

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
APPEAL NO. 137 / 2024

Mr. Tanaji Balasaheb Gambhire

... Appellant

v.

Union of India-MoEFCC & Ors.

... Respondents

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Place: Pune

Date: 06-03-2026

Adv. Aniruddha S Kulkarni
Standing Counsel,
Environment and Climate Change Department
Government of Maharashtra



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
APPEAL NO. 137 / 2024**

Mr. Tanaji Balasaheb Gambhire

... Appellant

v/s.

Union Of India-MoEFCC & Ors.

... Respondents

**REPLY AFFIDAVIT BY RESPONDENT NO. 2,
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY (SEIAA)**

I, Dattatray Suryakant Bhalerao, working as Scientist I & Deputy Secretary,
Environment and Climate Change Department, Government of Maharashtra do
hereby state on solemn affirmation as under –

I am well conversant with the facts of the present case and I am competent to swear
this Affidavit based upon the records available with this office.

[Handwritten signature]



1. It is submitted that at the very outset this respondent denies each averment made in the present appeal which is contrary to and inconsistent with the averments made and the facts stated in the present reply. It is submitted that nothing stated in the appeal may be deemed to have been admitted by this respondent unless and until the same has been admitted by the respondent.

2. The Present Appeal seeks to challenge the Environment Clearance (“EC”) dated 09.02.2024 granted by SEIAA to M/s Akshay Enterprises (Project Proponent - “PP”) for the proposed Residential & Commercial Project “Yash Florencia” (under violation category) situated at S. No. 28/2, Kondhwa Budruk, Tehsil: Haveli, District: Pune, for a Total Plot Area of 6,900 m², Total BUA of 43,000 m²

3. The present proposal is an expansion of an existing construction project for which PP had obtained an earlier EC dated 04.10.2019 for a total BUA of 27,873.38 m².

4. The Appellant has assailed the grant of the impugned EC dated 09.02.2024 on the following broad grounds:



a. Impugned EC was granted by SEIAA at a time when the authority itself was not legally in operation as the tenure of SEIAA was over on the date of grant of the said EC;

b. SEIAA failed to adhere to the mandatory procedure as per the Office Memorandum dated 7th July, 2021, while granting the impugned EC; and

c. SEIAA has unlawfully granted ex post facto EC as per the Office Memorandum dated 7th July, 2021.

5. On the issue of SEIAA not being in operation on the date of grant of the impugned EC and the issue of ex post facto EC, this Hon'ble Tribunal, after the judgment of the Hon'ble Supreme Court in Vanshakti Vs. UOI (AIR 2025 SC 2843), in its Order dated 13.08.2025 in Appeal No. 132 of 2024 (WZ) observed:

16. We may make it clear that as regards the ground amongst the grounds raised in these appeals, with respect to the Environmental Clearance having been issued post expiry of the term of SEIAA is already decided by us. Hence, the said ground is not pressed by the appellant.

Sho.



17. *With respect to Office Memorandum (O .M.) dated 07.07.2021, issued by the MoEF&CC, the Hon'ble Supreme Court has already held that the said O.M. cannot be made applicable as far as ex post facto EC is concerned. Therefore, the appellant submits that he is assailing only the procedure which is alleged to have not been followed by the SEIAA while granting ex post facto EC and to that extent only, the present appeals are now to be considered by this Tribunal. Therefore, the respondents may file their reply affidavit keeping these points in view.*

Copy of the Order dated 13.08.2025 in Appeal No. 132 of 2024 (WZ) is annexed as **ANNEXURE-1.**

6. As far as Prayer B and C are concerned, it is seeking a relief based on vilified and unsubstantiated allegations against the then Member-Secretary, SEIAA. The relief is in the form of administrative action which is sought to be initiated by the respondent no. 1 against the said former official, this relief cannot be granted because such action doesn't come under the purview of this Hon'ble Tribunal, as this Hon'ble Tribunal can grant reliefs for actions and inactions under the statutes given in Schedule I of the NGT Act.



7. On the issue of the alleged failure of the SEIAA to adhere to the mandatory procedure as per the Office Memorandum dated 7th July, 2021 while granting the impugned EC, it is submitted that the said allegation is misconceived and untenable. The SEIAA has duly followed the procedure for grant of impugned EC strictly in accordance with the Office Memorandum dated 7th July, 2021 issued by the Ministry of Environment, Forest and Climate Change ("MoEF&CC"). In order to appreciate the same, the procedure prescribed under the said Office Memorandum is set out hereinbelow:

a. The MoEF&CC issued a notification dated 14th March, 2017 on the procedure to be adopted for grant of Terms of Reference and Environment Clearance in respect of violation cases (projects or activities which have started the work on site and/or expanded the production beyond the limit of Prior EC or changed the product mix without obtaining Prior EC under the EIA Notification, 2006) and also, gave a 6-month amnesty window for such proponents who have violated the EC regulations.

So.



b. Subsequently, MoEF&CC issued another Office Memorandum on 7th July, 2021 on the Standard Operating Procedure (SoP) for Identification and handling of violation cases under EIA Notification 2006 in compliance to Order of Hon'ble National Green Tribunal in O.A. No. 34/2020 WZ.

c. The relevant paragraphs are reproduced below:

Step: 3: Appraisal under EIA Notification, 2006

The permissibility of the project shall be examined from the perspective of whether such activity/project was at all eligible for the grant of prior EC.

A. If not permissible:

.....

B. If permissible:

i. As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete the impact assessment studies & submit Environmental Impact Assessment (EIA) report & Environmental Management Plan (EMP) in a time bound manner.

ii. Such cases of violation shall be subject to appropriate:

(a) Damage Assessment

(b) Remedial Plan and



- (c) *Community Augmentation Plan by the Central level Sectoral Expert Appraisal Committees or State/Union Territory Level Expert Appraisal Committees, as the case may be.*
- iii. *The Competent Authority shall issue directions to the project proponent, under section 5 of the Environment (Protection) Act, 1986 on case to case basis mandating payment of such amount (as may be determined based on Polluter Pays principle) and undertaking activities relating to Remedial Plan and Community Augmentation Plan (to restore environmental damage caused including its social aspects).*
- iv. *Upon submission of the EIA & EMP report, the project shall be appraised by the Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, as if it was a new proposal. If, on examination of the EIA/EMP report, the project is considered permissible for operation as per extant regulations, the requisite Environmental Clearance shall be issued which shall be effective from the date of issue.*
- v. *However, during appraisal after examination if it is found that even though the project may be permissible but not environmentally sustainable in its present form/configuration/features then the project shall be directed to be modified so that the project would be environmentally sustainable.*
- vi. *If, however, it is not considered appropriate to issue EC, the project shall be directed to be demolished/closed. If such proposal is a case of expansion, the project shall be directed to revert back to the extent of activity for which EC had been granted earlier or to revert back to the extent of activity for which EC was not required (as the case may be).*




vii. *Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, may insist upon public hearing to be conducted for such categories of projects for which the EIA Notification, 2006, as amended from time to time, requires the public hearing to be conducted.*

viii. *The project proponent will be required to submit a bank guarantee equivalent to the amount of Remediation Plan and Natural & Community Resource Augmentation Plan with Central / the State Pollution Control Board (depending on whether it is appraised at Ministry or by SEIAA). The quantification of such liability will be recommended by the Expert Appraisal Committee and finalized by the Regulatory Authority. The bank guarantee shall be deposited prior to the grant of environmental clearance and will be released after successful implementation of the Remediation Plan and Natural & Community Resource Augmentation Plan.*

Note - The activities, as per above clauses, shall be undertaken simultaneously wherever feasible. Environmental Clearance, if granted, to such projects or activities, after due appraisal of EIA/EMP report, shall be effective only from the date of issuance of such clearance and shall be subject to compliance of obligations towards Damage Assessment, Remedial Plan & Community Augmentation Plan, etc., finalized in each case.

8. PP applied for expansion in the EC dated 04.10.2019. SEIAA in its 248th meeting dated 17th & 18th August 2022, observed that PP has converted one building granted vide earlier EC dated 04.10.2019 into 2 wings without amending the EC, which is a violation of earlier EC and EIA Notification, 2006 amended from



time to time. In view of the above, SEIAA decided to reject the proposal and instructed PP to apply under MoEF&CC OM dated 07.07.2021 for a violation case vide letter dated 14.09.2022. Copy of the letter is attached in the appeal memo as ANNEXURE-A-16.

9. PP submitted an application on 18.02.2023 for ToR under Violation Category for the proposed project. SEAC in its 167th meeting dated 24th March 2023 considered the case to be in violation of the EIA Notification, 2006 and as per Office Memorandum dated 07.07.2021 issued by MoEF&CC, decided to recommend the proposal to SEIAA for issuing the Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP).

10. SEIAA considered the proposal and decided to issue a letter dated 20.04.2023 for the Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP). Copy of the ToR letter dated 20.04.2023 is annexed as ANNEXURE-2.

11. SEIAA in its 260th meeting dated 02.05.2023, further directed SEIAA cell to communicate with MPCB to confirm whether action has been initiated against the



Project Proponent under section 15 of Environment (Protection) Act, 1986 for violating provisions of EIA Notification, 2006. SEIAA after deliberation confirmed the Terms of References (ToR) as per recommendation of SEAC.

12. PP submitted the application dated 22.06.2023 for prior Environment Clearance under Violation Category as per Office Memorandum dated 07.07.2021, with total plot area of 6,900 m², FSI area 26,827.76 m², Non FSI area 16,172.24 m² and total BUA of 43,000 m² along with the EIA Report which includes the EMP, Damage Assessment and Remediation Plan.

13. Apparently, the Appellant has repeatedly and erroneously contended in the Appeal memo that no EIA Report was submitted by the PP for the grant of the EC, even though the Appellant has himself submitted the EIA report as part of the Appeal memo.

14. Further, the Appellant's Appeal Memo reflects a lack of consistency and coherence. At certain places, the Appellant contends that no EIA Report was submitted, while elsewhere the existence of the EIA report is acknowledged but alleges the absence of Damage Assessment. Similarly, the Appellant contends that



no Terms of Reference (ToR) were issued, whereas at places he admits that ToR were issued.

15. SEAC considered the proposal in its 179th meeting dated 11.09.2023 and noted that,

a. *As per the Office Memorandum issued by Ministry of Environment Forest and Climate Change vide orders no F.No.22-21/2020-IA.III Dated 7th July 2021, The penalty cost is arrived at ₹ 28,78,000/-*

b. *As per format given in SEIAA Circular, the Damage Assessment value is arrived at ₹ 1,28,78,000 /-.*

c. *PP to provide electric charging facility by providing charging points at suitable places as per Maharashtra Electric Vehicle Policy, 2021.*

The Committee decided to recommend the proposal for EC to SEIAA, subject to aforementioned observations.

Copy of the 179th meeting dated 11th to 15th September, 2023 is annexed as

ANNEXURE-3.



16. SEIAA in its 269th meeting dated 03.11.2023, considered the proposal and noted the ecological damage assessment and the economic benefits accruing as a result of the violation and also the penalty amount as appraised by SEAC. SEIAA also noted the corresponding Environment Management Plan stipulated by the SEAC costing Rs. 1,28,78,000/-, taking into consideration the remediation plan and Natural and Community Resource augmentation Plan. Copy of the 269th SEIAA Minutes of Meeting dated 03.11.2023 is annexed as **ANNEXURE-4**.

17. The SEIAA accepted the recommendations of the SEAC and decided to grant Environment Clearance subject to following conditions:

a. *PP to submit Bank Guarantee of ₹ 1,28,78,000/- towards effective implementation of remediation plan and Natural and Community Resource augmentation Plan. PP to implement remediation plan and Natural and Community Resource augmentation Plan within 6 months from grant of this Environment Clearance. PP also to submit penalty of ₹ 28,78,000/-.*



- b. Maharashtra Pollution Control Board to ensure that, action has been initiated against the PP under the Section 15 (read with Section 19) of Environment (Protection) Act, 1986 for violation provisions of EIA notification, 2006.
- c. PP has provided mandatory RG of 525.50 m² on mother earth without any construction. Local planning authority to ensure the compliance of the same.
- d. PP to keep open space unpaved so as to ensure permeability of water. However, whenever paving is deemed necessary, PP to provide grass pavers of suitable types & strength to increase the water permeable area as well as to allow effective fire tender movement.
- e. PP to achieve at least 5% of total energy requirement from solar/other renewable sources.
- f. PP Shall comply with Standard EC conditions mentioned in the Office Memorandum issued by MoEF & CC vide F.No.22-34/2018-IA III dt.04.01.2019.
- g. SEIAA after deliberation decided to grant EC for-FSI-26,827.76 m², Non FSI-16,172.24 m², total BUA-43,000 m². (Plan approval No-Zone-2/4558, dated-11.09.2023).

[Handwritten Signature]



18. SEIAA grants EC based on the information and documents provided by the PP. SEIAA, while grant of the impugned EC, has followed the procedure as given under the EIA Notification, 2006 and as per the circulars, notifications, guidelines, office memorandums, issued by the MoEF&CC from time to time.

19. In light of the above averments, this respondent craves leave to file any additional reply as and when required. It is respectfully prayed that the Environment Department shall abide by any orders and directions issued by the Hon'ble Tribunal.

Whatever is stated above is true and correct to the best of my knowledge, ability and belief and I affirm it to be true.

Mumbai :

Date : 06 MAR 2026



Dattatray Suryakant Bhalerao
Scientist-I & Deputy Secretary,
Environment & CC Department,
Government of Maharashtra



VERIFICATION

I, Dattatray Suryakant Bhalerao, Scientist-I & Deputy Secretary, Environment and Climate Change Department, Government of Maharashtra, having my office address 15th Floor, New Administrative Building, Hutatma Rajguru Chowk, Madam Cama Road, Mantralaya, Mumbai-400032. do hereby verify and declare that the statements made in the aforesaid paras are true and correct to the best of my knowledge and information and I believe the same to be true and that no material is has been concealed therefrom.

Solemnly affirmed on this 6th day of March, 2026 at Mumbai.



Dattatray Suryakant Bhalerao
Scientist-I & Deputy Secretary,
Environment & CC Department,
Government of Maharashtra

BEFORE ME

ADV. V. B. GHORPADE
ADVOCATE & NOTARY
GOVT OF INDIA
Req. No. 51187



NOTED & REGISTERED
Sr. No. 827 Page No. 051
Dated 06 MAR 2026

1090 ANNEXURE-1

Item No.2.99 to 2.105

(Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN ZONE BENCH, PUNE

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

(I.As. From Batch at Item Nos.2.99 to 2.105)

**IA NOS.194/2024, 197/2024, 198/2024, 199/2024, 203/2024,
205/2024 AND 204/2024 IN APPEAL NOS.132/2024, 134/2024,
135/2024, 136/2024, 137/2024, 138/2024, 140/2024,
RESPECTIVELY**

WITH

**APPEAL NOS.132/2024, 134/2024, 135/2024, 136/2024, 137/2024,
138/2024 AND 140/2024**

Tanaji B. Gambhire

**... Applicant/
Appellant**

Versus

Union of India & Ors.

... Respondents

Date of hearing : 13.08.2025

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

Applicant/
Appellant : Applicant/Appellant in person present along with
Mr. Vijay Mhaske, Advocate in all these matters

Respondents : Mr. Pushkal Mishra, Advocate for R-1/MoEF&CC in all I.As.
Mr. Aniruddha Kulkarni, Standing Advocate along with
Mr. Savyasachi Bharadwaj, Advocate for R-2/SEIAA and
R-3/SEAC, in all I.As.
Ms. Manasi Joshi, Advocate along with Ms. Pooja Natu,
Advocate for R-7/MPCB
Mr. Rahul Garg, Advocate along with Mr. Shubham Rathod,
Advocate for R-8/PMC
Mr. Sachin Rajapurkar, Advocate for R-9/PP in I.A. No.194/2024
Mr. Saket Mone, Advocate along with Ms. Anchita Nair,
Advocate for R-9/PP in I.A. Nos.197/2024 and 198/2024
Mr. R.B. Mahabal, Advocate for R-9/PP in I.A. No.204/2024
Mr. Omkar Wangikar, Advocate for R-9/PP in I.A.No.203/2024

ORDER

1. In all these I.As. and Appeals, the Registry has wrongly shown the name of Mr. Nitin Lonkar, as learned counsel for the applicant/appellant in

the cause-list. In fact, the applicant/appellant Mr. Tanaji B. Gambhire has appeared in person in all these matters.

I.As. :

2. In all these appeals, the above numbered Interlocutory Applications (I.A.s) have been filed for condoning the delay caused in filing these Appeals.

3. Mr. Sachin Rajapurkar, learned counsel has appeared for respondent No.9 – Project Proponent in I.A. No.194/2024 in Appeal No.132/2024, learned counsel Mr. Saket Mone has appeared for respondent No.9 – Project Proponent in I.A. No.197/2024 in Appeal No.134/2024 and I.A. No.198/2024 in Appeal No.135/2024, learned counsel Mr. R.B. Mahabal has appeared for respondent No.9 – Project Proponent I.A. No.140/2024 in Appeal No.204/2024 while learned counsel Mr. Omkar Wangikar has appeared for respondent No.9 – Project Proponent in I.A. No.203/2024 in Appeal No.137/2024. In rest of the I.As. and Appeals, none has appeared for respondent No.9 – Project Proponent.

4. From the side of respondent No.1 – MoEF&CC, learned counsel Mr. Pushkal Mishra has appeared in all these matters.

5. From the side of respondent No.2/SEIAA and respondent No.3/SEAC, learned standing counsel Mr. Aniruddha Kulkarni has appeared in all these matters, from the side of respondent No.7/MPCB, learned counsel Ms. Manasi Joshi has appeared in all these matters and from the side of respondent No.8 – PMC, learned counsel Mr. Rahul Garg has appeared in all these matters.

6. None of the respondents have filed their objection against the present delay condonation applications (I.A.s), except respondent No.9 – Project Proponent in respective I.As. i.e. I.A. No.194/2024 in Appeal No.132/2024 (in which learned counsel Mr. Sachin Rajapurkar has appeared for respondent No.9), I.A. Nos.197/2024 in Appeal No.134/2024 and I.A.

No.198/2024 in Appeal No.135/2024 (in which learned counsel Mr. Saket Mone has appeared for respondent No.9 – Project Proponent) and in I.A. No.204/2024 in Appeal 140/2024 (in which learned counsel Mr. R.B. Mahabal has appeared for respondent No.9 – Project Proponent).

7. Learned counsel Mr. Sachin Rajapurkar, appearing for respondent No.9 – Project Proponent in I.A. No.194/2024 has appeared and states that he has filed reply dated 20.08.2024 stating therein that the ground mentioned for delay by the applicant/appellant is stated to be that he tried to file these appeals from 06.03.2024 to 09.03.2024, but due to technical problem with NGT Website, he could not upload/e-file the same successfully. Thereafter, he uploaded only the impugned Environmental Clearance purposefully and made payment just to generate the Diary Number. The appellant was not ready with entire compilation of the appeals. Further it is submitted by him that the applicant/appellant had filed bunch of 105 appeals requiring large number of documents to be uploaded. It is further mentioned that because of his personal health issue, the delay has occurred in filing the appeals in time. It is urged by learned counsel Mr. Rajapurkar that there is no documentary evidence produced on record in support of applicant's illness. Therefore, according to him, there is no justification to be considered for allowing these delay condonation applications.

8. In response to the above submissions made on behalf of respondent No.9, the applicant, who has appeared in person, submits that because of he having apprehension from his rivals, he could not and cannot disclose his illness in public. Therefore, he has brought his medical file with him for its perusal by this Tribunal. He submits that he is suffering from acute diabetes, because of which his eyesight had also got damaged at one point of time.

9. Mr. R.B. Mahabal, learned counsel representing respondent No.9 – Project Proponent in I.A. No.204 in Appeal No.140/2024 has appeared and states that affidavit-in-reply dated 04.12.2024 has been filed by them in which it is stated that the appeal was e-filed on 09.03.2024 in order to generate the Diary Number. The appellant had purposefully filed the appeal to procure the Diary Number by merely uploading the Environmental Clearance. The Registry had raised objection on 13.03.2024 regarding the appeal being defective and directed the applicant to remove the defects within seven days. The appellant failed to comply with the said direction. As a result, on 29.04.2024, the appeal, diary number of which was 2704138001722024, was listed for consideration by this Tribunal. It was observed in the order dated 29.04.2024 passed by this Tribunal that the applicant/appellant had filed only copy of the Environmental Clearance and did not file proper memo of appeal, only to claim the period of limitation by getting a diary number, instead of actually filing the case. Further it is also stated that perjury is also committed by the appellant as no medical evidence has been adduced from his side to prove that he was sick. In fact, on the dates when he was stated to be ill, he had also appeared before this Tribunal on several dates. Therefore, the statement to the effect that he was sick should be taken to be a false statement before this Tribunal.

10. In reply to above submissions, from the side of the applicant, he has already given explanation and we have already considered the objection from the side of respondent No.9 in Appeal No.132/2024, as original medical file of applicant's illness has been placed before us.

11. With regard to allegation that to get Diary Number generated in order to avoid delay condonation application to be moved, it is submitted by the applicant that he had filed a large number of appeals with which he could not cope up, particularly in view of his poor health condition.

12. Mr. Saket Mone, learned counsel representing respondent No.9 – Project Proponent in I.A. No.197/2024 in Appeal No.134/2024 and I.A. No.198/2024 in Appeal No.135/2024 has appeared and states that he is opposing delay condonation applications, but he leaves it to this Tribunal to pass appropriate order taking their reply into consideration. He submits that the applications for condonation of delay lack material particulars. Therefore, the same should be rejected.

13. As stated above, rest of the respondents, who have appeared through their respective counsel, have not filed objection to the present delay condonation applications.

14. After having heard the applicant/appellant, who has appeared in person and the learned counsel for the Project Proponent in respective cases and after perusal of the record, including the reply-affidavits of respondent No.9 – Project Proponent in respective applications, we are of the view that a large number of appeals approximately more than 105 have been filed on one and the same date by the appellant, which definitely would have taken long time for preparation of the documents, which appears to have resulted in delay in filing the present appeals. However, the period of delay caused in filing the appeals is in our discretion i.e. 30 days plus 60 days. As regards medical condition of the applicant/appellant, we are convinced that he was suffering from health problem because of which he might have difficulty to produce all the documents in time and file the appeals within the prescribed period of limitation. He was not sitting idle during this delayed period. We, therefore, deem it appropriate to condone the delay and accordingly condone the delay in all these applications. All the present Interlocutory Applications are allowed and disposed of.

APPEALS :

15. In all these appeals, the Environmental Clearance issued by the SEIAA has been assailed, which is ex post facto, on various grounds. Hence, considering the grounds raised in the memo of appeals, we admit all these appeals and direct the respondents to file their respective reply-affidavits within four weeks.

16. We may make it clear that as regards the ground amongst the grounds raised in these appeals, with respect to the Environmental Clearance having been issued post expiry of the term of SEIAA is already decided by us. Hence, the said ground is not pressed by the appellant.

17. With respect to Office Memorandum (O.M.) dated 07.07.2021, issued by the MoEF&CC, the Hon'ble Supreme Court has already held that the said O.M. cannot be made applicable as far as ex-post facto EC is concerned. Therefore, the appellant submits that he is assailing only the procedure which is alleged to have not been followed by the SEIAA while granting ex post facto EC and to that extent only, the present appeals are now to be considered by this Tribunal. Therefore, the respondents may file their reply-affidavit keeping these points in view.

18. Put up all these appeals for next consideration on 23.09.2025.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

August 13, 2025
IA No.194/2024+OTHERS (WZ)
npj

1096 ANNEXURE-2

State Environment Impact Assessment Authority

No. SIA/MH/INFRA2/418909/2023
Environment & Climate Change
Department, 217(Annex),
Mantralaya, Mumbai- 400032.
Date :20.04.2023.

To,
M/s. Akshay Enterprises,
S. No. 28/2, Kondhwa Budruk,
Tehsil: Haveli, District: Pune.

Subject: ToR for Violation regularization as per SEIAA Maharashtra Notice No. SIA/MH/MIS/251922/2022 dated 14.09.2022 with reference to MoEF&CC O.M. vide F. No. 22- 21/2020-IA.III dated 07.07.2021 for Proposed Residential & Commercial Project "Yash Florencia" at S. No. 28/2, Kondhwa Budruk, Tehsil: Haveli, District: Pune by M/s. Akshay Enterprises

Ref. : Your application no. SIA/MH/INFRA2/418909/2023

This has reference to your proposal submitted to State Environment Impact Assessment Authority (SEIAA) for seeking Terms of Reference (ToR) in terms of the provisions of the Environment Impact Assessment (EIA) Notification, 2006 under the Environment (Protection) Act, 1986 under violation category as per MoEF&CC OM dated 07.07.2021.

- The proposal for grant of Terms of Reference (ToR) which was considered by the State Expert Appraisal Committee (SEAC-3) in its 167th meeting and by SEIAA in its 260th (Day-1) meeting held on 02.05.2023.
- ToR for the said project is issued as per details of the project, which are as given below:-

1.	Proposal Number	SIA/MH/INFRA2/418909/2023	
2.	Name of Project	Violation regularization as per SEIAA Maharashtra Notice No. SIA/MH/MIS/251922/2022 dated 14.09.2022 with reference to MoEF&CC O.M. vide F. No. 22-21/2020-IA.III dated 07.07.2021 for Proposed Residential & Commercial Project "Yash Florencia" at S. No. 28/2, Kondhwa Budruk, Tehsil: Haveli, District: Pune by M/s. Akshay Enterprises with expansion from BUA- 27,873.38 sq.mt to 43,000 sq.mt.	
3.	Project category	8a(B2)	
4.	Type of Institution	Private	
5.	Project Proponent	Name	M/s. Akshay Enterprises
		Regd. Office address	"Yash Elina" Business Bay, office no.301 - 303 3rdfloor, behind Maruti Mandir, Opposite Karishma Society, Canal Road, Kothrud Pune -411038
		Contact number	9011077750
		e-mail	yashpb6@gmail.com
6.	Consultant	Anacon Laboratories Pvt. Ltd.,	

7.	Applied for	Violation regularization with Expansion in EC				
8.	Details of previous EC	SEIAA-EC-0000002025dated 4 th Oct2019for BUA– 27,873.38m ²				
9.	Location of the project	S.No.28/2, Kondhwa Budruk, Tehsil: Haveli, District: Pune				
10.	Latitude and Longitude	Latitude - 8°27'33.28"N Longitude- 73°53'55.16"E				
11.	Total Plot Area(m ²)	6,900.00				
12.	Deductions(m ²)	717.66				
13.	Net Plot area(m ²)	6,182.34				
14.	Proposed FSI area (m ²)	26,827.76				
15.	Proposed non-FSI area (m ²)	16,172.24				
16.	Proposed T BUA (m ²)	43,000.00				
17.	TBUA(m ²) approved by	In process				
18.	Planning Authority till date	Pune Municipal Corporation (PMC)				
19.	Ground coverage(m ²) &%	3430 & 55.5%				
20.	Total Project Cost (Rs.)	Rs. 80.71 Cr				
21.	CERAs per MoEF&CC Circular dated01/05/2018	NA				
Details of Building Configuration: <Please use following legends: Floor = F, Parking = Pk, Podium = Po, Stilt =St, Lower Ground = LG, Upper Ground= UG, Basement= B, Shops= Sh>						Reason for Modification /Change
PreviousEC/ ExistingBuilding			ProposedConfiguration			
Building	Configuration	Height	Building	Configuration	Height	
Name		(m)	Name		(m)	
Building B	B+LP+UP+2S T+12 th Floor	42.75	Wing A	B+LP+UP+13	41.35	Building divided into 2 wings and in progress
			Wing B	B+LP+UP+13	41.35	
Building A	B+LP+UP+1 4 th Floor	42.75	Wing C	B+ LG + UG+14	44.90	Building has been revised
22.	Total number of tenements	Residential units 272 and shops 24 Residential population–1360 nos & Commercial population–107 Total = 1467 Nos				
23.	Water Budget	Dry Season (m³/day)			Wet Season (m³/day)	
		Fresh Water	125	Fresh Water	125	
		Recycled (Flushing)	68	Recycled (Flushing)	63	
		Recycled (Gardening)	05	Recycled (Gardening)	00	
		Swimming Pool	00	Swimming Pool	00	
		Total	200	Total	195	
		Excess treated water	108	Excess treated water	113	

24.	Water Storage Capacity for Fire fighting/UGT	Fire tank for UGT -200 KLD Fire tank for OHT-20 KLD each building		
25.	Source of water	Pune Municipal Corporation (PMC)		
26.	Rainwater Harvesting (RWH)	Level of the Ground Water table:	Pre-Monsoon:8-12Mbgl PostMonsoon:5-8 mBGL	
		Size and no of RWH tank(s) and Quantity:	NA	
		Quantity and size of recharge pits:	No. of recharge pits: Total 2 Nos. (1 for Roof-Top &1 for Surface Run-Off) Size:2.0Mtrs.X2.0MtrsX 3.0 Mtrs.	
		Details of UGT tanks If any:	NA	
27.	Sewage and Wastewater	Sewage generation in m ³ /day:	176	
		STP technology:	MBBR	
		Capacity of STP(KLD)	200	
28.	Solid Waste Management during Construction Phase	Type	Quantity(kg/d)	Treatment/disposal
		Dry waste:	18	Handed over to authorized vendor
		Wet waste:	20	Handed over to authorized vendor
		Construction waste	17230.11m ³	Excavated material will be used for filling in Landscape area and Road work within site excess will be Disposed off on another site
29.	Solid Waste	Type	Quantity(kg/day)	Treatment/disposal
	Management during Operation Phase	Dry waste:	288	Will be handed over to authorized agency
		Wet waste:	419	Treated in OWC machine within site
		Hazardous waste:	NA	NA
		Biomedical waste	NA	NA
		E-Waste	4.16	Will be handed over to authorized agency
		STP Sludge(dry)	40	Used as Manure and rest will be handed Over to nursery
30.	Green Development Belt	Total RG area(m ²):	525.50 (Mandatory area)	
		Existing trees on plot:	00	
		Number of trees to be planted:	66	
		Number of trees to be cut:	00	
		Number of trees to be transplanted:	00	

		Source of power supply:	MSEDCL		
		During Construction Phase(Demand Load):	36 KW (DG set 62.5 KVA -1 No.)		
31.	Power requirement:	During Operation phase(Connected load):	1934 KW		
		During Operation phase (Demand load):	895 KW		
		Transformer:	• 630 KVA X 2No.		
		DG set:	• 200 KVA X 1 No		
		Fuel used:	HSD		
32.	Detailsof Energy saving	Total Energy saving:20.00%			
33.	Environmental Management plan budget during Construction phase	Type	Details		Cost (Rs.in Lakh)
		Capital	Air, water, land, biological environment and Socio economic environment		19.37
		O&M	Air, water and Noise Monitoring		1.61
34.	Environmental Management plan Budget during Operation phase	Component	Details	Capital (Rs.inLakh)	O&M (Rs.inLakh/Y)
		Sewage treatment	MBBR	20.00	9.00
		RWH	RWHPits	3.30	0.30
		Solid Waste	OWC	14.50	2.94
		GreenBelt Development	Landscape development	5.99	0.54
		Energy saving	Renewable energy	32.30	0.65
		Environmental Monitoring	EMP costing	-	6.78
		Disaster Management	DMP Budgetary Allocation	-	-
35.	Traffic Management	Type	Required as per DCR	Actual Provided	Area per parking
		4-Wheeler	154	212	12.5 Sq. M
		2-Wheeler	523	523	2 Sq. M.
36.	Details of Court cases/ litigation w.r.t. the project and project location If any.			----	

4. The project/ activity is covered under item 8(a) 'Townships and Area Development Projects' of the Schedule to the EIA Notification, 2006 under violation category.

5. SEAC-3 in its 167th meeting after detailed deliberation recommended the project for grant of ToR. As per the recommendations of the SEAC, the SEIAA hereby accords ToR for preparation of the Environment Impact Assessment (EIA) Report and Environment Management Plan (EMP) the following specific and general conditions:-

Terms of Reference for EIA and preparation of Environment Management Plan (EMP) for Violation Cases		
<p>The following Terms of Reference (TOR) for violation cases shall be read along with Ministry of Environment Forest and Climate Change orders no F.No.22-21/2020-IA.III Dated 7th July 2021 and F No. 22-21/2020-IA.III (E 138949) dated 28th January 2022 and Approach for Assessment for Environment Damage and Estimation of Remediation Costs for Building Construction Projects Initiated Without Mandatory Environment Clearance" 2018</p> <p>The following TOR are drafted with reference to Ministry of Environment Forest and Climate Change impact assessment division TORs for Violation Case a) For Construction Sector vide Notification S.O.804 (E) dated 14th March 2017 in the matter of IA/HR/NCP/63612/2017 and b) For Mining Sector dated 12th November 2018 in the proposal No IA/MH/MIN/68113/2017.</p>		
A	Project Description	
A	1	Project description, its importance and benefits.
A	2	Project site details (location, topo-sheet of the study area of 10 Km, Coordinates, google map, layout map, land use, geological features and geo-hydrological status of the study area, drainage). hydro geological survey report with graphs & data.
A	3	Land use as per the approved Master Plan of the area, Permission/approvals required from the land owning agencies, Planning / Development Authorities, Local Body, Water supply & Sewerage Board, etc.
A	4	Land acquisition status, R & R details.
A	5	Forest and Wildlife and eco-sensitive zones, if any in the study area of 10 km. Any sensitive areas in impact zone such as archaeological structures, reserved forest, noise sensitive zones etc. Clearances required under the Forest (Conservation) Act, 1980, the Wildlife (Protection) Act, 1972 and/or the Environment (Protection) Act, 1986.
A	6	High Tension lines or Hazard lines if any on the plot.
A	7	Plan showing HFL/CRZ lines.
A	8	Permissions granted by State Government in tabular and chronological form. Comparative statement of components approved and components constructed including its configuration as per earlier EC (if applicable) and proposed development.
A	9	PP to submit the detailed master plan indicating already completed construction and proposed construction. PP to submit the certificate from registered architect for completed work, built up area and configuration.
A	10	Project cost shall be based on government notified stamp duty ready reckoner at time of application including cost of land and construction including civil, MEP works, environment services, site/land development, horticulture/landscape works etc complete
B	Base Line Data	

B	1	Baseline environmental study for ambient air (PM ₁₀ , PM _{2.5} , SO ₂ , NO _x & CO), water (both surface and ground), noise and soil for one month (except monsoon period) as per MoEF&CC/CPCB guidelines at minimum 5 locations in the study area of 10km, The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
B	2	Detail on flora and fauna and socio-economic aspects in the study area. Details of tree cutting, tree transplantation and survival report of existing trees including conformity to prevailing Tree Act.
B	3	Likely impact of the project on the environmental parameters (ambient air surface and ground water, land, flora and fauna and socio-economic, etc.)
B	4	Source of water for different identified purposes with the permissions required from the concerned authorities, both for surface water and the ground water (by CGWA) as the case may be, Rain water harvesting, etc.
B	5	Socio-economic infrastructure details including public transport arrangements on the site; PP to mention details of socio-economic in EIA.
B	6	PP to submit contour map with slopes, drainage pattern of the site and surrounding area. Layout showing natural water courses on site; total runoff calculation before and after development.
B	7	PP to submit details of existing trees, proposed to be cut, proposed to be transplanted along with tree survival report conforming to prevailing Tree Act.
B	8	Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated.
B	9	Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB should be secured and furnished to the effect that the proposed Activities could be considered.
B	10	Similarly, for Coastal Projects, A CRZ map duly authenticated by one of the authorized agencies demarcating LTL, HTL, CRZ area, location of the mine lease w.r.t. CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Projects falling under CRZ would also need to obtain Approval of the concerned Coastal Zone Management Authority).
B	11	The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
B	12	Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
B	13	Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

B	14	Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
B	15	Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
B	16	Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be examined.
B	17	Information on site elevation, working depth, groundwater table etc. should be provided both in AMSL and BGL. A schematic diagram may also be provided for the same.
C	Traffic Impact Study	
C	1	Traffic Management Plan for the development – Internal circulation indicating road width and turning radius. Cross section of roads at four places showing clear road width, distance left from building line, spaces left for plantation, footpath, service lines etc.
C	2	Traffic Volume Counts and Turning Movement Counts on all the external surrounding roads of the proposed project showing the time period taken.
C	3	Topographic details of roads and intersection of the surrounding roads where counts are taken, actual geometry on ground to be shown with dimensions.
C	4	Traffic generation values of similar development to be given by actual count by actual count as support data for assumption made to the particular project.
C	5	Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
C	6	Parking statement mentioning parking as per DCR & parking provided actually.
C	7	Basement ventilation plan: Fire Tender Movement Plan showing clear road and turning radius. Cross section of roads at four places including UGT, OWC and DG set location showing clear road width and distance left from building line & spaces left for plantation, parking, service lines, foot paths, etc.
D	Environmental Impact and Management Plan	
D	1	Identify sources of air pollution, indicate mitigation measures to reduce Air pollution/Noise pollution.

D	2	Debris management plan including (a) debris required for refilling, (b) contour plan, (c) details of site where excess debris will be disposed, capacity of the site and NOC of plot owner. PP shall also ensure that debris disposed on other plot shall not be disposed on another plot. If to be disposed on another plot, the same shall be carried out as per prevailing environmental laws.
D	3	Management of solid waste and the construction & demolition waste for the project vis-a-vis the Solid Waste Management Rules 2016 and the Construction & Demolition Rules, 2016. Transport, collection, storage and disposal for all types of wastes like hazardous waste, non-hazardous waste, solid waste, E-waste, and debris/excess earth etc. PP to provide the detailed solid waste management plan along with marked locations on the master plan. Design details of waste processing equipment such as OWC/biogas plants confirming to the technical requirements to meet the quality products.
D	4	Waste water management (treatment, reuse and disposal) for the project and also the study area. Design of all STP's along with BOD load, oxygen requirement calculations and sizing of the tanks with respect to the design criteria. PP to submit detailed calculation for the disinfection of the treated STP water; PP to submit cross sectional drawing of STP's showing dimensions and ground level; PP to provide ozonation for tertiary treatment. PP to mark the area required for all STP's on master layout with dimensions
D	6	PP to show internal storm water drain and sewer line arrangements up to final disposal point.
D	7	Provision of mandatory RG area on virgin land and submit the drawing with calculations, ensuring entire mandatory RG is provided on the plot where residential buildings are proposed.
D	8	A detailed phase wise development plan with safety planning where occupancy has been given.
D	9	If any site specific structures such as creation of water body, alteration of natural storm water, large alteration of slopes, creation of green areas abutting to water bodies / natural storm water drain / river etc, is involved, detailed environmental protection approach for the same shall be provided.
D	10	Separate chapter on Renewable energy in EIA report. PP to submit terrace plan for installing solar panels & calculations of energy saving; Energy efficient measures (LED lights, solar power, etc.) during construction as well as during operational phase of the project. Report on ECBC compliance.
D	11	Provide details of Solar PV and Solar water heater in the specific format. PP to carry out shadow analysis for identifying the roof-top area for providing solar panels Minimum 5% of the total connected load shall be provided with Solar PV.
D	12	Environmental status report including analysis reports of all environmental pollution reduction facilities if any commissioned.
D	13	PP to submit Disaster management plan.
D	14	Preparation of site specific, executable and auditable environment management plan (EMP)

D	15	A time bound Progressive Greenbelt Development Plan shall be prepared in atabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered underplantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greaterecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
D	16	Benefits of the Project if the Project is implemented should be spelt out. Thebenefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc
E	Environmental Modelling and additional Studies	
E	1	Fugitive dust modelling by using local meteorological data.
E	2	Ecological footprint calculation using LCA approach.
E	3	Estimation of Carbon footprint of the project and its analysis to be included.
E	4	Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection of data and sample analysis shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986 or Environmental Laboratory accredited by NABL, or a laboratory of council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
E	6	Gate mass balance analysis for environmental parameters related to solid/liquid waste material coming to site, waste generated and its treatment and disposal from site.
E	7	Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedialmeasures should be detailed along with budgetary allocations.
E	8	Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
E	9	Detailed environmental management plan (EMP) to mitigate the environmentalimpacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides otherimpacts specific to the proposed Project.
E	10	Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
E	11	PP to refer "approach paper for assessment for environmental damage and estimation of remediation costs for building construction projects initiated withobtaining mandatory environmental clearance" available on the portal : "ecmpcb.in".
F	NOCs, Undertakings, CER and Litigations	
F	1	NOC's required: a) CFO, b)Water supply with quantity, c) Drainage, d) Non-biodegradable waste disposal, e) Aviation f) HRC, G) PESO , H) Defence/NAD etc
F	2	Undertaking to provide DG set backup to all Pollution Control Devices, WaterSupply, Emergency Services including emergency lifts, etc.

F	3	Include condition of "maintenance of all Pollution Control Equipment's and functioning of Environment Monitoring Cell in PP's MoU with society /maintenance agencies /vendors.
F	4	PP to submit details of CER activities in consultation with the affected people in the project area as per MoEF&CC circular dt. 01.05.2018, along with details of fund utilization & agreement or consent of executor.
F	5	PP to submit Roles and Responsibilities of developer etc for compliance of environmental regulations under the provisions of EP act.
F	6	Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
G	Specific Term of Reference	
G	1	The State Government/SPCB shall take action against the project proponent under the provisions of section 15 read in conjunction with Section 19 of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC.
G	2	As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete impact assessment studies and submit Environment Impact Assessment (EIA) report and Environment Management Plan (EMP) in a timebound manner.
G	3	Such cases shall be subject to appropriate (a) Damage Assessment, (b) Remedial Plan and (c) Community Augmentation Plan.
G	4	Assessment of ecological damage with respect to air, water, land and other environmental attributes shall be done before arriving at quantum environment remediation and natural and community resource augmentation.
G	5	The methodology of calculating this quantum shall be as specified in format for Assessment of Environmental damages in the paper titled "Approach for Assessment for Environment Damage and Estimation of Remediation Costs for Building Construction Projects Initiated Without Mandatory Environment Clearance" 2018
G	6	Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived, which shall be based on cost of project derived from prevailing rates of construction and land of government approved ready reckoner, due to violation. The cost of the Project (capital cost and recurring cost) as prevailing in Annual Statement of Rates / District Schedule of Rates/ Government Ready Reckoner Rates as well as the cost towards implementation of EMP should be clearly spelt out.
G	7	The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
G	8	The remediation plan and the natural and community resource augmentation plan shall be prepared as an independent chapter in the EIA report by the accredited consultants.
G	9	It should be clearly stated whether the proponent if it is a Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with

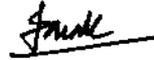
		the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the proposed safeguard measures in each case should also be provided.
G	10	Besides the above, the below mentioned general points are also to be followed: <ul style="list-style-type: none"> a) All documents to be properly referenced with index and continuous page numbering. b) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated. c) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project. d) Where the documents provided are in a language other than English, an English translation should be provided.
G	11	In case of continued violation after issue of TOR, the ToR/Environmental Clearance shall be terminated forthwith.
H	Project Specific emerged points	
H	1	PP to submit the DP Plan.
H	2	PP to submit the detail Architect Certificate stating current status of the construction along with building wise construction done (FSI, NoN- FSI & Total built up area) on site along with the chronology.
H	3	PP to submit the all-approvals details (CC, OC etc) regarding project under consideration.
H	4	PP to submit the details of Court cases / litigations w.r.t. the project and project location, if any.
H	5	PP to submit details of implementation of points mentioned in point number 68 along with financial requirements for same with EIA

General Guidelines

- i. The EIA document shall be printed on both sides, as far as possible.
- ii. All documents should be properly indexed, page numbered.
- iii. Period/date of data collection should be clearly indicated.
- iv. The letter/application for EC should quote the Proposal No. and also attach a copy of the letter prescribing the ToR.
- v. The copy of the letter received from the SEIAA on the ToR prescribed for the project should be attached as an annexure to the final EIA-EMP Report.
- vi. The final EIA-EMP report submitted to the SEIAA must incorporate the issues mentioned in ToR. The index of the final EIA-EMP report, must indicate the specific chapter and page no. of the EIA-EMP Report where the specific ToR prescribed by Ministry. Questionnaire related to the project (posted on MoEF & CC website) with all sections duly filled in shall also be submitted at the time of applying for EC.
- vii. Grant of ToR does not mean grant of EC.
- viii. The status of accreditation of the EIA consultant with NABET/QCI shall be specifically mentioned. The consultant shall certify that his accreditation is for the sector for which this EIA is prepared.
- ix. On the front page of EIA/EMP reports, the name of the consultant/consultancy firm along with their complete details including their accreditation, if any shall be indicated.

The consultant while submitting the EIA/EMP report shall give an undertaking to the effect that the prescribed ToRs (ToR proposed by the project proponent and additional ToR given by the MoEF & CC) have been complied with and the data submitted is factually correct (Refer MoEF & CC Office memorandum dated 4th August, 2009).

- x. While submitting the EIA/EMP reports, the name of the experts associated with/involved in the preparation of these reports and the laboratories through which the samples have been got analyzed should be stated in the report. It shall clearly be indicated whether these laboratories are approved under the Environment (Protection) Act, 1986 and the rules made there under (Please refer MoEF & CC Office Memorandum dated 4th August, 2009). The project leader of the EIA study shall also be mentioned.
- xi. All the ToR points as presented before the State Expert Appraisal Committee (SEAC) shall be covered.
6. The above ToR should be considered in addition to all the relevant information as per the 'Generic Structure of EIA' given in Appendix III and IIIA in the EIA Notification, 2006.
7. The project proponent shall submit the detailed final EIA/EMP prepared as per ToR to the SEIAA for considering the proposal for environmental clearance within 3 years as per the MoEF & CC O.M. No. J-11013/41/2006-IA-II (I) (Part) dated 29.08.2017.
8. The consultants involved in preparation of EIA/EMP report after accreditation with Quality Council of India/National Accreditation Board of Education and Training (QCI/NABET) would need to include a certificate in this regard in the EIA/EMP reports prepared by them and data provided by other Organization(s)/ Laboratories including their status of approvals etc. vide Notification of the MoEF&CC dated 19.07.2013.
9. The prescribed ToR would be valid for a period of three years for submission of the EIA/EMP Reports.



(Pravin Darade)
Principal Secretary &
Member Secretary, SEIAA

Copy to:

1. Chairman, SEIAA (Maharashtra), Mumbai.
2. Principal Secretary, Environment, Room no.217, Annex. Bldg., Mantralaya, Mumbai.
3. Member Secretary, SEAC-, 15th floor, New Administrative Building, Mantralaya, Mumbai.
4. Member Secretary, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th Floor, Opp. Cine Planet, Sion Circle, Mumbai - 400 022.

ANNEXURE-3

Minutes of 179th SEAC-3 meeting (Day-01) held on 11th, 12th, 13th, 14th and 15th September, 2023

PP stated that, the project comprises Tower A, Tower B, Tower C, Tower D and Tower E with building configuration Basement 2 + Basement 1+ Ground + 12 floors and Tower M (MHADA) with Ground + 9 Floors. PP stated that, Commercial shops are proposed at Ground level in Tower B,C and D.

The case was discussed on the basis of the documents submitted and presentation made by the proponent. All issues relating to environment, including air, water, land, soil, ecology, biodiversity and social aspects were examined. The proposal is appraised as category 8(a) B2.

During discussion following points emerged:

1. PP to submit the Fire NoC. PP to ensure adequate mitigation measures wherever fire tender is unable to reach.
2. PP to submit the Copy of IoD.
3. PP to submit the tree cutting NoC.
4. PP to provide electric charging facility by providing charging points at suitable places as per Maharashtra Electric Vehicle Policy, 2021.
5. PP to ensure that, the water proposed to be used for construction phase should not be drinking water. They can use recycled water or tanker water for proposed construction.

Decision: -

After deliberation, Committee decided to recommend the proposal for Environmental Clearance to SEIAA, subject to compliance of above points.

10	SIA/MH/INFRA2/434007/2023	Proposed Residential & Commercial Project "Yash Florencia" Haveli, District: Pune by M/s. Akshay Enterprises
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Representative of PP was present during the meeting along with environmental consultant M/s. Anacon Laboratories Pvt. Ltd., Nagpur

It is noted that, the PP has submitted the application for Expansion in Existing project of residential & commercial project under Violation Category as per Office Memorandum dated

Member Secretary

Chairman

07.07.2021, with total plot area of 6,900.00Sq.mt, FSI area 26,827.76 Sq.mt, Non FSI area 16,172.24 Sq.mt and total BUA 43,000.00 Sq.mt

Brief information of the project-

1.	Proposal Number	SIA/MH/INFRA2/434007/2023	
2.	Name of Project	Proposed Residential & Commercial Project "Yash Florencia" at S. No. 28/2, Kondhwa Budruk, Tehsil: Haveli, District: Pune by M/s. Akshay Enterprises with expansion from BUA– 27,873.38 sq.mt to 43,000 sq.mt.	
3.	Project category	8a(B2)	
4.	Type of Institution	Private	
5.	Project Proponent	Name	M/s. Akshay Enterprises
		Regd.Offic address	“Yash Elina” Business Bay, office no.301 - 303 3 rd floor, behind Maruti Mandir, Opposite Karishma Society, Canal Road, Kothrud Pune -411038
		Contactnumber	9011077749
		e-mail	yashpb6@gmail.com
6.	Consultant	Anacon Laboratories Pvt. Ltd.,	
7.	Applied for	Violation regularization with Expansion in EC	
8.	Details of previous EC	SEIAA-EC-0000002025 dated 4 th Oct 2019 for BUA– 27,873.38m ²	
9.	Location of the project	S.No.28/2,KondhwaBudruk,Tehsil: Haveli, District:Pune	
10.	Latitude and Longitude	Latitude - 18°27'33.28"N Longitud e-73°53'55.16"E	
11.	Total Plot Area(m ²)	6,900.00	
12.	Deductions(m ²)	717.66 + 927.35=1645.01	
13.	Net Plot area(m ²)	5254.99	
14.	Proposed FSI area (m ²)	26,827.76	
15.	Proposed non-FSI area (m ²)	16,172.24	
16.	Proposed TBUA(m ²)	43,000.00	
17.	TBUA(m ²) approved by	Pune Municipal Corporation(PMC) for 43000 sq.m.	
18.	Planning Authority till date	Pune Municipal Corporation(PMC)	
19.	Ground coverage(m ²)&%	3430&55.5%	
20.	Total Project Cost(Rs.)	Rs. 80.71 Cr	
21.	CERAs per MoEF&CC Circular dated 01/05/2018	We will follow the conditions mentioned in MoEF&CC Circular	

Member Secretary

Chairman

Details of Building Configuration: <Please use following legends: Floor = F, Parking = Pk, Podium = Po, Stilt =St, Lower Ground = LG, Upper Ground= UG, Basement= B, Shops= Sh>						Reason for Modification /Change
Previous EC/ Existing Building			Proposed Configuration			
Building	Configuration	Height	Building	Configuration	Height	

	Name		(m)	Name		(m)	
	Building B	B+LP+UP+2 S	42.75	Wing A	B+LP+UP+13	41.35	Building divided into 2 wings and work completed on site
		T+12 th Floor		Wing B	B+LP+UP+13	41.35	
	Building A	B+LP+UP+1 4 th Floor	42.75	Wing C	B+ LG + UG+14	44.90	Building has been revised
22.	Total number of tenements			Residential units 272 and shops 24 Residential population–1360 Nos. & Commercial population–107 Total = 1467 Nos.			
23.	Water Budget	Dry Season(m³/day)		Wet Season(m³/day)			
		Fresh Water	125	Fresh Water	125		
		Recycled (Flushing)	63	Recycled (Flushing)	63		
		Recycled (Gardening)	05	Recycled (Gardening)	00		
		Swimming Pool	00	Swimming Pool	00		
		Total	193	Total	188		
		Excess treated water	108	Excess treated water	113		
24.	Water Storage Capacity for Fire fighting/UGT	Fire tank for UGT -200 KLD Fire tank for OHT-20 KL each building					
25.	Source of water	Pune Municipal Corporation (PMC)					
26.	Rainwater Harvesting (RWH)	Level of the Ground Water table:	Pre-Monsoon: 10-12 mbgl Post Monsoon: 8-10 mbgl				
		Size and no of RWH tank	NA				
		Quantity and size of recharge pits:	No. of recharge pits: Total 5 Nos. (3 for Roof-Top & 2 for Surface Run-Off) Size: 2.0 Mtrs. X 2.0 Mtrs X 3.0 Mtrs.				
		Details of UGT tanks if any:	NA				

Member Secretary

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27.	Sewage and Waste water	Sewage generation in m ³ /day:		176
		STP technology:		MBBR
		Capacity of STP (KLD)		200
28.	Solid Waste Management during Construction Phase	Type	Quantity (kg/d)	Treatment/disposal
		Dry waste:	18	Handed over to authorized vendor
		Wet waste:	20	Handed over to authorized vendor
		Construction waste	Excavated material from construction activities	All top soil will be used for filling in Landscape area and Roadwork within site excess will be Disposed off on another site
29.	Solid Waste	Type	Quantity (kg/day)	Treatment/disposal
Management during Operation Phase		Dry waste:	288	Handover to SWaCH
		Wet waste:	419	Treated in OWC machine within site
		Hazardous waste:	NA	NA
		Biomedical waste	NA	NA
		E-Waste	4.16	Will be handed over to authorized agency
		STP Sludge (dry)	40	Used as Manure and rest will be handed Over to nursery
30.	Green Belt Development	Total RG area (m ²):		525.50 (Mandatory area)
		Existing trees on plot:		00
		Number of trees to be planted:		66
		Number of trees to be cut:		00
		Number of trees to be transplanted:		00
31.	Power requirement:	Source of power supply:		MSEDCL
		During Construction Phase (Demand Load):		36 KW (DG set 62.5 KVA -1 No.)
		During Operation phase (Connected load):		2029 KW
		During Operation phase (Demand load):		933 KW
		Transformer:		• 630KVAX2 No.
		DG set:		• 200KVAX1 No
		Fuel used:		HSD

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32.	Details of Energy saving	Total Energysaving:20.00%			
33.	Environmental Management plan budget during Construction phase	Type	Details	Cost (Lakh)	
		Capital	Air, water, land, biological environment and Socio economic environment	12.50	
		O&M	Air, water and Noise Monitoring	1.61	
34.	Environmental Management plan Budget during Operationphase	Component	Details	Capital (Rs.inLakh)	O&M (Rs.inLakh/Y)
		Sewage treatment	1 STP (MBBR based)	44.00	12.33
		RWH	RWH Pits 5 Nos.	3.00	0.30
		Solid Waste	OWC	14.50	2.95
		Green Belt Development	Gardening	5.99	0.54
		Energys aving	Renewable energy Solar PV panel & Solar hot water	67.30	3.11
		Environmental Monitoring	EMPcosting	MoEF&CC approved lab	12.75
	Disaster Management	DMP Budgetary Allocation	124.80	15.29	
35.	TrafficMa nagement	Type	Required as per DCR	Actual Provided	Area per parking
		4-Wheeler	146	275	3142.95 Sq. M
		2-Wheeler	302	317	634 Sq. M.
36.	Details of Court cases/litigation w.r.t.the project and project location If any.				

Deliberations:

PP stated that, the application is residential project. PP further stated that, they have applied for expansion in existing EC under SOP for Identification and Handling of Violation Cases vide circular dated 07/07/2021. PP informed that, they have received earlier EC vide letter dated 4th October 2019.

CHRONOLOGY AND HISTORY OF THE PROJECT

Member Secretary

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Sl.	Description	Date	Remarks
1	IOD Approved as per EC	9 th August 2018	Old IOD dtd. 09.08.2018
2	EC Obtained for 27,873.38 m ² BUA	4 th October 2019	EC granted by SEIAA.
3	Permission obtained for commencement of construction	15 th November 2019	Commencement Certificate from Pune Municipal Corporation. Actual date of start of construction Dt.20 Nov'2019. Date of completion of construction 14109.15 is August'2022.
4	Sanctioned Layout was revised for Wing A & B for 14135m ² BUA from the local approving authority as per changed UDCPR / bylaws by Local Approving Body.	15 th November 2019	Change in Nomenclature of Building. A building to Wing C – Roadside building. B Building to Wing A and B – Backside Building.
5	Actual date of start of construction	20 th November 2019	Considered date of violation 04.10.2019 used as input for damage assessment.
6	Amendment in EC Application done to SEAC 3 vide - SIA/MH/MIS/138491/2020	28 th January 2020	Amendment in EC for change in BUA from 27,873 m² to 30,579.62 m².
7	The Case was considered in 106 th SEAC 3 meeting for 30,579.62 m ² BUA .	7 th March 2020	Case appraised with Compliance for <ul style="list-style-type: none"> • 30,579.62 m² BUA. • Change in Nomenclature of Building.
8	Submission of Compliance as per SEAC 3 MOM.	6 th June 2020	<ul style="list-style-type: none"> ✓ A building to Wing C – Road side building. ✓ B Building to Wing A and B – Backside Building.
9	SEAC was dissolved and meeting no conducted till further notice.	-	-
10	The layout was revised as there was a revision in UDCPR.	2 nd December 2020	Master Plan was 39,978.36 Sq.mt BUA revised from 30579.62 Sq.mt

Member Secretary

Chairman

11	SEAC 3 hearing in 116 th meeting for compliance submitted on 6 th June 2020.	26 th April 2021	SEAC 3 Hearing was conducted on the basis of- <ul style="list-style-type: none"> • Compliance submitted. • Master Plan revision from 30,579.62 m² to 39,978.36 m²BUA SEAC-3 committee asked to withdraw the case and reapply the case as per revision in the area.
12	Applied as per UNIFIED UDCPR vide Proposal No. SIA/MH/MIS/212749/2021 for 39,978.36 m ² BUA.	21 st May 2021	The application was for- <ul style="list-style-type: none"> • 39,978.36 m² BUA. • Change in Nomenclature of Building. ✓ A building to Wing C – Road side building. ✓ B Building to Wing A and B – Backside Building.
13	SEAC-3 hearing in 121 st meeting.	30 th July 2021	SEAC-3 referred the case to SEIAA for decision regarding the EC based on changes in building configuration and change in nomenclature.
14	SEIAA Hearing in 230 th meeting for clarification and a decision on the violation because of the change in the building profile (BUA and the Layout plan) of the Proposed Building.	23 rd September 2021	SEIAA deferred the case and asked PP to submit an architect Certificate and apply the case as an expansion project. While hearing PP submitted the comparative building proposals in terms of layout and building configuration.
15	Start of Construction	23 rd December 2021	Commencement Certificate from Pune Municipal Corporation
16	SEAC-3 hearing in 139 th meeting.	19 th April 2022	SEAC forwarded the case to SEIAA for further necessary action.
	PP Submitted Architect certificate to SEAC-3.	12 th May 2022	
17	SEIAA Hearing in 243 rd for clarification.	30 th May 2022	SEIAA deferred the case on the basis of SEAC-3 and SEIAA MoMs.
18	SEIAA hearing in 248 th meeting and the case was declared as a violation.	17 th & 18 th August 2022	The violation was declared by SEAC-3 and requested SEIAA, Maharashtra for clarification and a decision on the violation because of the change in the building profile (BUA and the Layout plan) of the Proposed Building.

Member Secretary

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19	Completion of construction 14,109.15 Sq. Mt.	25 th August 2022	
20	Submission of Architect Certificate to SEAC-3.	30 th August 2022	The architect certificate to clarify the construction started on 4 th October 2019 and 14109.15 m ² BUA is constructed on site.
21	SEIAA Letter declaring Violation	14 th September 2022	
22	Application for ToR approval under violation category submitted	18 th February 2023	Proposal No.: SIA/MH/INFRA2/418909/2023
23	Presentation before SEAC-III, MH for ToR Approval	24 th March 2023	167 th SEAC-III Meeting
24	SEIAA Hearing for TOR Approval	02 nd May 2023	260 th (Day-1) SEIAA Meeting
25	TOR Granted by SEIAA	20 th April 2023	SIA/MH/INFRA2/418909/2023
26	IOD Approved as per Full Plot Potential and Expansion of BUA 43,000 Sq. M.	11 th Sept 2023	For BUA 43,000 Sq. M.
27	EC application submitted	22 nd June 2023	Proposal No.: SIA/MH/INFRA2/434007/2023 for 43,000 Sq.M.
28	EC Presentation before SEAC-III	11 th Sept 2023	SEAC-III Meeting, Agenda Sr. No. 10

Comparative Statement of the project-

Sr. No.	Details	As per old EC received on Dated 04 th October 2019	Proposed Amendment as per - UNIFIED Rule	Remarks
1.	Survey No.	S. No. 28/2	S. No. 28/2	No change
2.	Plot area	6,900 sq. m	6,900 sq. m	No Change
3.	FSI	14,366.37 sq. m	26,827.76 sq. m	Increased by 12,461.39 sq. m due to unified rules

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4.	Non FSI	13,507.01 sq. m	16,172.24 sq. m	Increased by 2,665.23 sq. m due to unified rules
5.	Built up Area	27,873.38 sq. m (Construction done 14,109.15 sq. m)	43,000 sq. m	Increased by 15,126.62 sq. m due to unified rules
6.	Total RG Area	618.23 sq. m	648.50 sq. m	(Min. RG area required is 525.5 Sq.M.)
7.	No of Buildings and Wings	2 Nos. of Buildings	2 Nos. of buildings Bifurcated in 3 wings	Building A name changed as Wing C and Building B was bifurcated in 2 wings
		Bld. A	Name Change Wing C	Change of Nomenclature & Orientation of Building
		Bld. B	Bifurcated in 2 wings A & B	1 Bld. Bifurcated in two wings
8.	Building Configuration	Bld. A : B + LP + S1+S2 + 12	Wing C : B + LP + UG+14	No. of Floors increases by 1 Floor
		Bld. B : B + LP + UP + 14	Wing A: B + LP + UP + 13 Wing B: B + LP + UP + 13	No. of Floors decreases by 1 Floor
9.	Tenements and shops	Bldg. A 118 Nos. Flats 24 Nos. of Shops	Wing C 168 Nos. Flats 24 Nos. of Commercial	Flats increased by 50 Nos.
		Bldg. B – 126 Nos. Flats only	Wing A & Wing B 104 Nos. Flats	Flats decreased by 22 Nos.
10.	Building Height in metres	Bldg. A – 42.75 m	Wing C - 44.90 m	Increased by 2.15 m
		Bldg. B- 42.75 m	Wing A & B – 41.35 m	Decreased by 1.4 m
		As Per old EC Received on Dated 04th October 2019	Proposed Amendment as Per - UNIFIED Rule	Remarks
		Residential: 1220 nos. Commercial: 188 nos. Total: 1408 Nos.	Residential: 1360 Nos. Commercial: 107 Nos. Total : 1467 Nos.	Residents increased by 140 Nos. Commercial decreased by 81 Nos. The total population increased by 59 Nos.

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	73 Cr.	80.71 Cr.	Increased by 7.71 Cr.
	Cars – 244 Nos. Two Wheelers – 563 Nos.	Cars – 275 Nos. Two Wheelers – 317 Nos.	Cars – Increased by 31 Nos. Two Wheelers – Decreased by 236 Nos. due to unified rules.
	Total fresh water requirement after proposed expansion will be 113.56 KLD. Total Water (Dry season)-189.96 KLD. Total Water (Wet season)-178.06 KLD	Total fresh water requirement after proposed expansion will be 125 KLD. Total Water (Dry season)-193 KLD. Total Water (Wet season)-188 KLD.	Increased due to Population Increase
	159.74 KLD	176 KLD	Increased by 16.26 KLD
	185 KLD	200 KLD	Increased by 15 KLD
	Dry waste: 272 kg/d Wet waste: 385 kg/d E-Waste 2.2 kg/d STP Sludge (dry) 34.65 kg/d	Dry waste: 288 kg/d Wet waste: 419 kg/d E-Waste 4.16 kg/d STP Sludge (dry) 40 kg/d	Increased due to Population Increase
	630 kVA and 330 kVA capacity transformers	The total power requirement will be 933 kW 630 kVA and 630 kVA capacity transformers	After expansion 330 kVA capacity transformer will be replaced by 630 kVA transformers

Project summary-

DAMAGE ASSESSMENT & REMEDIATION PLAN

Sr. No.	Assessment of Environment	
1	Name and address of Project	Proposed Residential & Commercial Project "Yash Florencia" at S. No. 28/2, Kondhwa Budruk, Tehsil: Haveli, District: Pune by M/s. Akshay Enterprises
2	Name of Directors	Asmita Ashok Kataria

Member Secretary

Chairman

3	Total construction completed (built-up area as per EC notification):	14,109.15 Sq.m
4	Total construction proposed, built-up area as per EC notification	43,000.00 Sq.m.
5	Whether the project has any EC; if yes, give details including approved built-up area	SEIAA – EC - 0000002025 dated 4th Oct 2019 for BUA– 27,873.38 m ²
6	Total cost of the project and total cost of the project already executed? Also, give total cost of the project constructed without EC.	<ul style="list-style-type: none"> ● Total Project Cost -Rs. 80.71 Cr ● Cost of the project already executed 25.28 + 3.50 Cr. = 28.78 Cr.
7	Date of commencement of project	04.10.2019 as per EC received SEIAA – EC - 0000002025
8	Date of violation of EC regulation (please justify with documentary evidence)	04.10.2019 As per EC
9	Date of first submission of information of such violation to the SEIAA or SEAC, if self-notified, along with stoppage of construction work	18.02.2023
	1. No. of days of violation (9-8)	1233 days (04.10.2019 to 18.02.2023)
10	Name and address of Environmental consultant, with date of engagement of such consultant	Anacon Laboratories Pvt. Ltd, Nagpur, Maharashtra.
11	Any other case of EC violation is reported or pending or decided earlier for projects where any of the directors are involved? If yes, give details	No
12	Any court case related to EC violation pending or decided against any of the directors including High Court, NGT and	No

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	sessions court?	
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Description of Activities Completed at Site

Sr. No.	Particulars	Details
A	Demolition and Site Preparation	This is a Brownfield project
1	Whether any demolition work was carried out prior to EC? If yes what is date of commencement of demolition and also date of completion of demolition?	No. The construction was done on vacant plot
2	Whether such demolition or site had some asbestos, industrialwaste or contaminated soil or hazardous waste etc and if yes, how these types of waste have been segregated and disposed?	NA
3	If the project is located on any industrial site, whether any due diligence or environmental status of site was assessed? If yes,give details.	No
4	State the quantity of demolition waste disposed from the site, including quantity and disposal location along with location mapand photographs	NA
5	Any air quality (including noise) monitoring done during demolitionwork? If yes, results	NA
6	Whether building plan and layout approved and emission fromlocal authorities is taken to commence the work prior to demolition work	NA
Sr. No.	Particulars	Details
7 B.	Construction stage	

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1	Date of commencement of construction and completion of construction, if any	Date of Commencement of construction : 04.10.2019 as per EC received SEIAA – EC - 0000002025
2	Whether the construction carried out is strictly as per the sanction plan given by concerned local authority? If yes, please provide such certification	Yes, the construction has been carried out as per Sanction received vide No. CC/1381/19
3	In the additional construction, how much construction material including, sand, bricks, cement etc was required to be transported? No. of trucks and its average haulage?	The details are given in the CFP Report.
4	How many labours were engaged in construction, average per day?	70 nos (40 Residential + 30 Floating)
5	Whether, the additional construction work, over and above valid EC, if so available, has any additional ground foot print? If yes please state, ground foot print in sqm as per EC approved layout and current proposed layout?	NA - Construction done as per the Sanction received vide No. CC/1381/19
6	Whether the expansion was carried out simultaneously with EC approved work? If not give details of time frame? If yes, please give incremental additional time required for construction of additional area	NA
7	Is there any change in foundation design, i.e., depth of foundation, basement etc. that were done due to additional area? If yes, what is the additional soil quantity excavated for such incremental foundation depth? Where it is disposed?	No, there is no change in design of foundation
8	What is the quantity of top soil removed and how it is managed?	Top soil will be preserved and will be used at site to develop the open spaces & plantation area.
9	Also, if water is encountered at such foundation depth, what is the volume of water pumped for such additional depth of excavation?	No, Ground water was not encountered during excavation and foundation work of completed work.

Member Secretary

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10	How much additional water was required for curing and construction purpose? Source of water?	Source: Water Tanker Water was required for curing and construction
Sr. No.	Particulars	Details
11	Rain Water harvesting details	Total No. of recharge Pits = 05 Size of recharge Pit = 2 m. X 2 m. X 3 m Recharge pits are proposed on site.
12	Solar light, water heating details	Solar hot water of 20400 LPD and Solar PV of 47 kW (5% of total demand load) will be provided.
13	Use of fly ash bricks ensured? Details thereof	No
14	Whether any noise or air pollution control measures taken, if so, what are they?	Air Pollution Control Measures <ul style="list-style-type: none"> • Water sprinkling on unpaved roads to arrest air borne dust • Covered vehicles for carrying construction materials • Sand, murrum, loose soil, cement, stored on site covered adequately so as to prevent dust pollution. • Use of ready-mix concrete • Use of PUC certified vehicles Noise Pollution Control Measures <ul style="list-style-type: none"> • Barricading to plot boundary • No excavation and foundation were done during night time • PPEs were provided to construction workers
15	Whether any air quality and noise level monitoring done during construction stage, if yes attach results	Yes
16	Whether any third-party rights are created on the construction without EC?	No
17	Whether any of the construction without EC has already been occupied?	No
18	How many flats sold which are in the area of EC violation and total sale value of such flats?	<ul style="list-style-type: none"> • Total Flats – 48 nos. • Sale Value of Flats – Rs. 15,45,21,021.
19	How much commercial area sold which is in area of EC violation and total sale value of such commercial area.	NA

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Sr. No.	Particulars	Details
C	Commissioning of project	
1	Date of when the project was made operational either by giving possession of residential or commercial areas of the project?	Not Occupied
2	How many families are staying in project?	Not Occupied
3	What is total water supply to project, source and quality	NA
4	Total sewage generation m ³ /day	NA
5	STP details,	NA
6	Treated wastewater disposal	NA
7	Any DG sets, are they complying the norms	NA

COST OF DAMAGE ASSESSMENT & REMEDIAL MEASURES PROPOSED

Environmental Component	Scope of saving on account of environmental protection measures	EMP Cost		
		Recurring Cost(Rs.)	Non - Recurring Cost (Rs.)	
Air Environment	Water requirement for sprinkling (KL/day): 32.43 KLCost of 1 KL water (Rs): 111.20 (Ref - Water tanker rate as published by PMC)	3,606.22	0	
Water Pollution	A. Cost of water requirement:			
	a. Construction phase:			
	1	Water for Labours. No. of Laborers = 70 Nos (40 Residential worker + 30 Non Residential worker) Total Water required – 6.75 KLD Rate of 1 KL water= Rs. 111.20 (Ref - Water tanker rate as published by PMC)	753.30	0
	2	Water for construction & Curing	-	5,52,664
b. Operation Phase		Nil	Nil	

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B. Cost of STP during Construction phase			
a. Construction Phase		14.00	3,02,666
No of Labours = 70 Sewage generation = 5.4			
b. Operation phase		Nil	Nil
C. Quantity of water pumped out during excavation and a lumpsum cost of Rs. 50 per cum for such unauthorized water extraction and disposal			
Ground water was not encountered during excavation and foundation work of completed work.		Nil	Nil
D. Cost of construction & maintenance of recharge well			
Rain water harvesting pit required for the project (Ref – RWH report)		82.19	3,30,000
Environmental Component	Scope of saving on account of environmental protection measures	EMP Cost	
		Recurring Cost (Rs.)	Non -Recurring Cost (Rs.)
Soil Environment	Cost of preservation of top soil & excavated earth to be considered = Rs. 43.52/Cu.m (as referenced in "Mahatma Gandhi Rashtriya Gramin Rojgar Yojana" valid from 1 st April 2022)	00	4,07,319
Noise & Vibration	For damage due to noise pollution & vibration, the cost of barricades around the project site should be considered.	Not Applicable as <i>compound wall was constructed prior to start of work to avoid noise pollution. No work is conducted at Night time.</i>	
Green Belt	Cost of planting & maintaining trees (Number of trees as per the bye- laws) No of trees (1 tree per 80 m ²) = 66 Cost of Plantation including ground preparation and plantation Cost of Maintenance – (66 X 179 Rs/month)/30 Ref - Government Of Maharashtra Public Work Department Parks & Gardens, Pune Region - Schedule Of Rates - 2022-2023	393.80	4,16,406
	Cost of workers benefit to be considered in view of Building and Other Construction Workers' Welfare Cess Act, 1996	Labour cess paid to concerned authority	
	A. cost of health check-up of workers:	-	1,05,000

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OHS	@ 1500/ labor/Year = 1500 X 70		
	A. cost of safety measures including PPEs @ 2480/labor = 1. Safety Harness – Rs. 1000 2. Helmet – 210 Rs. 3. Shoes – Rs. 400 4. Goggles – Rs. 100 5. Safety Gloves – Rs. 470 6. Mask & Ear Plugs – Rs. 100 7. First Aid Kit – Rs. 200 8. Total – Rs. 2480	-	1,73,600
Total Cost		4,850	22,87,655

CALCULATION OF COST OF REMEDIATION PLAN AND NATURAL & COMMUNITY RESOURCES AUGMENTATION PLAN (NCRAP)

Sr. No.	Description	Details	Amount
A	Assessment of Environment Damages		
1	Total of recurring cost	Cost arrived from above table per day X Number of days in violation (1233 days)	59,79,441
2	Non-recurring cost	Cost as arrived from above table	22,87,655
	Sub Total (1 + 2 above)		82,67,096
	(Subject to minimum Rs. 1 crore)		1,00,00,000
B.	Economic benefits accrued due to violation		
1	Economic benefits	1% of Total Project cost including land, as declared by PP before SEAC, subject to maximum Rs. 10 Cr.	28,78,000
2	Track Record of Project proponent	Incremental cost of Rs. 10 lakhs for each EC violation by PP observed at any other projects in last 3 years	0
C.	Cost of remediation plan and natural & community resource augmentation plan		

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Sum of A and B above or amount equivalent to the CER amount as per the MOEF & CC's office Memorandum No: F NO 22- 65/2017 IA-III dated 01/05/2018, whichever is higher. (A + B = C)	1,28,78,000
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Damage costing as per MoEF OM - SOP on handling Violation cases, dated 07.07.2021

Sr. No.	Details	Amount in INR		Reference
A.	Total project cost incurred up to the date of filing of the application	₹	28,78,00,000	Project cost of area under violation
B.	Cost of remedial measures as per damage Assessment	₹	1,00,00,000	Cost of Damage Assessment Rs. 82,67,096 but subjected to 1 Cr.
C.	1% of A	₹	28,78,000	
D.	Total project turnover during the period of violation	₹	00	Cost incurred = Rs. 28,78,00,000 Sale Value of Flats = Rs. 15,45,21,021 Profit = Rs. - 13,32,78,979 As per financial statement project yet to book any benefit/profit.
E.	0.25% of the total turnover during the period of violation	₹	00	
F.	Total Penalty C+E	₹	28,78,000	
G.	The amount shall be halved if PP reports such violation without coming to the knowledge of the Government	₹	NA	As per MoEF OM - SOP on handling Violation cases, dated 07.07.2021 The percentage rates, as above, shall be halved if the PP Suo-moto reports such violations without such violation coming to the knowledge of the Government either on inquiry or complaint

RESOURCE ALLOCATION THROUGH EMP COST

Sr. No.	Description of Activity	% allocation	In Rs.	Implementing agency	Remarks
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Member Secretary

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1	Afforestation (can include plantation, garden development)	25	32,19,500	Social forestry and Local body	The afforestation can be either through social forestry or the Local body. Preferably within 50 km from project site
2	Water conservation program (Jalyukt Shivar, etc)	25	32,19,500		Preferably within 50 km radius of project site
3	Urban environment and sanitation (can include swatccha Bharat, playground development, urban ground- water recharge schemes etc)	20	25,75,600	Local Body	
4	Sewerage lines and STP, solid waste management,	20	25,75,600	Local Body	
5	Urban air/noise pollution control initiatives	10	12,87,800	Local Body	

SEAC-3 appraised the proposal as per Circular issued by SEIAA vide dated 22.08.2022. The case was discussed on the basis of the documents submitted and presentation made by the proponent. All issues relating to environment, including air, water, land, soil, ecology, biodiversity and social aspects were examined. The proposal is appraised as category 8(a) B1.

During discussion following points emerged:

1. The Committee noted that:
 - (a) As per the Office Memorandum issued by Ministry of Environment Forest and Climate Change vide orders no F.No.22-21/2020-IA.III Dated 7th July 2021, The penalty cost is arrived at ₹ 28,78,000/-
 - (b) As per format given in SEIAA Circular, the Damage Assessment value is arrived at ₹ 1,28,78,000/-
2. PP to provide electric charging facility by providing charging points at suitable places as per Maharashtra Electric Vehicle Policy, 2021.

Decision: -

After deliberation, Committee decided to recommend the proposal for Environmental Clearance to SEIAA, subject to compliance of above points.

Member Secretary

Chairman

ANNEXURE-4

Minutes of 269th Day 2 (Part B) meeting of SEIAA held on 03rd November, 2023

Item no. 27

Proposal No.:- SIA/MH/INFRA2/434007/2023

Type of Project: EC

Subject- Environmental Clearance for Proposed Residential & Commercial Project "Yash Florencia" Haveli, District: Pune by M/s. Akshay Enterprises

Project Details-

It is noted that, the PP has submitted the application for Expansion in Existing project of residential & commercial project under Violation Category as per Office Memorandum dated 07.07.2021, with total plot area of 6,900.00Sq.mt, FSI area 26,827.76 Sq.mt, Non FSI area 16,172.24 Sq.mt and total BUA 43,000.00 Sq.mt

Brief information of the project-

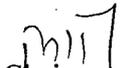
1.	Proposal Number	SIA/MH/INFRA2/434007/2023	
2.	Name of Project	Proposed Residential & Commercial Project "Yash Florencia" at S. No. 28/2, Kondhwa Budruk, Tehsil: Haveli, District: Pune by M/s. Akshay Enterprises with expansion from BUA- 27,873.38 sq.mt to 43,000 sq.mt.	
3.	Project category	8a(B2)	
4.	Type of Institution	Private	
5.	Project Proponent	Name	M/s. Akshay Enterprises
		Regd. Office address	"Yash Elina" Business Bay, office no.301 - 303 3 rd floor, behind Maruti Mandir, Opposite Karishma Society, Canal Road, Kothrud Pune -411038
		Contact number	9011077749
		e-mail	yashpb6@gmail.com
6.	Consultant	Anacon Laboratories Pvt. Ltd.,	
7.	Applied for	Violation regularization with Expansion in EC	
8.	Details of previous EC	SEIAA-EC-0000002025 dated 4 th Oct 2019 for BUA- 27,873.38m ²	
9.	Location of the project	S.No.28/2, Kondhwa Budruk, Tehsil: Haveli, District: Pune	
10.	Latitude and Longitude	Latitude - 18°27'33.28"N Longitude - 73°53'55.16"E	
11.	Total Plot Area(m ²)	6,900.00	
12.	Deductions(m ²)	717.66 + 927.35=1645.01	
13.	Net Plot area(m ²)	5254.99	
14.	Proposed FSI area (m ²)	26,827.76	
15.	Proposed non-FSI area (m ²)	16,172.24	
16.	Proposed TBUA(m ²)	43,000.00	
17.	TBUA(m ²) approved by	Pune Municipal Corporation(PMC) for 43000 sq.m.	
18.	Planning Authority till date	Pune Municipal Corporation(PMC)	
19.	Ground coverage(m ²)&%	3430&55.5%	


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20.	Total Project Cost (Rs.)	Rs. 80.71 Cr					
21.	CERAs per MoEF&CC Circular dated 01/05/2018	We will follow the conditions mentioned in MoEF&CC Circular					
	Details of Building Configuration: <Please use following legends: Floor = F, Parking = Pk, Podium = Po, Stilt = St, Lower Ground = LG, Upper Ground = UG, Basement = B, Shops = Sh>						
	Previous EC/ Existing Building		Proposed Configuration			Reason for Modification /Change	
	Building	Configuration	Height	Building	Configuration		Height
	Name		(m)	Name			(m)
	Building B	B+LP+UP+2 S T+12 th Floor	42.75	Wing A	B+LP+UP+13	41.35	Building divided into 2 wings and work completed on site
				Wing B	B+LP+UP+13	41.35	
	Building A	B+LP+UP+1 4 th Floor	42.75	Wing C	B+LG+UG+14	44.90	Building has been revised
22.	Total number of tenements	Residential units 272 and shops 24 Residential population-1360 Nos. & Commercial population-107 Total = 1467 Nos.					
23.	Water Budget	Dry Season (m³/day)			Wet Season (m³/day)		
		Fresh Water		125	Fresh Water		125
		Recycled (Flushing)		63	Recycled (Flushing)		63
		Recycled (Gardening)		05	Recycled (Gardening)		00
		Swimming Pool		00	Swimming Pool		00
		Total		193	Total		188
	Excess treated water		108	Excess treated water		113	
24.	Water Storage Capacity for Fire fighting/UGT	Fire tank for UGT -200 KLD Fire tank for OHT-20 KL each building					
25.	Source of water	Pune Municipal Corporation (PMC)					
26.	Rainwater Harvesting (RWH)	Level of the Ground Water table:		Pre-Monsoon: 10-12 mbgl Post Monsoon: 8-10 mbgl			
		Size and no of RWH Tank		NA			
		Quantity and size of recharge pits:		No. of recharge pits: Total 5 Nos. (3 for Roof-Top & 2 for Surface Run-Off) Size: 2.0 Mtrs. X 2.0 Mtrs X 3.0 Mtrs.			
		Details of UGT tanks If any:		NA			
		Sewage generation in m ³ /day:			176		


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27.	Sewage and Waste water	STP technology:		MBBR
		Capacity of STP (KLD)		200
28.	Solid Waste Management during Construction Phase	Type	Quantity (kg/d)	Treatment/disposal
		Dry waste:	18	Handed over to authorized vendor
		Wet waste:	20	Handed over to authorized vendor
		Construction waste	Excavated material from construction activities	All top soil will be used for filling in Landscape area and Roadwork within site excess will be Disposed off on another site
29.	Solid Waste Management during Operation Phase	Type	Quantity (kg/day)	Treatment/disposal
		Dry waste:	288	Handover to SWaCH
		Wet waste:	419	Treated in OWC machine within site
		Hazardous waste:	NA	NA
		Biomedical waste	NA	NA
		E-Waste	4.16	Will be handed over to authorized agency
		STP Sludge (dry)	40	Used as Manure and rest will be handed Over to nursery
30.	Green Belt Development	Total RG area (m ²):		525.50 (Mandatory area)
		Existing trees on plot:		00
		Number of trees to be planted:		66
		Number of trees to be cut:		00
		Number of trees to be transplanted:		00
31.	Power requirement:	Source of power supply:		MSEDCL
		During Construction Phase (Demand Load):		36 KW (DG set 62.5 KVA -1 No.)
		During Operation phase (Connected load):		2029 KW
		During Operation phase (Demand load):		933 KW
		Transformer:		• 630KVAX2 No.
		DG set:		• 200KVAX1 No
		Fuel used:		HSD
32.	Details of Energy saving	Total Energy saving: 20.00%		
		Type	Details	Cost (Lakh)


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33.	Environmental Management plan budget during Construction phase	Capita l	Air, water, land, biological environment and Socio economic environment	12.50	
		O&M	Air, water and Noise Monitoring	1.61	
34.	Environmental Management plan Budget during Operationphase	Component	Details	Capital (Rs.inLakh)	O&M (Rs.inLakh/Y)
		Sewage treatment	1 STP (MBBR based)	44.00	12.33
		RWH	RWH Pits 5 Nos.	3.00	0.30
		Solid Waste	OWC	14.50	2.95
		Green Belt Development	Gardening	5.99	0.54
		Energys aving	Renewable energy Solar PV panel & Solar hot water	67.30	3.11
		Environmental Monitoring	EMPcosting	MoEF&CC approved lab	12.75
	Disaster Management	DMP Budgetary Allocation	124.80	15.29	
35.	Traffic Management	Type	Required as per DCR	Actual Provided	Area per parking
		4-Wheeler	146	275	3142.95 Sq. M
		2-Wheeler	302	317	634 Sq. M.
36.	Details of Court cases/litigation w.r.t.the project and project location If any.				

SEAC Deliberation –

PP stated that, the application is residential project. PP further stated that, they have applied for expansion in existing EC under SOP for Identification and Handling of Violation Cases vide circular dated 07/07/2021. PP informed that, they have received earlier EC vide letter dated 4th October 2019.

CHRONOLOGY AND HISTORY OF THE PROJECT

Sl.	Description	Date	Remarks
1	IOD Approved as per EC	9 th August 2018	Old IOD dtd. 09.08.2018
2	EC Obtained for 27,873.38 m ² BUA	4 th October 2019	EC granted by SEIAA.


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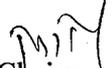
3	Permission obtained for commencement of construction	15 th November 2019	Commencement Certificate from Pune Municipal Corporation. Actual date of start of construction Dt.20 Nov'2019. Date of completion of construction 14109.15 is August'2022.
4	Sanctioned Layout was revised for Wing A & B for 14135m ² BUA from the local approving authority as per changed UDCPR / bylaws by Local Approving Body.	15 th November 2019	Change in Nomenclature of Building. A building to Wing C – Roadside building. B Building to Wing A and B – Backside Building.
5	Actual date of start of construction	20 th November 2019	Considered date of violation 04.10.2019 used as input for damage assessment.
6	Amendment in EC Application done to SEAC 3 vide - SIA/MH/MIS/138491/2020	28 th January 2020	Amendment in EC for change in BUA from 27,873 m² to 30,579.62 m².
7	The Case was considered in 106 th SEAC 3 meeting for 30,579.62 m ² BUA .	7 th March 2020	Case appraised with Compliance for <ul style="list-style-type: none"> • 30,579.62 m² BUA. • Change in Nomenclature of Building.
8	Submission of Compliance as per SEAC 3 MOM.	6 th June 2020	<ul style="list-style-type: none"> ✓ A building to Wing C – Road side building. ✓ B Building to Wing A and B – Backside Building.
9	SEAC was dissolved and meetings were not conducted till further notice.	-	-
10	The layout was revised as there was a revision in UDCPR.	2 nd December 2020	Master Plan was 39,978.36 Sq.mt BUA revised from 30579.62 Sq.mt
11	SEAC 3 hearing in 116 th meeting for compliance submitted on 6 th June 2020.	26 th April 2021	SEAC 3 Hearing was conducted on the basis of- <ul style="list-style-type: none"> • Compliance submitted. • Master Plan revision from 30,579.62 m² to 39,978.36 m² BUA SEAC-3 committee asked to withdraw the case and reapply the case as per revision in the area.


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12	Applied as per UNIFIED UDCPR vide Proposal No. SIA/MH/MIS/212749/2021 for 39,978.36 m ² BUA.	21 st May 2021	The application was for- <ul style="list-style-type: none"> • 39,978.36 m² BUA. • Change in Nomenclature of Building. ✓ A building to Wing C – Road side building. ✓ B Building to Wing A and B – Backside Building.
13	SEAC-3 hearing in 121 st meeting.	30 th July 2021	SEAC-3 referred the case to SEIAA for decision regarding the EC based on changes in building configuration and change in nomenclature.
14	SEIAA Hearing in 230 th meeting for clarification and a decision on the violation because of the change in the building profile (BUA and the Layout plan) of the Proposed Building.	23 rd September 2021	SEIAA deferred the case and asked PP to submit an architect Certificate and apply the case as an expansion project. While hearing PP submitted the comparative building proposals in terms of layout and building configuration.
15	Start of Construction	23 rd December 2021	Commencement Certificate from Pune Municipal Corporation
16	SEAC-3 hearing in 139 th meeting.	19 th April 2022	SEAC forwarded the case to SEIAA for further necessary action.
	PP Submitted Architect certificate to SEAC-3.	12 th May 2022	
17	SEIAA Hearing in 243 rd for clarification.	30 th May 2022	SEIAA deferred the case on the basis of SEAC-3 and SEIAAMoMs.
18	SEIAA hearing in 248 th meeting and the case was declared as a violation.	17 th & 18 th August 2022	The violation was declared by SEAC-3 and requested SEIAA, Maharashtra for clarification and a decision on the violation because of the change in the building profile (BUA and the Layout plan) of the Proposed Building.
19	Completion of construction 14,109.15 Sq. Mt.	25 th August 2022	
20	Submission of Architect Certificate to SEAC-3.	30 th August 2022	The architect certificate to clarify the construction started on 4 th October 2019 and 14109.15 m ² BUA is


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Minutes of 269th Day 2 (Part B) meeting of SEIAA held on 03rd November, 2023

			constructed on site.
21	SEIAA Letter declaring Violation	14 th September 2022	
22	Application for ToR approval under violation category submitted	18 th February 2023	Proposal No.: SIA/MH/INFRA2/418909/2023
23	Presentation before SEAC-III, MH for ToR Approval	24 th March 2023	167 th SEAC-III Meeting
24	SEIAA Hearing for TOR Approval	02 nd May 2023	260 th (Day-1) SEIAA Meeting
25	TOR Granted by SEIAA	20 th April 2023	SIA/MH/INFRA2/418909/2023
26	IOD Approved as per Full Plot Potential and Expansion of BUA 43,000 Sq. M.	11 th Sept 2023	For BUA 43,000 Sq. M.
27	EC application submitted	22 nd June 2023	Proposal No.: SIA/MH/INFRA2/434007/2023 for 43,000 Sq.M.
28	EC Presentation before SEAC-III	11 th Sept 2023	SEAC-III Meeting, Agenda Sr. No. 10

Comparative Statement of the project-

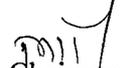
Sr. No.	Details	As per old EC received on Dated 04 th October 2019	Proposed Amendment as per - UNIFIED Rule	Remarks
1.	Survey No.	S. No. 28/2	S. No. 28/2	No change
2.	Plot area	6,900 sq. m	6,900 sq. m	No Change
3.	FSI	14,366.37 sq. m	26,827.76 sq. m	Increased by 12,461.39 sq. m due to unified rules
4.	Non FSI	13,507.01 sq. m	16,172.24 sq. m	Increased by 2,665.23 sq. m due to unified rules
5.	Built up Area	27,873.38 sq. m (Construction done 14,109.15 sq. m)	43,000 sq. m	Increased by 15,126.62 sq. m due to unified rules
6.	Total RG Area	618.23 sq. m	648.50 sq. m	(Min. RG area required is 525.5 Sq.M.)
7.	No of Buildings and Wings	2 Nos. of Buildings	2 Nos. of buildings Bifurcated in 3 wings	Building A name changed as Wing C and Building B was bifurcated in 2 wings


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		Bld. A	Name Change Wing C	Change of Nomenclature & Orientation of Building
		Bld. B	Bifurcated in 2 wings A & B	1 Bld. Bifurcated in two wings
8.	Building Configuration	Bld. A : B + LP + S1+S2 + 12	Wing C : B + LP +UG+14	No. of Floors increases by 1 Floor
		Bld. B : B + LP + UP + 14	Wing A: B + LP + UP + 13 Wing B: B + LP + UP + 13	No. of Floors decreases by 1 Floor
9.	Tenements and shops	Bldg. A 118 Nos. Flats 24 Nos. of Shops	Wing C 168 Nos. Flats 24 Nos. of Commercial	Flats increased by 50 Nos.
		Bldg. B – 126 Nos. Flats only	Wing A & Wing B 104 Nos. Flats	Flats decreased by 22 Nos.
10.	Building Height in metres	Bldg. A – 42.75 m	Wing C - 44.90 m	Increased by 2.15 m
		Bldg. B- 42.75 m	Wing A & B – 41.35 m	Decreased by 1.4 m
		As Per old EC Received on Dated 04th October 2019	Proposed Amendment as Per - UNIFIED Rule	Remarks
		Residential: 1220 nos. Commercial: 188 nos. Total: 1408 Nos.	Residential: 1360 Nos. Commercial:107 Nos. Total : 1467 Nos.	Residents increased by 140 Nos. Commercial decreased by 81 Nos. The total population increased by 59 Nos.
		73 Cr.	80.71 Cr.	Increased by 7.71 Cr.
		Cars – 244 Nos. Two Wheelers – 563 Nos.	Cars – 275 Nos. Two Wheelers – 317 Nos.	Cars – Increased by 31 Nos. Two Wheelers – Decreased by 236 Nos. due to unified rules.
		Total fresh water requirement after proposed expansion will be 113.56 KLD. Total Water (Dry season)-189.96 KLD. Total Water (Wet season)-178.06 KLD	Total fresh water requirement after proposed expansion will be 125 KLD. Total Water (Dry season)-193 KLD. Total Water (Wet season)-188 KLD.	Increased due to Population Increase
		159.74 KLD	176 KLD	Increased by 16.26 KLD


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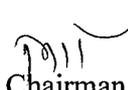
	185 KLD	200 KLD	Increased by 15 KLD
	Dry waste: 272 kg/d Wet waste: 385 kg/d E-Waste 2.2 kg/d STP Sludge (dry) 34.65 kg/d	Dry waste: 288 kg/d Wet waste: 419 kg/d E-Waste 4.16 kg/d STP Sludge (dry) 40 kg/d	Increased due to Population Increase
	630 kVA and 330 kVA capacity transformers	The total power requirement will be 933 kW 630 kVA and 630 kVA capacity transformers	After expansion 330 kVA capacity transformer will be replaced by 630 kVA transformers

Project summary-

DAMAGE ASSESSMENT & REMEDIATION PLAN

Sr. No.	Assessment of Environment	
1	Name and address of Project	Proposed Residential & Commercial Project "Yash Florencia" at S. No. 28/2, Kondhwa Budruk, Tehsil: Haveli, District: Pune by M/s. Akshay Enterprises
2	Name of Directors	Asmita Ashok Kataria
3	Total construction completed (built-up area as per EC notification):	14,109.15 Sq.m
4	Total construction proposed, built-up area as per EC notification	43,000.00 Sq.m.
5	Whether the project has any EC; if yes, give details including approved built-up area	SEIAA – EC - 0000002025 dated 4th Oct 2019 for BUA– 27,873.38 m ²
6	Total cost of the project and total cost of the project already executed? Also, give total cost of the project constructed without EC.	<ul style="list-style-type: none"> • Total Project Cost -Rs. 80.71 Cr • Cost of the project already executed 25.28 + 3.50 Cr. = 28.78 Cr.
7	Date of commencement of project	04.10.2019 as per EC received SEIAA – EC - 0000002025
8	Date of violation of EC regulation (please justify with documentary evidence)	04.10.2019 As per EC


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9	Date of first submission of information of such violation to the SEIAA or SEAC, if self-notified, along with stoppage of construction work	18.02.2023
	1. No. of days of violation (9-8)	1233 days (04.10.2019 to 18.02.2023)
10	Name and address of Environmental consultant, with date of engagement of such consultant	Anacon Laboratories Pvt. Ltd, Nagpur, Maharashtra.
11	Any other case of EC violation is reported or pending or decided earlier for projects where any of the directors are involved? If yes, give Details	No
12	Any court case related to EC violation pending or decided against any of the directors including High Court, NGT and sessions court?	No

Description of Activities Completed at Site

Sr. No.	Particulars	Details
A	Demolition and Site Preparation	This is a Brownfield project
1	Whether any demolition work was carried out prior to EC? If yes what is date of commencement of demolition and also date of completion of demolition?	No. The construction was done on vacant plot
2	Whether such demolition or site had some asbestos, industrial waste or contaminated soil or hazardous waste etc and if yes, how these types of waste have been segregated and disposed?	NA
3	If the project is located on any industrial site, whether any due diligence or environmental status of site was assessed? If yes, give details.	No
4	State the quantity of demolition waste disposed from the site, including quantity and disposal location along with location map and photographs	NA
5	Any air quality (including noise) monitoring done during demolition work? If yes, results	NA


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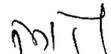
6	Whether building plan and layout approved and emission from local authorities is taken to commence the work prior to demolition work	NA
7 B. Construction stage		
1	Date of commencement of construction and completion of construction, if any	Date of Commencement of construction : 04.10.2019 as per EC received SEIAA – EC - 0000002025
2	Whether the construction carried out is strictly as per the sanction plan given by concerned local authority? If yes, please provide such Certification	Yes, the construction has been carried out as per Sanction received vide No. CC/1381/19
3	In the additional construction, how much construction material including, sand, bricks, cement etc was required to be transported? No. of trucks and its average haulage?	The details are given in the CFP Report.
4	How many labours were engaged in construction, average per day?	70 nos (40 Residential + 30 Floating)
5	Whether, the additional construction work, over and above valid EC, if so available, has any additional ground foot print? If yes please state, ground foot print in sqm as per EC approved layout and current proposed layout?	NA - Construction done as per the Sanction received vide No. CC/1381/19
6	Whether the expansion was carried out simultaneously with EC approved work? If not give details of time frame? If yes, please give incremental additional time required for construction of additional area	NA
7	Is there any change in foundation design, i.e., depth of foundation, basement etc. that were done due to additional area? If yes, what is the additional soil quantity excavated for such incremental foundation depth? Where it is disposed?	No, there is no change in design of foundation
8	What is the quantity of top soil removed and how it is managed?	Top soil will be preserved and will be used at site to develop the open spaces & plantation area.
9	Also, if water is encountered at such foundation depth, what is the volume of water pumped for such additional depth of excavation?	No, Ground water was not encountered during excavation and foundation work of completed work.


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10	How much additional water was required for curing and construction purpose? Source of water?	Source: Water Tanker Water was required for curing and construction
Sr. No.	Particulars	Details
11	Rain Water harvesting details	Total No. of recharge Pits = 05 Size of recharge Pit = 2 m. X 2 m. X 3 m Recharge pits are proposed on site.
12	Solar light, water heating details	Solar hot water of 20400 LPD and Solar PV of 47 kW (5% of total demand load) will be provided.
13	Use of fly ash bricks ensured? Details thereof	No
14	Whether any noise or air pollution control measures taken, if so, what are they?	Air Pollution Control Measures <ul style="list-style-type: none"> • Water sprinkling on unpaved roads to arrest air borne dust • Covered vehicles for carrying construction materials • Sand, murrum, loose soil, cement, stored on site covered adequately so as to prevent dust pollution. • Use of ready-mix concrete • Use of PUC certified vehicles Noise Pollution Control Measures <ul style="list-style-type: none"> • Barricading to plot boundary • No excavation and foundation were done during night time • PPEs were provided to construction workers
15	Whether any air quality and noise level monitoring done during construction stage, if yes attach results	Yes
16	Whether any third-party rights are created on the construction without EC?	No
17	Whether any of the construction without EC has already been occupied?	No
18	How many flats sold which are in the area of EC violation and total sale value of such flats?	<ul style="list-style-type: none"> • Total Flats – 48 nos. • Sale Value of Flats – Rs. 15,45,21,021.
19	How much commercial area sold which is in area of EC violation and total sale value of such commercial area.	NA
Sr. No.	Particulars	Details
C	Commissioning of project	


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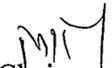

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1	Date of when the project was made operational either by giving possession of residential or commercial areas of the project?	Not Occupied
2	How many families are staying in project?	Not Occupied
3	What is total water supply to project, source and quality	NA
4	Total sewage generation m ³ /day	NA
5	STP details,	NA
6	Treated wastewater disposal	NA
7	Any DG sets, are they complying the norms	NA

COST OF DAMAGE ASSESSMENT & REMEDIAL MEASURES PROPOSED

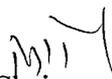
Environmental Component	Scope of saving on account of environmental protection measures	EMP Cost		
		Recurring Cost(Rs.)	Non - Recurring Cost (Rs.)	
Air Environment	Water requirement for sprinkling (KL/day): 32.43 KLCost of 1 KL water (Rs): 111.20 (Ref - Water tanker rate as published by PMC)	3,606.22	0	
Water Pollution	A. Cost of water requirement:			
	a. Construction phase:			
	1	Water for Labours. No. of Laborers = 70 Nos (40 Residential worker + 30 Non Residential worker) Total Water required – 6.75 KLD Rate of 1 KL water= Rs. 111.20 (Ref - Water tanker rate as published by PMC)	753.30	0
	2	Water for construction & Curing	-	5,52,664
	b. Operation Phase		Nil	Nil
	B. Cost of STP during Construction phase			
	a. Construction Phase No of Labours = 70 Sewage generation = 5.4		14.00	3,02,666
	b. Operation phase		Nil	Nil
	C. Quantity of water pumped out during excavation and a lumpsum cost of Rs. 50 per cum for such unauthorized water extraction and disposal			


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	Ground water was not encountered during excavation and foundation work of completed work.	Nil	Nil
D. Cost of construction & maintenance of recharge well			
	Rain water harvesting pit required for the project (Ref – RWH report)	82.19	3,30,000
Environmental Component	Scope of saving on account of environmental protection measures	EMP Cost	
		Recurring Cost (Rs.)	Non -Recurring Cost (Rs.)
Soil Environment	Cost of preservation of top soil & excavated earth to be considered = Rs. 43.52/Cu.m (as referenced in "Mahatma Gandhi Rashtriya Gramin Rojgar Yojana" valid from 1 st April 2022)	00	4,07,319
Noise & Vibration	For damage due to noise pollution & vibration, the cost of barricades around the project site should be considered.	<i>Not Applicable as compound wall was constructed prior to start of work to avoid noise pollution. No work is conducted at Night time.</i>	
Green Belt	Cost of planting & maintaining trees (Number of trees as per the bye- laws) No of trees (1 tree per 80 m2) = 66 Cost of Plantation including ground preparation and plantation Cost of Maintenance – (66 X 179 Rs/month)/30 Ref - Government Of Maharashtra Public Work Department Parks & Gardens, Pune Region - Schedule Of Rates - 2022-2023	393.80	4,16,406
OHS	Cost of workers benefit to be considered in view of Building and Other Construction Workers' Welfare Cess Act, 1996	Labour cess paid to concerned authority	
	A. cost of health check-up of workers: @ 1500/ labor/Year = 1500 X 70	-	1,05,000
	A. cost of safety measures including PPEs @ 2480/labor = 1. Safety Harness – Rs. 1000 2. Helmet – 210 Rs. 3. Shoes – Rs. 400 4. Goggles – Rs. 100 5. Safety Gloves – Rs. 470 6. Mask & Ear Plugs – Rs. 100 7. First Aid Kit – Rs. 200 8. Total – Rs. 2480	-	1,73,600
Total Cost		4,850	22,87,655


Member Secretary


Chairman

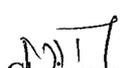
CALCULATION OF COST OF REMEDIATION PLAN AND NATURAL & COMMUNITY RESOURCES AUGMENTATION PLAN (NCRAP)

Sr. No.	Description	Details	Amount
A	Assessment of Environment Damages		
1	Total of recurring cost	Cost arrived from above table per day X Number of days in violation (1233 days)	59,79,441
2	Non-recurring cost	Cost as arrived from above table	22,87,655
	Sub Total (1 + 2 above)		82,67,096
	(Subject to minimum Rs. 1 crore)		1,00,00,000
B.	Economic benefits accrued due to violation		
1	Economic benefits	1% of Total Project cost including land, as declared by PP before SEAC, subject to maximum Rs. 10 Cr.	28,78,000
2	Track Record of Project Proponent	Incremental cost of Rs. 10 lakhs for each EC violation by PP observed at any other projects in last 3 years	0
C.	Cost of remediation plan and natural & community resource augmentation plan		
	Sum of A and B above or amount equivalent to the CER amount as per the MOEF & CC's office Memorandum No: F NO 22- 65/2017 IA-III dated 01/05/2018, whichever is higher. (A + B = C)		1,28,78,000

Damage costing as per MoEF OM - SOP on handling Violation cases, dated 07.07.2021

Sr. No.	Details	Amount in INR	Reference
A.	Total project cost incurred up to the date of filing of the application	₹ 28,78,00,000	Project cost of area under violation
B.	Cost of remedial measures as per damage Assessment	₹ 1,00,00,000	Cost of Damage Assessment Rs. 82,67,096 but subjected to 1 Cr.
C.	1% of A	₹ 28,78,000	


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D.	Total project turnover during the period of violation	₹	00	Cost incurred = Rs. 28,78,00,000 Sale Value of Flats = Rs.15,45,21,021 Profit = Rs. - 13,32,78,979 As per financial statement project yet to booked any benefit/profit.
E.	0.25% of the total turnover during the period of violation	₹	00	
F.	Total Penalty C+E	₹	28,78,000	
G.	The amount shall be halved if PP reports such violation without coming to the knowledge of the Government	₹	NA	As per MoEF OM - SOP on handling Violation cases, dated 07.07.2021 The percentage rates, as above, shall be halved if the PP Suo-moto reports such violations without such violation coming to the knowledge of the Government either on inquiry or complaint

RESOURCE ALLOCATION THROUGH EMP COST

Sr. No.	Description of Activity	% Allocation	In Rs.	Implementing agency	Remarks
1	Afforestation (can include plantation, garden development)	25	32,19,500	Social forestry and Local body	The afforestation can be either through social forestry or the Local body. Preferably within 50 km from project site
2	Water conservation program (Jalyukt Shivar, etc)	25	32,19,500		Preferably within 50 km radius of project site
3	Urban environment and sanitation (can include swatccha Bharat, playground development, urban ground- water recharge schemes etc)	20	25,75,600	Local Body	
4	Sewerage lines and STP, solid waste management,	20	25,75,600	Local Body	
5	Urban air/noise pollution control initiatives	10	12,87,800	Local Body	

SEAC-3 appraised the proposal as per Circular issued by SEIAA vide dated 22.08.2022. The case was discussed on the basis of the documents submitted and presentation made by the


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proponent. All issues relating to environment, including air, water, land, soil, ecology, biodiversity and social aspects were examined. The proposal is appraised as category 8(a) B1.

During discussion following points emerged:

1. The Committee noted that:
 - (a) As per the Office Memorandum issued by Ministry of Environment Forest and Climate Change vide orders no F.No.22-21/2020-IA.III Dated 7th July 2021, The penalty cost is arrived at ₹ 28,78,000/-
 - (b) As per format given in SEIAA Circular, the Damage Assessment value is arrived at ₹ 1,28,78,000/-
2. PP to provide electric charging facility by providing charging points at suitable places as per Maharashtra Electric Vehicle Policy, 2021.

Recommendations of SEAC-

After deliberation, Committee decided to recommend the proposal for Environmental Clearance to SEIAA, subject to compliance of above points.

Deliberation in SEIAA-

Proposal an expansion of existing construction project under violation category. PP has applied under MoEF&CC OM dated 07.07.2021. Proposal is recommended by SEAC-3 in its 179th meeting for grant of Environment Clearance for total plot area of 6,900.00Sq.mt, FSI area 26,827.76 Sq.mt, Non FSI area 16,172.24 Sq.mt and total BUA 43,000.00 Sq.mt. PP has obtained earlier EC vide SEIAA – EC - 0000002025 dated 4th Oct 2019 for total BUA of 27,873.38 m².

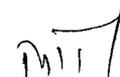
SEAC recommended the proposal for grant of Environment Clearance under violation category as per MoEF&CC OM dated 07.07.2021 with damage assessment value of ₹ 1,28,78,000/- and Penalty of ₹ 28,78,000/-

The authority noted the ecological damage assessment and the economic benefits accruing as a result of the violation and also the penalty amount as appraised by SEAC. Authority also noted the corresponding Environment Management Plan stipulated by the SEAC costing ₹ 1,28,78,000/- taking into consideration the remediation plan and Natural and Community Resource augmentation Plan. The Authority accepted the recommendations of the SEAC and decided to grant Environment Clearance subject to submission of Bank Guarantee of ₹ 1,28,78,000/- towards effective implementation of remediation plan and Natural and Community Resource augmentation Plan and submission of penalty of Rs. ₹ 28,78,000/- .

Further, SEIAA also directed SEIAA cell to confirm with Maharashtra Pollution Control Board whether action has been initiated against the PP under the Section 15 (read with Section 19) of Environment (Protection) Act, 1986.

During the meeting, SEIAA asked PP regarding the provision of RG. PP submitted that, they have provided mandatory RG having area 525.50 m² on mother earth without any construction. SEIAA asked PP to submit area undertaking to that effect. PP submitted the same dated 01.11.2023.


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SEIAA also asked PP to submit undertaking regarding the complying the SEAC conditions. PP submitted the same.

SEIAA after deliberation decided to grant EC for-FSI- 26,827.76 m2, Non FSI-16,172.24 m2, total BUA- 43,000.00 m2. (Plan approval No-Zone-2/4558, dated-11.09.2023)

SEIAA after deliberation decided to grant Environment Clearance subject to compliance of following conditions-

1. PP to submit Bank Guarantee of ₹ 1,28,78,000/- towards effective implementation of remediation plan and Natural and Community Resource augmentation Plan. PP to implement remediation plan and Natural and Community Resource augmentation Plan within 6 months from grant of this Environment Clearance. PP also to submit penalty of Rs. ₹ 28,78,000/-
2. Maharashtra Pollution Control Board to ensure that, action has been initiated against the PP under the Section 15 (read with Section 19) of Environment (Protection) Act, 1986 for violation provisions of EIA notification, 2006.
3. PP has provided mandatory RG area of 525.50 m2 on mother earth without any construction. Local planning authority to ensure the compliance of the same.
4. PP to keep open space unpaved so as to ensure permeability of water. However, whenever paving is deemed necessary, PP to provide grass pavers of suitable types & strength to increase the water permeable area as well as to allow effective fire tender movement.
5. PP to achieve at least 5% of total energy requirement from solar/other renewable sources.
6. PP Shall comply with Standard EC conditions mentioned in the Office Memorandum issued by MoEF& CC vide F.No.22-34/2018-IA III dt.04.01.2019.
7. SEIAA after deliberation decided to grant EC for-FSI- 26,827.76 m2, Non FSI-16,172.24 m2, total BUA- 43,000.00 m2. (Plan approval No-Zone-2/4558, dated-11.09.2023)

SEIAA Decision-

SEIAA after deliberation decided to grant Environment Clearance.


Member Secretary


Chairman