

JOINT COMMITTEE REPORT IN COMPLIANCE OF THE ORDER DATED 25/8/2025 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, WESTERN ZONE BENCH, PUNE IN ORIGINAL APPLICATION NO. 42/2025 FILED BY GO GREEN FOUNDATION TRUST & ANR. V/S UNION OF INDIA & ORS.

1. BACKGROUND:

M/s. Go Green Foundation Trust & Anr. have filed an Original Application bearing No.42/2025 against the Union of India & Ors. before the Hon'ble National Green Tribunal, Western Zone, Pune regarding violation of terms and conditions of Environment Clearances and Consent to Establish & Consent to Operate by M/s.Rubberwala Housing and Infrastructure Ltd., for carrying out illegal construction of residential and commercial building project at C.S. No.990 at 243-G, Pathe Bapurao Marg (Falkland Road), Girgaon Division, "D" Ward, Mumbai

In the aforesaid matter, the Hon'ble NGT vide order dated 25/8/2025 constituted a Joint Committee comprising of one member each SEIAA and MPCB and directed the Joint Committee shall visit the site in question and submit the report with respect to violation as alleged in this original application.

2. SITE VISIT OF THE COMMITTEE-

In compliance of the Order dated 25/8/2025 , then Joint Committee consisting of the following members carried out visit on 03.11.2025 at M/s. Rubberwala Housing & Infrastructure Ltd, C.S. no. 990 situated at 243-G, Patte Baburao Marg (Falkland Road), At Girgaon Division, D Ward, Mumbai 400004.

Sr. No.	Name & Designation	Department/Authority
01	Shri. Sudhakar Nangnure, Member	State Environment Impact Assessment Authority (SEIAA), Mumbai
02	Shri. Pratap Jagtap, Sub Regional Officer, MPCB, Mumbai-I	Maharashtra State Pollution Control Board

During visit, the Representative of Project Proponent Shri. Tabrez Shaikh, Director and Shri. Faroq Bhatkar, in house Architect were also present.

3. OBSERVATIONS AND FINDINGS

Observations and findings are provided as below w.r.t issues/points raised in Original Application No. 42 of 2025 and site visit on 03.11.2025 -

3.1 ILLEGAL CONSTRUCTION OF BASEMENT BEFORE AMENDMENT OF EC DATED 24.08.2018: *That as per the EC dated 05.09.2014, for any change in scope of project, PP required to have fresh appraisal from SEIAA as stated in Condition No. 8 of EC dated 05.09.2014. However, PP failed to go for fresh appraisal and carried out the illegal construction of basement without prior EC and changed the scope of the project and then obtained the ex-post facto EC.*

Description	FC-05.09.2014	EC-24.08.2018
Basement	2 Basements	3 Basement
Note on Initiated Work	Not Applicable	Total constructed work on site till date (FSI + Non FSI): 6228.75 Sq.mt.

That the PP obtained first EC on 05.09.2014 having permission for "2 Basements only", However, PP carried out and completed the construction of "3 Basements" before obtaining expansion EC dated 24.08.2018. Moreover, EC dated 24.08.2018 clearly shows that the total construction carried out on site before 24.08.2018 is 6228.75 M², which means all three basements are excavated and construction is completed for it. That the PP have suppressed this important information while obtaining expansion EC dated 24.08.2018. Therefore, PP have committed violations having irreparable damage on the environment.

PP had obtained first Environmental Clearance on 05/09/2014 with following configurations: -

Redevelopment

Wing A- 2 Basements + Ground +21 upper floors

Wing B- 2 Basements + Ground +12 upper floors

Sale

Wing C- 2 Basements + Ground +1st to 4th Parking floors + 5th amenity floors
+ 16 upper floors

There after PP had obtained Expansion in Environmental Clearance on 18/09/2018. PP had shown constructed work on site till date (FSI +Non FSI – 6228.75 Sq.mtrs).

During the site visit it has been observed that work of 3 basement upto 20 upper floors is completed on site. As per the google image May 2018 (Annexed as Annexure-A) the basements have been constructed upto ground level. This shows that the work of 3 basements had been carried out prior to grant of Expansion in Environmental Clearance dtd. 18/09/2018.

3.1.1 NO CTE FROM 22.07.2020 TO 04.07.2022 AND THERE IS GAP OF 715

DAYS: That the PP procured the first CTE-on 22.07.2015, which was valid for five years i.e. 21.07.2020, however, PP failed to obtain the revalidation in CTE till 04.07.2022 and thereafter lapse/gaps of 715 days on 05.07.2022, PP procured the CTE Therefore, there is gap of 715 days from 22.07.2022 to 04.07.2022 and these are violation days.

3.1.2 NO CTO AFTER 30.04.2022 AND THERE IS GAP OF 806 DAY TILL

15.07.2024: That on 15.07.2021, PP procured the 1st Consent to Operate for completed TBUA of 29651.43 M² out of TBUA of 40562.53 M², which was valid upto 30.04.2022. However, PP failed to obtain the revalidation of CTO till date from 30.04.2022 to till 15.07.2024, i.e. till this notice. Therefore, there is gap of 806 days from 30.04.2022 to 15.07.2024 and these are violation days.

Project proponent has obtained Environment Clearance from SLEIAA as follows:

Sr. No.	Date	Total Plot Area in Sq.mt.	Total Built up area in Sq. mt.	Remark
1.	05/09/2014	4675.62	40562.53	
2.	18/09/2018	4675.62	47182.64	
3.	05/08/2021	4675.62	49299.88	

Project proponent has obtained Consent to Establish from MPC Board as follows:

Sr. No.	Date	Total Plot Area in Sq.mt.	Total Built up area in Sq. mt.	Remark
1.	22/07/2015	4675.62	40562.53 (As per EC dated 05/09/2014)	valid for a period up to commissioning of the project or 5 years whichever is earlier
2.	07/05/2022	4675.62	49299.88 (As per EC dated 05/08/2021)	commissioning of the project or 22/07/2025 whichever is earlier
3.	13/09/2025	4675.62	19648.45 (Remaining Built up area)	Same is in process.

Consent to establish dated 22/07/2015 was valid up to 21/07/2020. PP has to obtain revalidation of consent to establish after expiry, however applied on 16/10/2021. Accordingly, Board has revalidated consent to establish on 07/05/2022 which was valid up to 22/07/2025 with a condition as PP shall submit Bank Guarantee of Rs 26.60 Lakhs (0.1 % of total capital investment). The same shall be forfeited as PP has not obtained revalidation of consent to establish after 22.07.2020, thus violated the Consent Conditions.

Consent to establish granted on 07/05/2022 was valid up to 22/07/2025. After expiry of same PP has applied for revalidation on 13/09/2025 which is in process. As PP has not applied for revalidation on time, penal charges calculated as per Boards circular dated 12/07/2022 & 27/02/2024 and the said application is in process.

Project proponent has obtained consent to operate from MPC Board as follows:

Sr. No.	Date	Total Plot Area in Sq.mt.	Total Built up area in Sq. mt.	Remark
1.	15/07/2021	4675.62	29651.43	valid up to 30/04/2022
2.	13/11/2025	4675.62	29651.43	Same is in process.

As PP has not applied for revalidation on time, penal charges calculated as per Boards circular dated 28/04/2025 and the said application is in process.

3.2 NO SUFFICIENT RG AREA ON MOTHER EARTH, ENROCHMENTS IN MARGINAL SPACE AND OBSTACLE FOR FIRE TENDER MOVEMENT: That as per the minutes of 26th SEAC-II Meeting held on 28.04.2014, minutes of 72nd SEIAA Meeting held on 21.07.2014, EC dated 05.09.2014, EC dated 24.08.2018 & EC dated 05.08.2021, PP have to provide the mandatory RG Area on Ground Floor without no overlapping of Marginal Space and not above basement having 1 Mtr. Distance between RG Area and Marginal space of 6 Mtrs. However, PP have provided RG area in Mandatory marginal space as well as fire tender movement and on above basement.

However As per sanctioned layout dated 08.08.2021 the RG area is shown is of 238.20M²

EC	RG on Ground	RG on upper Floor/ Podium
05.09.2014	351.28 M ²	917.98 M ²
24.08.2018	342.19 M ²	0
05.08.2021	342.19 M ²	171.42 M ²
Compensation for Deficient RG area	= Deficient Area X Circle Rates for Open land = 103.99 M ² (342.19 M ² - 238.20 M ²) X Rs. 81720/M ² = Rs. 84,98,062.8/- (Eighty Four Lakh Ninety Eight Thousands Sixty Two Rupees Only)	

Therefore, PP have violated the conditions of Minutes of Meetings as well as Environmental Clearances and also, Hon'ble Supreme Court Order as stated in SEAC-II 26th meeting by not providing RG Area on Ground 342.19 M².

The grant of EC is subject to applicable regulations of the Urban Local Bodies. To ensure the easy access for Fire tender movement Fire Officer is component Authority and accordingly the respected Authorities have granted plan approval and Fire NOC. As regards to RG area on ground it is mentioned, the last EC granted on 05/08/2021 is prior to the order of Hon'ble NGT dtd. 13/09/2022. The said order has been stayed by the Hon'ble Supreme Court on 10/06/2024.

- 3.2 ***NO PRIOR NOC FROM CGWA IS OBTAINED BY PP: BECAUSE, PP has not obtained prior Permission of CGWA for ground water extraction and PP is extracting ground water from Two bore wells. PP have also carried out illegal construction of basements for Residential & Commercial buildings without permission from CGWA. PP has carried out construction of three Basements causing grave heart to the ground water level and in the vicinity of the Natural Water Course in illegal manner. PP has duped the royalty of government for excavation of the minor minerals.***

During visit no bore wells as well as ground water extraction observed.

- 3.3 ***NO PRESERVATION OF TOP LAYER OF FERTILE SOIL AND NO SOIL TEST FOR CONTAMINATION: That, it is mandatory to preserve the top layer of fertile soil and also to protect the same from contaminations, However, PP failed to preserve the top layer of soil and also not carried out any test for its contamination and its amounts to the violation of Condition No. XII, XIII, XIV of EC dated 05.09.2014, Condition No. XII, XIII, XV of EC dated 18.09.2018 and Condition No. XI, XII, XII of EC dated 05.08.2021. Therefore, it can be stated that, the PP failed to submit the six monthly compliance report as well as Yearly/Half-yearly returns & compliance Reports to the MOEFCC, SEIAA, MPCB for this reasons of non-compliance. Moreover, PP have suppressed the quantity of excavated material while obtaining said EC.***

PP has submitted six monthly EC compliance report as below: -

Date of submission	period
14/10/2025	April 2025 to Sep 2025.
21/05/2025	Oct 2024 to Mar 2025.
03/01/2025	April 2024 to Sep 2024.
02/01/2025	Oct 2023 to Mar 2024.
10/06/2021	April 2020 to Sep 2020.
12/11/2020	Oct 2019 to Mar 2020.

From the above it's observed that PP has not submitted six monthly EC compliance report for period Oct-2020 to Sep-2023. At the time of site inspection PP could not shown the compliance report submitted from Oct-2020 to Sept-2023.

- 3.5 **NO INSTALLATION OF SCIENTIFIC STP ON DEMARCATED LOCATION: BECAUSE**, the PP shall install the STP of requisite capacity as per provisions of Water Act, Air Act & Solid Waste Treatment Rules, Environment (Protection) Act, 1986 for the treatment of Sewage & Waste Water generated from the project. As per the EC dated 05.09.2014, PP shall install the STP having capacity of 175 CMD for treatment of 156 CMD of Sewage & Waste Water generation on Ground Level. But, PP conveniently changed the location of STP from Ground Level to Basement Level by procuring ex-post facto EC dated 18.09.2018 & 05.08.2021.

EC	Sewage Generation	STP	STP	Actual Installation
05.09.2014	156	175	Ground	150
18.09.2018	226	230	Basement	150
05.08.2021	286	290	Basement	150

That there are three basements as per EC dated 18.09.2018 & 05.08.2021 and it is not made clear in EC in which basement STP is going to be installed and also, PP have installed scrap skeleton STP on only 150 CMD capacity, not in operation since its installation and same is not in operation and sewage waste is directly discharged to MCGM sewer line without treatment. Moreover, STP shall

not be installed into the basement due to generation of various poisonous gases and due to lack of ventilation from the basement.

PP has provided STP of 250 CMD capacity of MBBR technology between 1st and 2nd basement.

However, during visit STP was not in operation and untreated sewage is disposed of in the sewer line of local body.

3.6 NO INSTALLATION OF SCIENTIFIC ORGANIC WASTE CONVERTER (OWC) FOR SOLID WASTE TREATMENT ON DEMARCATED LOCATION: BECAUSE, *the PP shall install the OWC of requisite capacity as per provisions of Water Act, Air Act & Solid Waste Treatment Rules for the treatment of Solid Waste generated from the project. As per the EC dated 08.05.2021, PP shall install the OWC having capacity of 400 KgD. for treatment of 329 KgD of Wet Waste generation. However, the PP have changed the scope of the project in substantial manner and Solid Waste generation is also increased. PP have not given capacity of proposed OWC to be installed in EC/CTE/CTO. OWC installation of is not yet done and waste generated from project is directly dumped to the MCGM waste yard. Therefore, PP have committed violations of Water Act, Air Act & Solid Waste Treatment Rules, Environment (Protection) Act, 1986 and committed the violation of terms & condition of EC/CTE/CTO. That the following table shows the different waste generation in various permission and there is no consistency in the waste generation. That the EC & CTE & CTO are issued by SEIAA & MPCB in blind manner without application of mind.*

<i>EC/CTE/CTO</i>	<i>Wet Waste</i>	<i>Dry Waste</i>	<i>STP Sludge</i>	<i>OWC</i>	<i>Location</i>	<i>Actual OWC Size</i>
<i>05.09.2014</i>	<i>398</i>	<i>192</i>	<i>23</i>	<i>Not</i>	<i>Basement</i>	<i>No</i>
<i>18.09.2018</i>	<i>289</i>	<i>436</i>	<i>34</i>	<i>Disclosed</i>		<i>No</i>
<i>05.08.2021</i>	<i>329</i>	<i>495</i>				<i>No</i>
<i>CTO</i>	<i>398</i>	<i>198</i>	<i>23</i>			<i>No</i>
<i>CTO-I</i>	<i>50</i>	<i>100</i>	<i>8</i>			<i>No</i>
<i>CTE</i>	<i>200</i>	<i>300</i>	<i>21</i>			<i>No</i>

PP has provided OWC of 300 kg/d capacity. However, during visit OWC was not in operation and wet waste disposed through local body. As per consent to operate (part-I) wet waste generation is 50 kg/ day and as per application for renewal dated 13/11/2025 wet waste generation quantity mentioned as 279 kg/day.

- 3.7 NO TREE PLANTATION: BECAUSE,** *the PP have made any plantation at the Project side and also, there is no provision for tree plantation. Project is under occupancy and operational damage has been pick. That the SEIAA as well as MPCB including MCGM have not applied their mind and also, not given attention towards the tree Plantation issue;*

<i>EC</i>	<i>Trees to be Planted</i>
<i>05.09.2014</i>	<i>25</i>
<i>SEIAA Minutes 24.08.2018</i>	<i>54</i>
<i>18.09.2018</i>	<i>Not Disclosed</i>
<i>05.08.2021</i>	<i>Not Disclosed</i>

That the SEIAA while granting the EC dated 18.09.2018 & 05.08.2021 have intentionally suppressed the quantity of trees to be planted, it does not mean PP is not binding to Plant the trees. That the Conduct of SEIAA & MPCB is very careless & reckless in granting the EC.

During visit, no tree plantation was observed.

- 3.8 NO INSTALLATION OF RAINWATER HARVESTING (RWH) SYSTEM: BECAUSE,** *the PP shall erect tank of 65 KL for Rainwater Harvesting (RWH) as per EC dated 05.09.2014, tanke of 65 KL as per the EC dated 21.07.2021 and entire construction with enlarged/expansion scope is completed. However, PP have not installed RWH System or not made any provisions. Therefore, PP have committed violation of terms & conditions of all three EC.*

During visit it is observed that PP has not made any provision for rainwater harvesting system.

3.9 NO INSTALLATION OF SOLAR WATER HEATERS & SOLAR ENERGY SYSTEM: BECAUSE, PP have under taken the energy saving to the extent of 16% of the total energy consumption from the project as per the EC dated 05.09.2014, 29% as per EC dated 18.09.2019 and not disclosed energy saving in EC dated 05.08.2021 by installation of Solar Water Heaters, Solar Energy Generation for Common lighting etc. However, PP is failed to install the energy saving system and committed violations of terms and condition of EC.

During visit it is observed that PP has not made any provision for solar water heater & solar energy systems.

3.10 NO TURNING RADIUS OF 6 METERS. FOR EASY ACCESS OF FIRE TENDER MOVEMENT FROM ALL AROUND THE BUILDING EXCLUDING THE WIDTH FOR THE PLANTATION: That as per the SEIAA minutes & EC condition, PP ought to provide the 6 Mtrs of turning radius for easy access for fire tender movement, however, actual development itself shows that the marginal space is less than 6 Mtrs and also, side margin spaces are affected by the building line/ basement line, RG are of the projects etc. and therefore, fire tender movement is adversely affected and not possible. Its violation of EC r/w SEAC & SEIAA conditions.

As regards to the Environmental Clearance conditions as above, the Fire Officer is the appropriate Authority for ensuring turning radius and easy access for Fire tender movement. Mumbai Fire Brigade, Brihan Mumbai Mahanagar Palika issued fire NOC to said project on 28/12/2020. Hence the remarks of Mumbai Fire Brigade are called vide letter dtd. 20/11/2025. Mumbai Fire Brigade, Brihan Mumbai Mahanagar Palika vide their letter dated 22/01/2026 informed that:-

a) *The said proposal falls under section 33(7) of DCR 1991, DCPR 2034.*

b) *The site abuts on 27.40 mtr. wide Patthe Bapurao Marg towards South Side. The podium towards west, south and partly towards east side is beyond building line. There is a minimum open space of 6.00 mtrs is provided towards west, north and partly 9.00 mtrs towards east side, hence*

accessible for fire appliances. Also, the refuge areas for sale building A & B wing is provided facing roadside and for rehab C & D wing facing 09.00 mtrs joint open space between Sale & Rehab building and are assessable for fire appliance. Hence the podium towards West, South and partly towards East side is beyond building line is considered.

Copy of Fire NOC dtd. 28/12/2020 and letter dtd. 22/01/2026 are attached herewith collectively and annexed as Annexure-II.

Other information: -

The MPC Board has issued Directions under section 33 A of the Water (P & CP) Act 1974 & Air (P & CP) Act 1981 and directed to stop the work of ongoing construction activities forthwith vide letter dtd.20/10/2025 for not obtaining revalidation of Consent to Establish, Consent to Operate, non-submissions of Bank Guarantee as per consent order, non-operation of STP & OWC etc. Copy of Boards Directions dated 20/10/2025 is attached herewith and annexed with Annexure-III.

During the Joint Committee Visit dated 03/11/2025, construction activity was not found in operation. Also, STP & OWC are not in operation. Brihan Mumbai Municipal Corporation has also issued stop work notice to PP on 09/12/2025. The Officials of the MPC Board verified the compliance of Directions on 05/01/2026 and observed that construction activity was not in operation, STP & OWC found in operation during visit. Copies of Stop Work Notice of MCGM and verification report dated 05/01/2026 are annexed collectively as Annexure-IV.

PP has submitted some Bank Guarantees as per consent order. The Board has forfeited the Bank Guarantee of Rs. 26.60 lakhs towards the non-compliances.

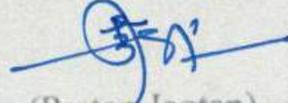
5. RECOMMENDATIONS :

1. Project proponent shall operate STP in scientific manner round o clock and shall not discharge untreated sewage in local body drainage system.
2. Project proponents shall operate OWC in scientific manner round O'clock and shall not dispose untreated organic waste through local body.

3. Project proponent shall comply with Consent and Environmental Clearance conditions.



(Sudhakar Nangnure),
Member
SEIAA, Mumbai



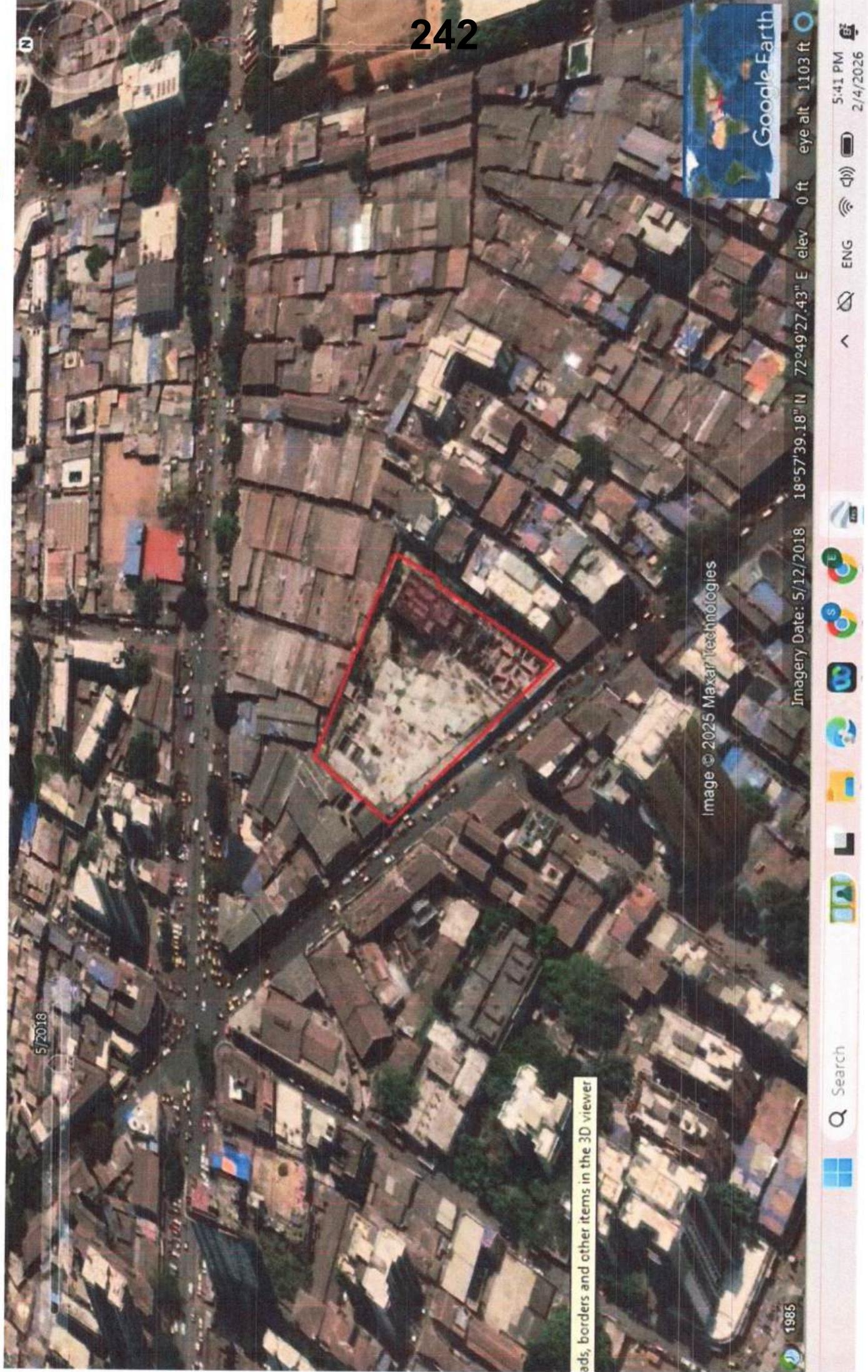
(Pratap Jagtap)
Sub Regional Officer,
MPCB, Mumbai-I

Place:- Mumbai.

Date 04/02/2026.

Annexure -I

242



ads, borders and other items in the 3D viewer

Annexure -I

MUNICIPAL CORPORATION OF GREATER MUMBAI
MUMBAI FIRE BRIGADE

**Office of the Dy. Chief Fire Officer (R-I), Byculla - Regional
Command Centre, Byculla Fire Station, Bapurao Jagtap Marg,
Byculla (West), Mumbai-400008. Telephone No. - 022-
23076111/2/3, 022-23001393/4/5 & Fax No. 24153027.**

SUB: Amendments stipulating Fire Protection & Firefighting requirements for the amended building plans for the proposed construction of High-rise Residential Building under redevelopment scheme 33(7) of DCPR-2034 on plot bearing C.S. No.- 990 of Girgaon Division situated at Patthe Bapurao Road, 'D'-Ward, Mumbai.

REF: i) On-line proposal submitted from M/s - Shaikh & Associates - License Surveyor.
ii) **File No:** - EB/3820/D/A.

EXECUTIVE ENGINEER (B.P.) -CITY

In this case, please refer to the N.O.C. stipulating Fire Protection & Firefighting Safety requirements issued by this department vide No.-FB/HR/R-I/24, dated 16/05/2013 for the proposed construction of High-rise Residential building comprising of two wings i.e. Sale and Rehab wing. Both wings are having common two-level basements (-7.80 Mtrs.). The Sale building having two level basements (common for Sale & Rehab building) + ground floor + 1st to 4th podium floor + 5th Amenity floor, thereafter the building is divided in two wings i.e. Wing 'A' & 'B', both wings are having 6th to 21st upper residential floors with total height to 69.95 Mtrs. from general ground level up to terrace level. The rehab building comprises of two wings 'C' & 'D' having two level basements (common for sale & rehab building) Wing 'C' comprises of ground floor + 1st to 22nd upper residential floors (22nd part floor) with a total height of 68.55 Mtrs. from general ground level up to terrace level & Wing 'D' comprises of ground floor + 1st to 12th part upper commercial floors with a total height of 54.05 Mtrs. from

the concerned Regulations of DCPR-2034 before granting any permission (IOD/CC/further CC), if found any contradiction, this proposal/NOC shall be referred back to this department for revised NOC.

- 4) E.E.B.P. - City shall verify the proposal in context with the relevant Regulations of DCPR-2034 & verify the compliance as per same. If the same is not complied with, this proposal shall be referred back to this department for issuing fresh NOC.
- 5) The schematic drawings / plans of automatic smoke detection system, wet riser system, public address system, manual fire alarm system shall be got approved from CFO.
- 6) The area, size and other required dimensions for the detection system, fire alarm system, wet riser system, efficient public address system, electrical duct, fire duct etc. shall be verified & examined by MEP Consultant.
- 7) Separate necessary permission for any licensable trade activity in the proposed building shall be obtained from concerned department of MCGM/CFO's department, till then it shall not be allowed to be used.
- 8) There shall be no any tree located in the compulsory open spaces or in the access way near the entrance gate.
- 9) This recommendation letter is issued only from Fire Protection & Fire-Fighting requirements point of view on behalf of the online application from the Municipal Architect without prejudice to legal matters pending in court of law, if any.
- 10) The plans approved along with this NOC are approved from Fire Risk / Fire Safety point of view only. Approval of these plans does not mean in any way of allowing construction of the building. It is Architect's responsibility to take necessary prior approval from all concerned competent authorities for the proposed construction of the building.
- 11) As per section 3 of Maharashtra Fire Prevention and Life Safety Measures Act 2006, it is the liability of Owner/Occupier to provide & maintain the Fire Prevention & Life Safety Measure in good repair and efficient condition at all the time in accordance with the provisions of The Maharashtra Fire Prevention and Life Safety Measures Act or the rules.

Santosh
Damodar
Sawant

**Scrutinized & Prepared by
Divisional Fire Officer
Mumbai Fire Brigade**

Digitally signed by Santosh Damodar Sawant
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**Verified & Approved by
Dy. Chief Fire Officer
Mumbai Fire Brigade**

BRIHANMUMBAI MAHANAGAR PALIKA
MUMBAI FIRE BRIGADE

Office of the Dy. Chief Fire Officer (R-I), Byculla – Regional Command Centre,
Byculla Fire Station, Bapurao Jagtap Marg, Byculla (West), Mumbai-400 008.

No: FB/RI/Gen/1219
Date: 22/01/2026.

Sub: Original Application No. 42/2025 filed in Hon. National Green Tribunal (WZ) by Go Green Foundation Trust & Anr. v/s Union of India.

Ref: i) Letter Vide No. MPCB/SROM-1/Comp/TB/251120-FTS-0017, from Maharashtra Pollution Control Board, Sub Regional Office, Mumbai-1.
ii) MFB No. Gen/1219, Dated 21/11/2025.

Earlier F.S.R.L. i) FB/HR/RI/24, dated 16/05/2013.
ii) FB/HR/RI/195, dated 26/12/2017.
iii) EB/3820/D/A, dated 28/12/2020.
iv) EB/3820/D/A, dated 08/05/2021. (Part Final Fire Safety Compliance).

With reference of subject matter and references, this department has received letter from M/s Maharashtra Pollution Control Board, Sub Regional Office, Mumbai-1 and has requested submit compliance report/ reply regarding the application filed by M/s Go Green Foundation Trust for various environmental non-compliances in respect of M/s. Rubberwala Housing & Infrastructure Ltd, C.S. No. 990, Situated at 243-G, Patte, Baburao Marg (Falkland Road), at Girgaon Division, D Ward, Mumbai 400004.

Further the in application, the applicant has raised so many issues in which one of the major issue mentioned as **"No turning radius of 6.00 Mtrs for easy access for fire tender moment from all around the building excluding the width for the plantation."**

In this case, please refer to the N.O.C. stipulating Fire Protection & Firefighting Safety requirements issued by this department vide No. FB/HR/RI/24, dated- 16/05/2013, stipulating fire protection & firefighting requirement for the proposed construction of High-rise Residential cum commercial building comprising of two wings i.e. Sale and Rehab wing. Both wings are having common two-level basements (-07.80mtrs.). The Sale building having two level basements (common for Sale & Rehab building) + ground floor + 1st to 4th podium floor + 5th Amenity floor, thereafter the building is divided in two wings i.e. Wing 'A' 'B', both wings are having 6th to 21st upper residential floors with total height to 69.95 mtrs. from general ground level up to terrace level. The rehab building comprises of two wings 'C' & 'D' having two level basements (common for sale & rehab building) Wing 'C' comprises of ground floor + 1st to 22nd upper residential floors (22nd part floor) with a total height of 68.55 mtrs. from general ground level up to terrace level & Wing 'D' comprises of ground floor + 1st to 12th part upper commercial floors with a total height of 54.05 mtrs. from general ground level up to terrace level. (This N.O.C. is Cancelled vide dated 26/12/2017).

Further, please refer to the N.O.C. stipulating Fire Protection & Firefighting Safety requirements issued by this department vide No. FB/HR/RI/195, dated 26/12/2017, stipulating fire protection & firefighting requirements for the proposed construction of High-rise Residential-cum-Commercial composite building comprising of 04 wings i.e. Wing 'A', 'B', 'C' & 'D'. All wings having common three level basements (-10.49 mtrs.) for car parking for Public Parking Lot (PPL) accessible by 7.50 mtrs. wide two way ramp and services + common ground to 4th floor for shops + 5th to 7th podium floors for car parking accessible by two car lifts; thereafter composite building divided into 04 wings i. e. 'A', 'B', 'C' & 'D'; Wing 'A', 'B' & 'C' having 8th to 20th upper residential floors with a total height of 69.90 mtrs from general ground level up to terrace level and Wing 'D' having 8th to 13th upper residential floors with a total height of 49.60 mtrs. from general ground level up to terrace level. Wing 'A' & 'B' are connected at 8th floor level by refuge area, Licensed Surveyor has proposed Atrium in composite building with two escalators.

Further, please refer to the fire safety Requirement letter, Stipulating Fire Protection & Firefighting requirements issued by this department online, vide No. EB/3820/D/A, dated- 28/12/2020, stipulating fire protection & firefighting requirements for the High-rise Residential-cum-Commercial-cum-Residential Composite building comprising of 4 nos. of wings i.e. Wing-A, Wing-B, Wing-C and Wing-D; All the four wings having common three level basements + common ground to 4th upper floors for all the four wings + 5th to 6th common podium floors for all the four wings + 7th floor as open to sky terrace lounge, common for all the four wings + Wing-A, Wing-B, Wing-C & Wing-D have separated from 8th to 20th upper residential floors having total height of 69.90 mtrs. from general ground level upto the terrace level. As well License Surveyor has proposed Atrium at the middle in the composite building of Wing-A, Wing-B, Wing-C and Wing-D from ground upto the 6th floor level and opening of Atrium on 7th floor terrace lounge with parapet wall of 1.10 mtrs. from all the four sides with Quadra conical removable outward opening.

Further, please refer to the Fire safety Compliance issued by this department vide No. EB/3820/D/A, dated- 08/05/2021 for part i.e. Three level basements + Gr + 1st to 4th floor (for Commercial) + 5th floor podium (for parking purpose) of the said proposed high-rise Residential cum Commercial bldg. from fire & life Safety point of view.

Further, please refer to the Fire safety Compliance issued by this department vide No. EB/3820/D/A, dated- 13/02/2025 for the High-rise Residential-cum-Commercial, Composite building namely Wing-A, Wing-B, Wing-C only, wherein all the wings are having common three level basements (-10.49 mtrs.) for car parking for Public Parking Lot (PPL) accessible by 7.50 mtrs. wide two way ramp and services + common ground to 4th floor for shops + 5th floor (Parking purpose) **(Fire safety Compliance issued by this department vide No. EB/3820/D/A, dated- 08/05/2021 for part i.e. Three level basements + Ground + 1st to 4th floor (for Commercial) + 5th common for all the four wings of the said proposed high-rise Residential cum Commercial building)** thereafter composite building divided into 04 wings i. e. 'A', 'B', 'C' & 'D'; wherein Wing 'A', 'B' & 'C' having 6th common podium floors for all the four wings + 7th floor as open to sky terrace lounge + 8th to 20th upper residential floors with a total height of 69.90 mtrs from general ground level up to terrace level.

Further the site abuts 27.40 Mtrs Patthe Bapurao Marg towards South side as shown on plan. The open spaces are approved as per F.S.R.L. issued by this office Vide No. FB/HR/RI.24, Dated 16/05/2013 and FB/HRC /RI/195, Dated 26/12/2017 for Wing A & B and C & D.

Further in the F.S.R.L. Vide No. FB/HR/RI.24, Dated 16/05/2013, following favorable considerations are mentioned which states as follows:

- a) The said proposal falls under section 33(7) of DCR 1991, DCPR 2034.
- b) The site abuts on 27.40 mtr. Wide Patthe Bapurao Marg towards South Side. The podium towards West, South and partly towards East side is beyond building line. There is a minimum open space of 6.00 Mtrs is provided towards West, North and partly 9.00 mtrs towards East side, Hence accessible for fire appliance. Also the refuge areas for sale building A & B wing is provided facing road side and for rehab C & D wing facing 09.00 mtrs joint open space between Sale & Rehab building and are assessable for fire appliance. Hence The podium towards West, South and partly towards East side is beyond building line is considered.

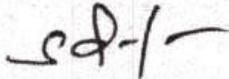
Further Reg.47(A),(B), Part IX, Urban Safety Requirements, DCPR 2034 states follows :

(A) For proposal under regulations 33(5), 33(6), 33(7), 33(7)(A), 33(9), 33(9)(A), 33(9)(B), (10), 33(10)(A), 33(11), 33(15), 33(20)(A) .

a) In case of rehabilitation/composite buildings having height more than 32 m up to 70 m, at least one side other than road side, shall have clear open space of 6 m at ground level, accessible from roadside. Provided, if the building abuts another road of 6 m or more, this condition shall not be insisted upon. Provided if the building abuts on two roads having width of 6.0 m, the clear space of 9m shall be available including abutting Road in front of the building and the 6m roads shall be connected to the road of having width of at least 9m. However, if podium is proposed it shall not extend beyond 6 m from building line so as to have clear open space of 6 m at ground level beyond podium accessible for fire appliances.

Further the Licensed Surveyor/Architect has obtained approval of Hon. M.C. for various hardships Vide No. EB/3820/D/A, Dated 01/11/2020 and accordingly this department has issued Provisional Fire Safety and Final Fire Safety Approval.

Submitted please


DY.CHIEF FIRE OFFICER
MUMBAI FIRE BRIGADE

For information & necessary action.

COPY to: 1.E.E.B.P.(City).

2. Asst. Comm. D- ward.

3. Office Copy.

For information,

1. Mr. Shakil Shaikh, Sub Regional Officer, Mumbai-I
2nd Floor, Kalpataru Point, Sion Circle, Sion (E),
Mumbai 400 022.



DY.CHIEF FIRE OFFICER
MUMBAI FIRE BRIGADE

**Encl : All Provisional/Final Fire Safety Approval & Plans.
4C Report.**

MAHARASHTRA POLLUTION CONTROL BOARD		
Phone :	(022)- 25505928	
Fax :	(022)- 25505926	
Email :	romumbai@mpcb.gov.in	
Visit At :	http://mpcb.gov.in	
		Kalpataru Point, 2 nd 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/RO/SO/1-2510200001

Date: - 20/10/2025

To,
 M/s. Rubberwala Housing & Infrastructure Ltd.
 C.S. no. 990 situated at 243-G,
 Patte Baburao Marg (Falkland Road),
 At Girgaon Division, D Ward, Mumbai 400004.

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. Environmental Clearance obtained on 05/09/2014, 18/09/2014 & 05/08/2021.
 2. Consent to establish granted vide letter dated 22/07/2015 which was valid upto 21/07/2020.
 3. Revalidation of Consent to establish granted vide letter dated 07/05/2022 which was valid up to 22/07/2025.
 4. Part Consent to operate granted vide letter dated 15/07/2021 which was valid up to 30/04/2022.
 5. Board official visited site on 03/10/2025.
 6. Office note No. MPCB-LEGAL_ACTIONS-101025040.
 7. Approval received from competent authority on 17/10/2025.

AND WHEREAS, it is obligatory on your part to obtain Consent to Establish to your activity u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and U/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 before commissioning of the project and Consent to Operate before occupation of the building.

AND WHEREAS, The Board official visited your site to verify the compliance and reported as below -

- As per revalidation of consent to establish dated 07/05/2022 you have not submitted Bank Guarantee of Rs. 10.00/- Lac + 2.00/- Lac + 22.60/- Lac i.e. total BG of Rs. 24.66/- Lac.
- As per part consent to operate dated 15/07/2021, you have not submitted Bank Guarantee of Rs. 10.00/- Lac + 2.00/- Lac + 10.093/- Lac i.e. total BG of Rs. 22.093/- Lac.
- After expiry of part consent to operate dated 15/07/2021 which was valid up to 30/04/2022, you have not revalidate the same.

4. STP provided for the treatment of sewage generated from the residential project not found in operation & untreated sewage being disposed in MCGM drainage line.
5. OWC provided for the treatment of organic waste was not in operation.
6. As per environment clearance condition you have not provide solar system, recreational ground area, rain water harvesting system at site.

AND WHEREAS, after examining all the reports and records available with this office, I have concluded that you are knowingly and willfully violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981.

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.

This direction is issued with the approval of a competent authority of the Board.

FOR & ON THE BEHALF OF MPC BOARD


(Sujit Dholam)
Regional Officer, Mumbai

Copy submitted for information to:

- 1) The Member Secretary, MPC Board, Mumbai
- 2) Regional Officer (BMW), MPC Board, Mumbai

Copy to :-

1. The Deputy Chief Engineer (Building and Proposal)- City New Municipal Building, C. S. No. 355/B, Bhagwar Walmiki Chowk, Vidyalavihar Marg, Opp. Hanuman Mandir, Antop Hill, Wadala (East), Mumbai
(dyche01bpcity.dp@mcgm.gov.in),
2. Assistant Commissioner,
"D" Ward Municipal Office Building, Jobanputra Compound,
Nana Chowk, Grant Road (W), Mumbai - 400007 . (ac.d@mcgm.gov.in)
3. Designated Officer / Ex. Engineer, D Ward, Mumbai.

- You are requested not to issue Commencement certificate/Occupancy Certificate (OC) for the said construction project and issue stop work for on going construction activity and submit action taken report.

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

सहायक आयुक्त डी विभाग	
दिनांक	27 OCT 2025
	26309
फोन:-	२०,२१,२२,२३,२४,२५,२६,२७
	२००९

022 23861427



BRIHANMUMBAI MUNICIPAL CORPORATION

Office of Assistant Commissioner, 'D' Ward Municipal Office, Jobanputra Compound,
Nana Chowk, Grant Road (West), Mumbai - 400 007.

Notice No.: OACD/11006/B&F dated 09/12/2025.

STOP WORK NOTICE

FOR NON COMPLIANCE OF DIRECTION OF M.P.C.B. U/S 33A OF THE WATER
(PREVENTION & CONTROL OF POLLUTION) ACT 1974 & U/S 31A OF THE AIR
(PREVENTION & CONTROL OF POLLUTION) ACT 1981

To,
Project Proponent/ Architect/ License Surveyor/Project Manager,
M/s. Rubberwala Housing & Infrastructure Ltd.,
C.S. No. 990 of Girgaum Div., 243-G, Patthe Bapurao Marg
(Falkland Road), Mumbai-400 004.

M.C.G.M. 'D' Ward
Jobanpura Compound, Nana Chowk
Grant Road Mumbai - 400 007.

Sub:- Direction of M.P.C.B. u/s 33A of the Water (prevention & control of pollution)
Act 1974 & u/s. 31A of the Air (prevention & control of pollution) Act 1981 in
respect of M/s. Rubberwala Housing & Infrastructure Ltd., C.S. No. 990 of
Girgaum Div., 243-G, Patthe Bapurao Marg (Falkland Road), Mumbai-400 004.

Ref.:- 1) MPCB/SROM-1/Comp/TB/251107-FTS-0162 date:07/11/2025.
3) File no.- EB/3820/D/A

Whereas the undersigned has been appointed as the Designated Officer under section 351(1) of Mumbai Municipal Corporation Act, 1888 (hereinafter for the brevity sake referred as the said Act) to exercise the powers of the said Act.

And whereas, this office has received a letter vide no. MPCB/SROM-1/ Comp/ TB/ 251107-FTS-0162 date:07/11/2025 from Sub Regional Officer, Mumbai-I of Maharashtra Pollution Control Board along with the copy of the letter of Regional Officer, Mumbai bearing no. MPCB/RO/SO/2510200001 dtd. 20-10-2025 addressed to M/s. Rubberwala Housing & Infrastructure Ltd., which is also forwarded to Asstt. Comm. 'D' Ward and Designated Officer / Executive Engineer (B&F) 'D' Ward wherein it is mentioned as follows :-

"And whereas, after examining all the reports and records available with this office, I have concluded that, you are knowingly and willfully violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

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."

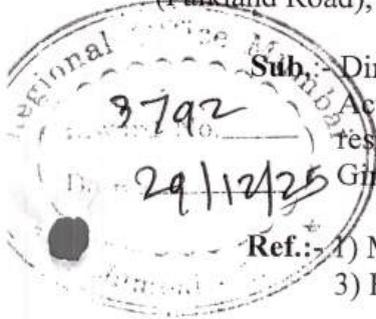
And whereas, Sub Regional Officer, Mumbai-I, vide the above mentioned letter dtd. 07-11-2025 requested the undersigned to issue Stop Work for ongoing construction activity and submit action taken report and further also mentioned therein that, in this regard, Original Application No. 42/2025 filed in the National Green Tribunal.

And whereas, pursuant to the above referred letters received from Sub Regional Officer, Mumbai-I of Maharashtra Pollution Control Board dtd. 07-11-2025, I am satisfied that, you have commenced the following work without compliance of the conditions mentioned in the above referred letter of Regional Officer, Mumbai, Maharashtra Pollution Control Board :-

Schedule (Description of work):

Non compliance of Direction of M.P.C.B. u/s 33A of the Water (prevention & control of pollution) act 1974 & u/s 31A of the Air (prevention & control of pollution) act 1981 in respect of M/s. Rubberwala Housing & Infrastructure Ltd., C.S. No. 990 of Girgaum Div., 243-G, Patthe Bapurao Marg (Falkland Road), Mumbai-400 004.

Therefore, I, in exercise of powers and functions conferred upon me under MMC Act, hereby direct you to stop the erection of the said building / execution of the said work forthwith



Rem-I
29/12

and submit explanation with proof of compliance of direction given by MPCB u/no. MPCB/RO/SO/2510200001.

It should be noted that, if the ongoing work is not stopped forthwith or compliance of directives issued as above are not done with respect to notice issued the said building within 24 hours from the service of this notice, all the materials, machinery, equipment, devices or articles used in the process of erection of the said building or execution of the said work will be removed from the site, at your risk and cost, without further notice. Also, stringent action such as sealing of work site and legal action due to non compliance of guidelines shall be taken up at your risk, cost, consequences and peril.

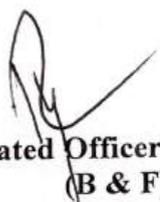
Signature:..... sd1

Name : Shri. Dilip Santosh Ahire
Designated Officer- D Ward

C.C. to

Shri. Pratap Jagtap,
Sub Regional Officer, Mumbai-I,
Maharashtra Pollution Control Board,
Sub Regional Office, 2nd Floor, Kalpataru Point,
Sion Circle, Sion (E), Mumbai-400 022.

Submitted for information please.


Designated Officer/ Executive Engineer
(B & F) D Ward

Executive Engineer (B & F) 'D' Ward
(Designated Officer)



Maharashtra Pollution Control Board

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

Visit Report

General Information

IMIS ID : 18242000

Industry Name : Rubberwala Housing & Infrastructure Ltd.

Address : C.S. no. 990 situated at 243-G Patte Baburao Marg (Falkland Road), At Girgaon Division, D Ward, Mumbai 400004

Pincode : 400004

Category : Orange (LSI)

Email :

Phone :

Visit Scheduled On : 05/01/2026

Last date of visit : 07/01/2026

Visited by : Shri. Dattatraya Dasharath Gavali(FO-Mumbai I)

Visited On

Visited Industry on :05/01/2026

Email Address of Unit :md@rubberwala.com

Telephone Number of Unit :9892078622

Siting Criteria

Siting Criteria : No

Location

Notified Industrial area : No

Detail : NA

Planning Authority : MCGM

Visit For

Visit For : Surprise

Applied For : Other

Previous Consent Detail

Consent UAN No.	Date	Validity	Capital Investment	Verified By
NA	12-01-2026	28-12-2025	0	NA

Environment Clearance

Is EC Applicable : Yes

Is EC Obtained : Yes

EC Detail : SIA/MH/MIS/202798/2021 dated.05.08.2021

Production Details

Product Name	Quantity(As consent)	Unit(As consent)	Quantity(Actual)	Unit(Actual)	Operational Issue
Construction Project	00	--NA--	0	--NA--	No

Waste Water Management

Source of water :
 1) Surface
 Surface Detail : MCGM water
 Authority Permission : MCGM

Deviation In:

Water Consumption : Yes

Effluent : Yes

Sewage : Yes

Whether Industrial effluent generated : No**Whether Domestical effluent generated : Yes**

		Industrial		Domestic	Gardening
		Process	Cooling		
Generation in m3/day	As per consent			76	30
	Actual			76	0

Treatment System

	Industrial	Domestic
Primary :		
Secondary :		Sewage Treatment Plant
Tertiary :		MBBR
Advanced :		

Domestic Purpose

a) Generation (in CMD) : 76

STP Capacity : 85

b) Disposal : Partially Recycle / Partially Gardening

Recycle in CMD : 46

Gardening in CMD : 30

Land available in acres : 0.1

JVS sample collection (Water)

JVS sample collected for Water : No

Detail : STP outlet

Previous JVS Records (Water)

Sr. No.	Unique id	Barcode Number	Sample Type	Sample Subtype	Payment Status	COA Generated
1	MPCB-JVS-070126074	BR-0108352	Water	JVS	Payment Pending	YES Link : Download
2	MPCB-JVS-101225081	BR-0107002	Water	JVS	Payment Pending	YES Link : Download
3	MPCB-JVS-211224004	BR-0087594	Water	JVS	Payment Pending	YES Link : Download

Air Pollution Aspect

1) Details of emission : No

#	Source	Fuel Name	Fuel Quantity	Fuel Unit	Control Equipment Installed	Stack Height(mtrs)	Operational Issue
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Record not found.

2) Differential in existing source of emission : No

JVS sample collection (Air)

JVS sample collected for Air : No

Detail : NA

Previous JVS Records (AIR)

Sr. No.	Unique id	Barcode Number	Sample Type	Sample Subtype	Payment Status	COA Generated
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Hazardous Waste Generation

Difference in exiting waste generation : No

Non Hazardous Waste Generation

Difference in exiting waste generation : No

Any specific Conditions

		Condition	Compliance						
Consent		NA							
Directions		NA							
Environment Clearance		NA							
Any NGT / Court order		NA							
Bank Guarantee									
BG Imposed : Yes									
BG Imposed Against : Consent									
Bank Guarantee Imposed for	BG submitted	Bank Guarantee No	Date	Validity	Amount	Status	Compliance Period	Return	Forfeit
Compliance of Consent conditions	No				0	Not Compiled			No
Remark									
#	Statutory Submissions	Financial Year	Within Time	Whether any deviation waste generation & disposal (less/more)					
Record not found.									
Penal Charges									
Penal Charges : No									
OCEMS									
Is Mandatory : Not Mandatory						Detail :			
Connected to MPCB server : No						Detail : NA			
Green Coverage									
Green Coverage : No									
Detail :									
Any Specific Observation									
<p>Any Specific Observation : PP has applied for revalidation of Consent to Establish. Earlier consent to establish was obtained on 07.05.2022. During visit it was observed that, PP has completed work of rehab and sale building having three wings as A, B & C , Wing A, B & commercial part handed over to tenants. Wing C found vacant yet not given possession to tenants. Still not started construction of wing D. Configuration of the A, B & C wings are 3B+G+1st to 4th commercial+ 5th & 6th part commercial & part parking floor+ 7th Amenity floor+ 8th to 20 upper residential floors. PP has informed that, they have completed upto 8th floor. PP has provided STP of 250 CMD with MBBR technology to rehab and sale buildings & OWC for treatment of organic waste. At the time of visit STP & OWC was found in operation. JVS sample i.e. STP outlet was collected for lab analysis. Treated effluent used for flushing ,gardening & remaining connected to MCGM drainage line. Dry garbage handed over to MCGM. As per consent to Establish they have submitted BG of Rs.10 lakh, BG of Rs. 2 lakh & both BGs are valid up to 26.10.2028. PP has not submitted BG of Rs. 26.60 lakh & its forfeiture details. Go green foundation trust & anr has filed case(original application no.42/2025(WZ) into Hon'ble NGT (WZ) Bench , Pune vrs. Union India & Ors & same matter under prejudice. MPC Board has issued stop work order to said project on 20.10.2025. At the time of visit no construction activity was found in progress.</p>									
Previous legal action detail									