

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, NEW DELHI,
(Through Video Conferencing)
Original Application No. 56/2019 (WZ)**

MangeshMahadevParab

Applicant

Verses

M/s New Monarch Builders and Contractors &Ors... ..

Respondent(s).

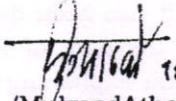
Interim report by the Joint Committee in compliance of this Hon'ble Tribunal Order Dated 3/09/2019;

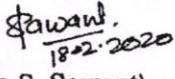
1. In pursuance to the question raised by the applicant in above referred application that, the respondent is carrying out the construction of SagbaugSnehsagar SRA CHSon CTS no. 706,706(1 to 22) of Village Marol, Andheri (East), Mumbai 400059, without obtaining the Environmental Clearance, the Hon'ble NGT directed the SEIAA, Maharashtra and MCGM to jointly inspect the project site in question, verify on the factual aspects and submit the report.
2. In compliance of this order a Joint Committee representing member of SEIAA, Maharashtra State, Municipal Corporation of Greater Mumbai, Maharashtra Pollution Control Board and Slum Rehabilitation Authority, Mumbai has carried out Joint Inspection of afore mentioned project.
After carrying out the site visit and observing various Intimation of Approval (IOA) and the approved drawings, it has been decided to group the approvals in three sets namely before the date of EIA notification (14/09/2006), before the Office Memorandum explaining the total Built Up area (04/04/2011) and till today to understand whether the approval for the construction has crossed the lawful limit of 20,000 Sq.m. and when the Project Proponent should have applied for Environmental Clearance.
3. The committee in its interim reported dated 20/01/2020 has requested to grant the extension for submission of final report.
4. The committee is now submitting the final report which is as below:

Sr. No.	Date of Plan Approval	Approvals	Total BUA upto 13/09/2006			Total Area (sq.mtr)	Cumulative Area for EC
			Building Configuration	FSI Area (Sq.mtr)	Non FSI Area (Sq.mtr)		
	(A)	(B)	(C)	(D)	(E)	(F)	(G)
1	20.03.2003	Part OCC	Rehab Bldg. No 1A(Gr + 7)	1085.24	425.80	1511.04	
2	17.02.2004	Part OCC	Rehab Bldg. No 1B (Gr+7)	1682.91	657.49	2340.40	
3	21.04.2006	Part OCC	Rehab Bldg. No 5 (Gr+7)	2852.91	911.33	3764.24	
			Total BUA	5621.06	1994.62	7615.68	
Area Considered for EC						NIL	NIL
Total BUA after 13/09/2006 to 03/04/2011							
							(D)<20000

4	28.08.2007	Full OCC	Rehab Bldg. No 5	41.69		41.69	41.69
5	08.11.2007	IOA	Sale Building (2B+Gr+6)	15527.70	9473.28	25000.98	15569.39 [4G+5D]
6	29.12.2007	IOA	Rehab Bldg. No 7 (Gr + 7)	6331.31	6418.67	12749.98	21900.70 [5G+6D]
7	30.01.2008	Full OCC	Rehab Bldg. No 6 (Gr + 7)	2824.14	941.86	3766.00	24724.84 [6G+7D]
8	16.05.2008	Full OCC	Rehab Bldg. No 4 (Gr + 7)	3360.80	1229.44	4590.24	28085.64 [7G+8D]
9	10.06.2008	Amended IOA	Rehab Bldg. No 2 (Gr + 7)	2443.70	734.62	3178.32	30529.34 [8G+9D]
			Total BUA	30529.34	18797.87	49327.21	
Area Considered for EC						30529.34	30529.34
Total BUA after 03/04/2011 to 20/01/2020							
10	05.09.2018	Part OCC	Rehab Bldg. No 7(8 - 19)	6468.58	5118.07	11586.65	42115.99 [9G+10F]
11	05.02.2018	Part OCC	Sale Building (3B+Gr+19)	24956.44	10516.18	35472.62	77588.61 [10G+11F]
			Total	31425.02	15634.25	47059.27	
Area Considered for EC						47059.27	77588.61

5. The FSI areas are as per the IOA for the respective buildings and non FSI areas are as per the certificate by architect attached herewith. The figures in bracket in the column 'G' represent area figures in column and row numbers.
6. From the above mentioned table it is evident that the process of environmental clearance should have been started before 29.12.2007, wherein the FSI area appears to have exceeded the lawful limit of 20000 Sq.mtr.


 (MukundAthavale),
 Expert Member,
 State Level Environmental Impact
 Assessment Authority,
 Environment Department, Govt. of
 Maharashtra


 (Ramachandra S. Sawant)
 Assistant Engineer,
 Municipal Corporation of Greater
 Mumbai

Sagbag

Date of Plan Approval	Approvals	Building comprising of	Plot area on that date	Commencement Certificate	Area as per plan in sq.m	Date of Occupancy Certificate & area sq.m, if possession is given to buyers	Environmental features if proposed & constructed at that time
Rehab Bldg No.1A							
25/08/1998	IOA	G+7	28957.40	PCC 25/08/1998 FCC 24/03/2000	5613.24	POC 20/03/2003 (1to 7 upper floors)	
02-12-2003	Amended IOA	G+7			1085.24		
20.03.2003	Part OC	G+7			1085.24		
Rehab Bldg No.1B							
25/08/1998	IOA	G+7	28957.40	PCC 25/08/1998	1687.06	POC 17/02/2004	
02-12-2003	Amended IOA	G+7			1682.91		
17.02.2004	Part OC	G+7			1687.06	(1to 7 upper floors)	
21.01.2015	Full OCC	G+7			2751.64	FOC 21/01/2015	
As per IOA - 29.10.2007 for Building no 2, area of Building no 1- Wing A & B	Amended IOA	G+7			2766.15		
As per IOA - 10.06.2008 for Building no 2, area of Building no 1- Wing A & B	Amended IOA	G+7			2766.15		
Rehab Bldg No.2							
29/10/2007	IOA	G+7	28957.40	PCC 29/10/2007	2439.25		
10.06.2008	Amended IOA	G+7		FCC 10/06/2008	2439.25		
Rehab Bldg No.4							
09-08-2007	IOA	G+7	28957.40	PCC 09/08/2007	3360.8	FOC 16/05/2008	
16.05.2008	FOC	G+7		FCC 17/09/2007	3360.8		
Rehab Bldg No.5							

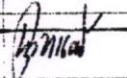
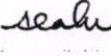
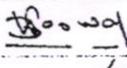
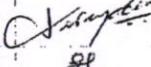
07-04-2004	IOA	G+7	28957.40	PCC 07/07/2004	2753.22	
22.07.2005	Amended IOA	G+7		FCC 20/04/2006	2962.7	
21.04.2006	Part OC	G+7			2811.22	
	Full OC	G+7			2852.91	FOC 28/08/2007
Rehab Bldg No.6						
20/07/2007	IOA	G+7	28957.40	FCC 24/07/2007	2256.58	FOC 30/01/2008
30.01.2008	FOC	G+7			2256.58	
Rehab Bldg No.7						
29/12/2007	IOA	G+17	28957.40	PCC 27/04/2015	6331.31	POC -05/09/2018
03.12.2014	Amended IOA	G+17	28957.40	PCC 01/03/2016	9937.68	Gr. + 17
09.12.2015	Amended IOA	G+17	26588.30	(G+17 upper floors)	11669.64	
05.02.2018	Amended IOA	G+19	26588.30	FCC 21/03/2018	12799.89	
				(G+19 upper floors)		
Sale Building						
08.11.2007	IOA		28957.40	PCC -22.02.2008		33452.09
06.11.2012	Amended IOA	3+Gr(p)+S+13 upper f	28957.40	PCC 28.03.2013	28312.09	5140
11.01.2016	Amended IOA	3+Gr(p)+S+13 upper f	26588.30	further CC upto 8th for A B C D - 02.12.2014	28500	5642.29
20.07.2017	Amended IOA	3+Gr(p)+S+18 upper f	26588.30	further CC upto 13th for A B C and part D - 01.03.2016	28534.11	9897.78
05.02.2018	Amended IOA	3+Gr(p)+S+19 upper f	26588.30	further CC upto 18th for A B C & D and upto 7th E F G - 27.06.2017	30660.77	10943.44
				FURTHER CC for A B C & D and upto 12th E F G - 21.07.2017		10484.14
				FCC upto for A B C & D and upto 11th E F G - 21.03.2018		0
				FCC FOR A B C D E F G - 30.10.2018		

Joint Site visit as per order of Hon. National Green Tribunal, Western Zone Bench,
Pune

Site Address:- Sagbaug Snehsagar SRA CHS, CTS no. 706,706(1to 22) of Village Marol,
Andheri (East), Mumbai 400059.

Original Application:- 56/2019 (WZ)

The Joint site visit is carried out today i.e 20.01.2020 at 3.00 P.M. Following members,
Planning Authority Staff and Project Proponent are present.

Sr. No	Name	Designation	Organization	Mobile Number	Sign
1	Mukund Athavale	Expert Member,	SEIAA, Maharashtra State	9869354349	
2	Ramchandra S. Sawant	Asstt. Engg (L&D Dept) KhE	M.C.G.M.	8080106125	
3	S.D. Mahajan	Executive Engineer	SRA	9320017237	
4	R.B. Kharat	Sub Eng.	SRA	996730 700	
5	S.H. Padwal	SRO M.P.C.B	M.P.C.B	3422086 243	
6	Jitendra Patel	Licensee Surveyor		9833225555	
7	D.J. Athou	SE-BPKEE	MCGM	996782885	
8					
9					
10					