumbai-III, MPCB,
3. Chief Accounts Officer, Mumbai, MPCB,

Received consent fee of:-

Sr. No.	Amount	DD. No.	Date	Drawn On
1.	Rs. 1,25,100/-	267716	31/10/2011	Vijaya Bank

Cess Branch, MPCB, Mumbai.

5. Master file.



MAHARASHTRA POLLUTION CONTROL BOARD

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



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

Infrastructure/RED/L.S.I

No:- Format1.0/JD (WPC)/UAN No.0000127092/CR/2207000958

Date: 20/07/2022

To,
 M/s. RIZVI ESTATES AND HOTELS PVT LTD.,
 6422,6422/1-31
 ,6423,6423/1-6,6424A,
 6424B,6424-B/1-4,6424-C
 ,6424- C/1-3,6426,6426/1-17,
 6427,6427/1-16,6249A,6429A/1-
 11,7370,7374,7375,7376A,
 7376A/1-16,7377,7379,
 7319/1-37381,
 7381/1-16,7382,7382/1-3,7394,
 7394/1-6,7396,7396/1-6,7400,7401(PT),
 7402,7402/1-17,7403A,7403A/1-47,
 7403B, 7403D,7403D/1-207408,7408/1-6,
 7437,7437/1-53,7438,
 7438/1-7,7440,7440/1-14,7448,7448/1-17,7
 451,7451/1-11, VillageKolekalyan,Behind
 Kalina Church, Kalina, Santacruz East-
 Mumbai



Your Service is Our Duty

Sub: Revalidation of Consent to Establish for Construction Residential Cum Commercial Projects under SRA scheme.

- Ref:**
1. Application Submitted by SRO-Mumbai-II
 2. Earlier Consent to Establish having No.BO/RO(HQ)/Mumbai/CE/CC-04, Dtd-09.01.2012
 3. SCN issued on 12.04.2022.

Your application NO. MPCB-CONSENT-0000127092

For: grant of Consent to Establish (re-validation) 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. **Consent to Establish is valid upto Commissioning of the unit or upto-09.01.2027 whichever is earlier.**
2. **The capital investment of the project is Rs.75 Cr. (As per undertaking submitted by pp).**

3. The Consent to Establish is valid for Revalidation of Consent to Establish for Construction for Residential Cum Commercial Projects under SRA scheme. named as M/s. RIZVI ESTATES AND HOTELS PVT LTD., 6422,6422/1-31,6423, 6423/1-6,6424A,6424B,6424-B/1-4,6424-C,6424-C/1-3,6426, 6426/1-17,6427,6427/1-16,6249A,6429A/1-11,7370, 7374,7375,7376A,7376A/1-16,7377,7379, 7319/1-37381,7381/1-16,7382,7382/1-3, 7394,7394/1-6,7396,7396/1-6,7400,7401(PT),7402,7402/1-17, 7403A,7403A/1-47,7403B, 7403D,7403D/1-207408,7408/1-6,7437, 7437/1-53,7438,7438/1-7,7440,7440/1-14,7448,7448/1-17,7451,7451/1-11, VillageKolekalyan,Behind Kalina Church, Kalina, Santacruz East-Mumbai on Total Plot Area of 15429 Sq.Mtrs for construction BUA of 58741.32 Sq.Mtrs as per EC granted dated-23.01.2012 including utilities and services

Sr.No	Permission Obtained	Plot Area (SqMtr)	BUA (SqMtr)
1	Environmental Clearance issued dtd-23.01.2012	15429.00	58741.32
2	Consent to Establish dtd-09.01.2012	15429.84	58741.48

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	466	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- 450 KVA	1	As per Schedule -II
S-2	DG Set- 400 KVA	1	As per Schedule -II

6. Conditions under Solid Waste Rules, 2016:

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Wet Garbage	890 Kg/Day	OWC	Used as soil manure
2	Dry Garbage	1336 Kg/Day	Disposal	Authorized recyclers

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

Sr No	Category No.	Quantity	UoM	Treatment	Disposal
NA					

8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.
10. PP shall extend the existing B.G. of Rs.5.0 Lakhs and obtain additional B.G.of Rs.5.0 Lakhs towards O&M of STP, OWC and compliance of conditions stipulated in EC and Consent to Operate.
11. The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening.
12. Project Proponent shall install online monitoring system for the parameter pH, SS, BOD and flow at the outlet of STP.
13. Project Proponent shall provide Organic waste digester with composting facility or biodigester with composting facility.
14. Project Proponent shall comply the Construction and Demolition Waste Management Rules, 2016 which is notified by Ministry of Environment, Forest and Climate Change dtd.29/03/2016.
15. The project proponent shall make provision of charging of electric vehicles in atleast 40 % of total available parking area.
16. The project proponent shall take adequate measures to control dust emission and noise level during construction phase.
17. PP shall submit Bank Guarantee of amount of Rs.24.75 Lakhs (5 times of one term fees x no. of year of violation). The same shall be forfeited as PP has not obtained revalidation of consent to establish after 09.01.2017, thus violated the consent conditions
18. PP shall obtain/Re-validated Environmental Clearance from competent authority for the proposed activity. PP shall not take effective steps towards construction without obtaining Environmental Clearance.
19. PP shall submit an affidavit in Boards prescribed format within 15 days regarding compliance of C to E & Environmental Clearance/CRZ 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
2022-07-20 16:41:50 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	100000.00	TXN2112002401	21/12/2021	Online Payment
2	100000.00	TXN2207000183	02/07/2022	Online Payment

Copy to:

1. Regional Officer, MPCB, Mumbai and Sub-Regional Officer, MPCB, Mumbai II
 - They are directed to ensure the compliance of the consent conditions.
 - They are directed to extend the exiting B.G.of Rs.5.0 Lakhs and obtain addition B.G. of Rs.5.0 Lakhs towards compliance of consent condition and also obtain and forfeit the B.G. of Rs.24.75 Towards violation i.e.not of obtained re-validation of Consent to Establish.
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 Proposed Primary, Secondary & Tertiary. based Sewage Treatment Plants (STPs) of combined capacity **500 CMD for treatment of domestic effluent of 466 CMD.**
- B] The Applicant shall operate the sewage treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

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

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

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

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	582.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00

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

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

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

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
S-1	DG Set-450 KVA	Acoustic Enclosure	4.50	HSD 0.142 Kg/Hr	1	SO2	0.068 Kg/Day
S-2	DG Set-400 KVA	Acoustic Enclosure	4.50			SO2	0.068 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 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).

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

Sr. No.	Consent(C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Establish	5.0 Lakhs	Extend the existing	Towards compliance of consent condition	CtoU or 09.01.2027	CtoU or 09.01.2027
2	Consent to Establish	5.0 Lakhs	Submit within 15 days	Towards compliance of consent condition	CtoU or 09.01.2027	CtoU or 09.01.2027
3	Consent to Establish	24.75 Lakhs	Submit within 15 days	Towards violation that not obtained Re-validation of CtoE	CtoU or 09.01.2027	CtoU or 09.01.2027

** 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
1	Consent to Establish	24.75 Lakhs	Submit within 15 days	Towards violation that not obtained Re-validation of CtoE	Forfeiture B.G. of Rs.24.75 Lakhs after submission	Towards violation that not obtained Re-validation of CtoE

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
Sub-Regional Office, Mumbai-2

Ph :- (022)-24016239
E-mail :-
sromumbai2@mpcb.gov.in
Website :- http://mpcb.gov.in



First Floor, Kalpataru Point,
Sion Circle, Sion(E),
Mumbai- 400 022.

DATE : 3/8/2023

INSPECTION REPORT

1. Name & Address of the Industry : m/s Rizvi Estates & Hotels P. Ltd
Vill: Kolkalyan, Behind Kalina
Church, Santacruz (E) Mumbai
2. Date of visit : 3/8/2023
3. Industry Representative : Shahbaz Khan Project Manager
4. Telephone No./ Mobile e-mail : 9773375507
rizvibuilders1973@gmail.com
5. Validity of consent : C to E is obtained on 20/1/2022
6. D/C : 582 D/E : 466 I/C - Nil I/E - N/A -
CMD CMD
7. Observations :

Present Status Report in respect of O.A. NO
144/2017(WZ)

→ PP has obtained EC in the name of m/s Rizvi
Land Developers P.L. for the residential cum
commercial project with S.R. scheme on 23th JAN
2012. The location of the project is at
Vill: Kolkalyan, Kalina, Santacruz (E)

→ Plot Area : 15429.0 sq. mtrs & } As per EC
BUA : 58741.32 sq. mtrs }



- No. of Bldgs: 9 Rehab Bldgs (G+7)
: 2 Sale Bldgs of (G+8)
- PP has obtained consent to Establish from M.P.C. Board on dtd 20/7/2022 as per EC
- PP has completed construction of 5 Rehab Bldgs out of 9 Bldgs. Part OC of 5 Rehab Bldgs are received from S.R.A.
- As per EC, 2 Nos of Sale Bldgs, each of having 5 wings namely A, B, C, D & E
- PP has completed construction of 3 wings (A, B, C) out of 5 wings of one sale Bldg Part OC of A & B wings are received.
- PP has applied for Part consent to operate on 8/5/2023 to M.P.C. Board. The same is under process.
- PP has provided 2 Nos of STP's for the treatment of Domestic effluent.
- STP of rehab Bldg :
Capacity : 300 KLD

collection tank, tube settler, Aeration tank, and sand & Carbon filters are provided in S.T.P. Joint vigilance sample of STP is collected from the outlet of filters & sealed in presence of PP representative.

STP found in idle condition. Operation & Maintenance ~~found~~ seems poor. Housekeeping nearby STP found in very bad shape.

→ Storm water drains of rehab bldgs found in choked condition.

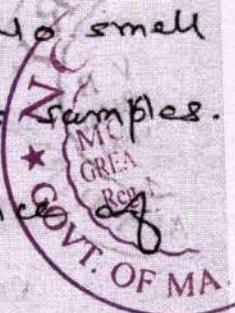
→ PP has installed STP of capacity 160 KLD for Sale Bldgs. The same is found in commissioning stage & will be fully commissioned within 15 days as told by PP representative.

JVs of treated water after filtration is collected & sealed in presence of PP representative.

→ Treated water from STP is stored into storage tank. The same is used for toilet flushing purpose.



→ During visit, JVS of water from 5 water tanks (mcam water) is collected for verification of contamination if any. This water founds clear in nature. No smell and no turbidity observed to this samples. All these samples sealed in presence of PP representative.



→ owc installed at rehab bldg found in non-operating & idle condition. However owc installed at Sale Bldg found in working condition. PP shall submit record of operational owc to MPCB within 7 days.
[Rehab owc: 135 kg/day; Sale owc: 125 kg/day]

→ PP has provided underground & overhead water storage tanks

→ For rehab bldgs Rain Water harvesting tanks of capacity 27.0 m^3 (Bldg No A3, A4) and 12.7 m^3 (For Bldg No A5, A6) are provided.

→ For sale Bldg & 2 Nos of Rain water Harvesting tanks of capacity 43.9 m^3 & 17.0 m^3 are provided.

PP has not provided DG sets as per Ec conditions. (DG of 450 KVA for rehab Bldg and of 400 KVA for sale Bldg)

→ Separation of grey and black water is done by using dual plumbing.

→ Solar panel lights are installed and utilized for passage lights & pathways.

→ Public place is not utilized for parking purpose. As per IOD, 104 Nos of parkings shall be ~~pro~~ provided for sale Bldg. (Presently 70 Nos parking provided)

→ PP has not set up separate Environment Management cell.

→ No Borewell is noticed in the premises.

→ Provision for housing of construction



labour with toilet facility is made by the PP.

→ Trees of 79 Nos are noticed during visit.

As instructed by joint committee during visit on 31/7/2023. PP has tagged the trees with numbers.

→ PP has submitted 2 Nos. of B.G.'s each of ₹ 5.0 Lacs on 9/3/2023 as per cto E condn. The validity of the same is 8/3/2028

→ PP had submitted appn for amendment & expansion in earlier EC. State Level Expert Appraisal Committee-II has referred the proposal to SEIAA.

→ It is instructed to PP to submit following documents on priority.

- 1) Approved plan from SRA
- 2) Copy of plan submitted during 2012 EC
- 3) Society hand over notice
- 4) Fire NOC from mcgm
- 5) LOI, LOA & Layout from SRA.



[Signature]
3/8/2023

[Signature]
(M.A. Thakur)
F.O, SRM-II

[Signature]
(Kishor Kerkikar)
SRO Mumbai-2



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

"Your Service is our Duty"

No: MPCB/ROM/PD/TB - 2308290003

Date: 29 /08/2023

To,
 M/s. Rizvi Estates and Hotels Pvt Ltd,
 Village Loekalyan, Behind Kalina Charch,
 Kalina, Santacruz East Mumbai
 400098

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

Ref: 1. NGT order dtd. 10/05/2023 in respect of Original Application No. 144/2017 (WZ), M.A. No. 270/2017 (WZ)
 2. Board official visited 03/08/2023
 3. Legal Proposal submitted by SRO M-II on 10/08/2023
 4. MPCB-LEGAL_ACTIONS-100823003 approved on 28/08/2023

WHEREAS, the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 are applicable to the State of Maharashtra as declared in official gazette.

AND WHEREAS, it is obligatory on your part to obtain prior environmental clearance from Competent Authority as per provisions laid down under EIA notification 2006 & related amendments made therein.

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

AND WHEREAS, Board officials visited your site on 03/08/2023 at M/s. Rizvi Estates and Hotels Pvt Ltd, Village Loekalyan, Behind Kalina Charch, Kalina, Santacruz East Mumbai 400098 & reported as under

1. You have installed Organic waste convertor at Rehab building found in non-operating & idle condition.
2. You have provided STP for Rehab building found in idle condition. Housekeeping nearby STP found in bad shape. Storm water drains of Rehab buildings found in choked condition.
3. You have not provided D.G. sets as per EC conditions and not set up separate Environment management cell



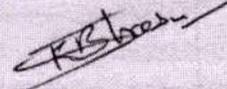
AND WHEREAS, this shows your clear-cut violation & negligent attitude towards compliance of provision of environmental enactments.

NOW THEREFORE, in exercise of the power confirmed by the Board upon me u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981 following proposed direction are issued against your unit as to –

- 1) Why your existing activity shall not be stopped henceforth?
- 2) Why legal action shall not be initiated against your activity.

Your reply shall reach this office from the receipt of these directions within a period of 7 days, failing which, appropriate action will be initiated against you, which please note.

For and on behalf of
Maharashtra Pollution Control Board



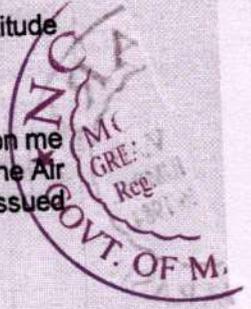
(S. R. Bhosale)
Regional Officer, Mumbai

Copy submitted to:-

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

Copy to:

- 1) Sub Regional Officer, MPC Board, Mumbai -III
- He is directed to serve copy of direction to industry, take necessary follow-up towards compliance of the direction and submit Action taken report.
- 2) Master File.



883

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24024068 / 24023515

Website: <http://mpcb.gov.in>

E-mail: jdwater@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor

Opp. Cine Planet Cinema,

Near Sion Circle, Sion (E)

Mumbai-400 022.

"Your Service is our Duty"

No. BO/JD(WPC)/SCN/TB- 2310050018

Date: 05/10/2023

To,
Ms. RIZVI ESTATES AND HOTELS PVT LTD.,
6422,6422..... Village Kolkalyan,
Behind Kalina Church, Kalina,
Santacruz East-Mumbai.

Sub: - Show Cause Notice for refusal of consent towards applied Consent to 1st Operate.

Ref: - Your application for Consent to 1st Operate having UAN No. 0000169563

WHEREAS, you have applied for Consent to Operate Under Section 26 of the Water (Prevention and Control of Pollution) Act, 1974; under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Hazardous & Other Wastes (M & T M) Rules 2016.

AND WHEREAS, after scrutiny of your application it is decided to issue Show Cause for following noncompliance.

- (i) You have not obtained re-validation of Environmental Clearance.
- (ii) You have not submitted B.G. of Rs.5.0 Lakhs and other submitted B.G. of Rs.5.0 Lakhs is invalid.
- (iii) You have given possession without obtaining consent to operate.

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

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

Dr. J.B. Sangewar
Joint Director (WPC)

Copy to-

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



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

No. BO/MPCB/JD (WPC)/Refusal/UAN

Date: 18/10/2023

No. 0000169563/CO/2310001363

To,

M/s. RIZVI ESTATES AND HOTELS PVT LTD.,

6422,6422/1-31,6423,6423/1-6,6424A,6424B,6424-

B/1-4,6424-C,6424-

C/1-3,6426,6426/1-17,6427,6427/1-16,6249A,6429A/1

-11,7370,7374,7375,7376A,7376A/1-16,7377,7379,73

19/1-37381,7381/1-16,7382,7382/1-3,7394,7394/1-6,7

396,7396/1-6,7400,7401(PT),7402,7402/1-17,7403A,7

403A/1-47,7403B,

7403D,7403D/1-207408,7408/1-6,7437,7437/1-53,743

8,7438/1-7,7440,7440/1-14,7448,7448/1-17,7451,745

1/1-11, Village Kolkalyan, Behind Kalina Church,

Kalina, Santacruz East-Mumbai.



Sub: Refusal of Consent to Operate under Section 27 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21 (4) of the Air (Prevention & Control of Pollution) Act, 1981.

Ref:

1. Your application for grant of Consent to Operate having UAN-No. MPCB-CONSENT-0000169563
2. Show Cause Notice for refusal of Consent issued dtd-05.10.2023.

WHEREAS, this office is in receipt of your application for grant of Consent to Operate under section 26 of the Water (Prevention of Control of Pollution) Act, 1974 & under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Hazardous & Other Wastes (Management & Transboundry Movement) Rules, 2016.

AND WHEREAS, this office has issued show cause notice vide above reference (2) towards following non compliances.

1. You have not obtained re-validation of Environmental Clearance.
2. You have not submitted Bank Guarantees as per earlier consent condition.
3. You have given possession without obtaining consent to operate.

AND WHEREAS, you have not submitted reply to issued Show Cause Notice which shows your negligent attitude towards Environment Protection .

In view of above, considering the above noncompliance, your application for grant of Consent to Operate is hereby refused under Section 27 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21 (4) of the Air (Prevention & Control of Pollution) Act, 1981. You are hereby directed not to take any effective steps towards operation of the Unit without permission of the Board, else Board will initiate legal action as per the provisions of Environmental enactments.

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



Sangewar

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5b4298d7

Signed by: Dr. J. B. Sangewar
Joint Director (WPC)
For and on behalf of,
Maharashtra Pollution Control Board
jdwater@mpcb.gov.in
2023-10-18 17:50:04 IST

Copy to:

1. Regional Officer, MPCB-Mumbai- Directed to issue stop work direction and communicate to planning authority that not to issue OC for the project.
2. Sub Regional Officer, MPCB-Mumbai II- for information & to communicate to the applicant.

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

"Your Service is our Duty"

No. MPCB/ROM/SO-231101-F75-0184

Date: - 01/10/2023

To,

M/s. RIZVI ESTATES AND HOTELS PVT LTD.,

6422,6422/1-31,6423,6423/1-6,6424A,6424B,6424-

B/1-4,6424-C,6424-C/1-3,6426,6426/1-17,6427,6427/1-16,6249A,6429A/1

-11,7370,7374,7375,7376A,7376A/1-16,7377,7379,7319/1-37381,7381/1-16,7382,7382/1-

3,7394,7394/1-6,7396,7396/1-6,7400,7401(PT),7402,7402/1-17,7403A,7

403A/1-47,7403B,7403D,7403D/1-207408,7408/1-6,7437,7437/1-53,743

8,7438/1-7,7440,7440/1-14,7448,7448/1-17,7451,745

1/1-11, Village Kolkalyan, Behind Kalina Church,

Kalina, Santacruz East-Mumbai.

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

Ref: 1. Your application for grant of Consent to Operate having UAN-No. MPCBCONSENT-0000169563
2. Show Cause Notice for refusal of Consent issued dated 05/10/2023
3. Refusal of consent to operate vide No.. BO/MPCB/JD (WPC)/Refusal/UAN No.0000169563/CO/2310001363 date 18/10/2023

....

WHEREAS, you have applied for 1st consent to operate for proposed construction activity u/s 26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Other Wastes (Management and Transboundary Movement) Rules, 2016.

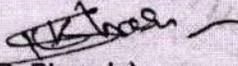
AND WHEREAS, AND WHEREAS, this office has issued show cause notice vide above reference (2) towards following non compliances.

1. You have not obtained re-validation of Environmental Clearance.
2. You have not submitted Bank Guarantees as per earlier consent condition.
3. You have given possession without obtaining consent to operate.

AND WHEREAS you have not submitted reply to issued Show Cause Notice. Therefore, it was decided to issue final refusal as you have not submitted reply of SCN issued on 05/10/2023, in spite of sufficient time given to you. Accordingly, Board has issued refusal order vide letter dated 18/10/2023, wherein it has been directed Regional officer Mumbai shall issue stop work direction and communicate to planning authority that not to issue OC for the project.

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

For and on behalf of
Maharashtra Pollution Control Board


(S.R. Bhosale)
Regional Officer, Mumbai

Copy submitted for information to:

- 1) The Member Secretary, MPC Board, Mumbai
- 2) Joint Director (WPC), MPC Board, Mumbai
- 3) Law Officer, MPC Board, Mumbai
- 4) Regional Officer (BMW), MPC Board, Mumbai

Copy to

**Executive Engineer-H/E,
Slum Rehabilitation Authority, A
Administrative Building,
Prof. Anant Kanekar Marg,**

Bandra (East), Mumbai 400051- You are requested to not to issue Occupancy Certificate (OC) for the project.

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

