

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
APPEAL NO. 138 / 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

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
APPEAL NO. 138 / 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.



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 Ashoka Institute of Medical Sciences & Research and Viva Infrastructure Limited (Project Proponent - "PP") for Amendment / Expansion in EC for proposed Hospital project at Plot No. 02 + 03, S. No. 113/2A, near Indira Nagar Village Wadala, Sawata Mali Road, Nashik, Maharashtra - 422009 for a Total Plot Area of 14,089 m², Total BUA of 78,443.13 m²

3. The present proposal is an amendment / expansion of an existing IT Building used as Hospital Ashoka Medicover Hospital at Plot No. 02, S. No. 113/2, Indiranagar, Wadala Road, Wadala, Nashik, Maharashtra - 422009 EC dated 03.01.2019 for a total BUA of 52,726.19 m².



4. The Appellant has assailed the grant of the impugned EC dated 09.02.2024 on

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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

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post expiry of the term of SEIAA is already decided by us. Hence, the said ground

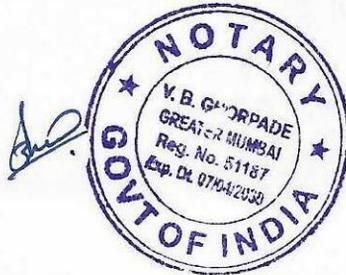
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is not pressed by the appellant.

*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.*

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

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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

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regulations.

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

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(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).

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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 submitted an application on 28.03.2023 for ToR under Violation Category for the proposed project. SEAC in its 169th meeting dated 26th to 28th April 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

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preparation of Environment Management Plan (EMP).

9. SEIAA in its 261st meeting dated 09.06.2023, considered the proposal and decided to issue the Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) vide letter dated 20.07.2023. Copy of the ToR letter dated 20.07.2023 is annexed as **ANNEXURE-2**. SEIAA 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.

10. PP submitted the application dated 29.08.2023 for prior Environment Clearance under Violation Category as per Office Memorandum dated 07.07.2021, with total plot area of 14,089 m², FSI area 56,039.86 m², Non FSI area 22,403.27 m² and total BUA of 78,443.13 m² along with the EIA Report which includes the EMP, Damage Assessment and Remediation Plan.

11. 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

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memo.

12. 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.

13. SEAC considered the proposal in its 183rd meeting dated 17th to 20th October, 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 Rs. 7,25,000/- (Considering Suo moto declaration).*

b. *As per format given in SEIAA Circular, the Damage Assessment value is arrived at Rs. 1,14,50,000/-.*



c. PP to submit Certified Compliance Report (CCR), from Regional Office,

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MoEFCC, Nagpur.

d. PP to ensure maintaining sanctity of silence zone as mandated.

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

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

Copy of the 183rd meeting dated 17th to 20th October, 2023 is annexed as

ANNEXURE-3.

14. SEIAA in its 272nd meeting dated 14.12.2023, 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. 1,14,50,000/- taking into consideration the remediation plan and





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Minutes of Meeting dated 14.12.2023 is annexed as **ANNEXURE-4**.

15. It is to be noted that as per MoEF OM - SOP on handling Violation cases, dated 07.07.2021, if the PP Suo-moto reports such violations without such violation coming to the knowledge of the Government either on inquiry or complaint the percentage rates, as Damage costing, shall be halved. **The proposal in the present case involves sue moto declaration of violation hence Damage costing (i.e. penalty) was halved penalty.** The Committee decided to recommend the proposal for EC to SEIAA, subject to aforementioned observations.

16. 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 Rs. 1,14,50,000/- 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. 7,25,000/-.*

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b. Maharashtra Pollution Control Board to ensure that, action has been initiated

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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 submitted that, they have provided 1,408 m² of mandatory RG 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-54,242.42 m2, Non FSI-

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22,403.27 m2, total BUA-76,645.69 m2. (Plan approval No- A4/RBP/136/2023, dated-04.08.2023) (Restricted as per approval).

17. 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.

18. 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



A handwritten signature in blue ink, appearing to read 'Dattatray'.

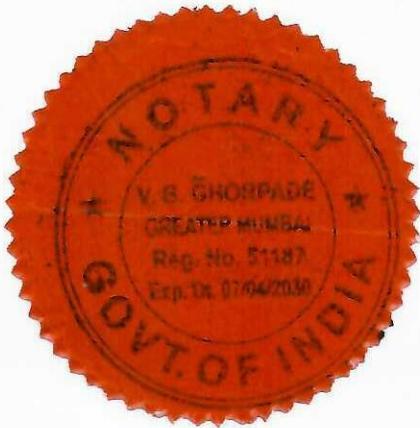
Dattatray Suryakant Bhalerao
Scientist-I & Deputy Secretary,
Environment & CC Department,
Government of Maharashtra

VERIFICATION

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I, Dattatray Surayakant 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
Reg. No. 51187



NOTED & REGISTERED
Sr. No. 826 Page No. 051
Dated 06 MAR 2026

1161 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

ANNEXURE-2

State Environment Impact Assessment Authority

No. SIA/MH/INFRA2/423643/2023
Environment & Climate Change
Department, 217(Annex),
Mantralaya, Mumbai- 400032.
Date :20.07.2023.

To,
M/s. Ashoka Institute of Medical Sciences &
Research and VIVA Infrastructure Ltd.,
Plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar,
Village Wadala, Sawata Mali Road, Nashik.

Subject: Amendment / Expansion in EC (Under Violation category in accordance with the Office Memorandum dated. 07.07.2021 issued by MoEF&CC) for proposed hospital building project at plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra by M/s. Ashoka Institute of Medical Sciences & Research and VIVA Infrastructure Ltd. (Terms of Reference (TOR))

Ref. : Your application no. SIA/MH/INFRA2/423643/2023

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 169th meeting and by SEIAA in its 261st (Day-1) meeting held on 09.06.2023.
- ToR for the said project is issued as per details of the project, which are as given below:-

1.	Proposal Number	SIA/MH/INFRA2/423643/2023	
2.	Name of Project	Amendment / Expansion in EC for proposed Hospital project at Plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra - 422009 by M/s. Ashoka Institute of Medical Sciences & Research and Viva Infrastructure Limited.	
3.	Project category	8(a), B2	
4.	Type of Institution	Partnership	
5.	Project Proponent	Name	Mr. Anup Katariya
		Regd. Office address	V-Tech IT Park, S. No. 113, Wadala, Nashik, Maharashtra - 422011
		Contact number	+91 - 9822261839
		E-mail	ec.aimsar@gmail.com

6.	Consultant	Mahabal Enviro Engineers Pvt. Ltd., Accredited by NABET vide No. QCI/NABET/EIA/ACO/17/00427
7.	Applied for	Amendment / Expansion in EC
8.	Details of previous EC	EC received from SEIAA vide No. SEIAA-EC-0000000586 dt. 03.01.2019 for plot area of 14,089 m ² having FSI area of 30633.26 m ² and Total BUA of 52,726.19 m ²
9.	Location of the project	02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra - 422009
10.	Latitude and Longitude	Latitude: 19°58'24.7"N Longitude: 73°47'29.2"E
11.	Total Plot Area (m ²)	14,089.00
12.	Deductions (m ²)	-
13.	Net Plot area (m ²)	14,089.00
14.	Proposed FSI area (m ²)	56,039.86
15.	Proposed Non-FSI area (m ²)	22,403.27
16.	Proposed TBUA (m ²)	78,443.13
17.	TBUA (m ²) approved by Planning Authority till date	Plan is approved by NMC vide A4/RBP/527/222 dt. 31/01/2022
18.	IOD	Inward No. a4/rbp/258/2023 DTD. 21/02/2023 Approved FSI: 54,242.24 Sq. Mtr; NON FSI: 21,403.27 Sq. Mtr.
19.	Ground coverage (m ²) & %	7669.25 Sq. m (54 % of net plot area)
20.	Total Project Cost (Rs.)	Rs. 230 Cr (including Existing 140 + 90 Proposed)
21.	CER as per MoEF & CC circular dated 01.05.2018	Not Applicable (as per MoEF&CC OM F. No. 22-65/2017-IA.III dt. 25.02.2021)
	Details of Building Configuration: <Please use following legends: Floor = F, Parking = Pk, Podium = Po, Stilt =St, Lower Ground = LG, Upper Ground = UG, Basement = B, Shops = Sh>	Reason for Modification / Change

Previous EC / Existing Building			Proposed Configuration			
Building Name	Configuration	Height (m)	Building Name	Configuration	Height (m)	
22. Building A	B + G + Mezz. Floor + 7 th Upper Floors	34.00	Building A	B + G + Mezz. Floor + 7 th Upper Floors	34.00	No change Status: B + G + Mezz. Floor + 7 th Upper Floors are constructed & occupied
Building B	B + G + Mezz. Floor + 4 th Upper Floors	18.00	Building B	B + G + Mezz. Floor + 12 th Upper Floors	50.60	No change in footprint & vertical expansion is proposed by addition of 12 upper floors Status: B + G + Mezz. Floor + 12 th Upper Floors are constructed
Parking Building	B + G + 1 st to 4 th Floors	17.80	Parking & Staff Quarters	LB + UB + G + 1 st to 7 th Floors - Parking + 8 th to 14 Floors - Staff Quarters	48.15	No change in footprint & vertical expansion is proposed by addition of 10 upper floors Status: Excavation work started
23. -	-	-	Service Building	B + G + 1 st to 3 rd Upper Floors	14.85	Newly added Status: Work not started

24.	Total number of tenements	Existing- 270 Bedded Hospital Proposed- 230 Bedded Hospital and 142 Staff Quarters units. Total 500 Bedded Hospital and 142 Staff Quarters units			
25.	Total number of Population	Total – 3,034 Nos. Hospital - 500 Nos., Staff Quarters units - 142 Nos.			
26.	Water Budget	Dry Season (CMD)		Wet Season (CMD)	
		Fresh Water	232	Fresh Water	114 + RWH water (118) = 232
		Recycled for Flushing	133	Recycled for Flushing	133
		Recycled for landscape	16	Recycled for landscape	0
		Recycled for HVAC	189	Recycled for HVAC	189
		Waste Water generation	341	Wastewater generation	341
		Total treated water for reuse	338	Total treated water for reuse	322
		Total water requirement	365	Total water requirement	365
		Excess water	Zero	Excess water	16
27.	Water Storage Capacity for Firefighting /	UGT for Fire=300 KLD			
	UGT	OHT for Fire= 30 KLD			
28.	Source of water	Nashik Municipal Corporation			
	Level of the Ground water table:	Post Monsoon: 2-3 m B.G.L. Pre Monsoon: 3-4 m B.G.L.			
	Size and no of RWH tank(s) and Quantity:	4 RWH tanks			

29.	Rainwater Harvesting (RWH)	Quantity and size of recharge pits:	4 Recharge Pits Size: 2 x 2 x 2 m with filter layers 0.160 diameter and 60 m deep bore well and 1 x 1 x 1 m collection chamber.	
		Details of UGT tanks if any:	4 Nos.	
30.	Sewage and Wastewater	Sewage generation	341 kld	
		STP technology:	MBBR	
		Capacity of STP KLD:	450 KLD (Existing 200 KLD, Proposed 250 KLD)	
		ETP Capacity	50 KLD (Existing 10 KLD, Proposed 40 KLD)	
31.	Solid Waste Management during Construction Phase	Type	Quantity (kg/d)	Treatment / disposal
		Dry waste:	18	The maximum construction waste will be used within the site for leveling purposes and base course preparation of internal approach roads.
		Wet waste:	12	
		Construction waste	2,300 m ³	The construction waste generated during construction shall be segregated, reused on site and surplus shall be disposed as per C & D Rules
		Dry waste:	277 kg/day	Handed over to authorize recyclers for further
				handling & disposal purpose.
		Wet waste:	415 kg/day	Wet waste will be treated in organic waste converter machine.
		Hazardous waste:	-	NA

		Biomedical waste	250 kg/day	Handed over to authorized vendor for disposal
		E-Waste	3 tonn/yr	Handed over to authorized recyclers for further handling & disposal purpose.
		STP Sludge (dry)	3 kg/d	Will be used as manure
32.	Green Belt Development	Total RG area (m ²):		2650
		Existing trees on plot:		135 Nos
		Number of trees to be planted:		108 Nos
		Number of trees to be cut:		Nil
		Number of trees to be transplanted:		Nil
		Total No of trees on plot		243 Nos.
33.	Power requirement:	Source of power supply:		MSEDCL
		During Construction Phase (Demand Load):		45 kW
		DG Set during Construction Phase		75 kVA
		During Operation phase (Connected load):		3.9 MW
		During Operation phase (Demand load):		2.6 MW
		Transformer:		3 x 2000 kVA, 1 x 315 kVA
		DG set:	2 x 2000 kVA and 1 x 250 kVA	
		Fuel used:	HSD	
34.	Details of Energy saving	Own Solar Plant of capacity 3.2 MW installed at Sinnar, Nasik		
		Type	Details	Cost (Rs. in lakhs)
		Water spray for dust suppression	Erosion control – dust suppression measures, barricading and topsoil preservation	5.0
		sanitation		

35.	Environmental Management plan budget during Construction phase	& Facility & its Maintenance, Disinfection	Labor Camp toilets & sanitation	18.0		
		Solid Waste Management & Site maintenance activity	Segregation of waste at source	4.0		
		Potable Water Supply to Labour	Drinking	5.5		
		Safety Personal Protective Equipment & Safety - Training to Workers (Twice in Year), Safety Officer	Disinfection and Health Check-ups	32.0		
		Traffic Management	Sign Boards, Persons at entry exit and Parking area	2.0		
		Environmental Monitoring	(As per the CPCB Guidelines through MoEF Approved laboratories – Ambient Air-RSPM, PM2.5, SO2, NOx, CO), Noise:	3.5		
					Leq day time and Night Time)	
		Total			70.0	
		Component	Details	Capital (Lakh)	O&M (Lakh /Y)	

36.	Environmental Management plan Budget during Operation phase	STP/ETP	Continuous O & M	99	18
		RWH	During rainy season (cleaning of SWD, Contour trenches and filtration units before rainy season)	55	3
		Solid Waste management	Continuous O & M	20	8
		Landscape development	Development and Maintenance	27	4
		Solar System	Quarterly	10	0.5
		Environmental Monitoring	As per the CPCB guidelines through MoEF Approved laboratories	-	4
		Disaster Management Plan	Fire Fighting measures, Disaster Management Kit, Well equipped Control Room	432	26
		Total		643	63.5
37.	Traffic Management	Type	Required as per DCR	Actual Provided	Total parking Area (m2)
		4-Wheeler	219	219	51
		2-Wheeler	1314	1314	29
38.	Details of Court cases / litigations w.r.t. the project and project location if any.		NA		

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

5. SEAC-3 in its 169th 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:-

Specific Conditions-

Terms of Reference for EIA and preparation of Environment Management Plan (EMP) for Violation Cases	
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 28 th January 2022 and Approach for Assessment for Environment Damage and Estimation of Remediation Costs for Building Construction Projects Initiated Without Mandatory Environment Clearance” 2018	
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 14 th March 2017 in the matter of IA/HR/NCP/63612/2017 and b) For Mining Sector dated 12 th November 2018 in the proposal No IA/MH/MIN/68113/2017.	
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 tis 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 10 km. 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 carryout 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 a tabular 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 under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological 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. The benefits 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 remedial measures 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 environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts 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 with obtaining 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, Water Supply, 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 time bound 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.

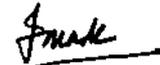
G	10	Besides the above, the below mentioned general points are also to be followed: a) All documents to be properly referenced with index and continuous page numbering. b) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be 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 (G-1 to G-10 above) 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-3, 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

24.	SIA/MH/INFRA2/441438/2023	Application for Amendment / Expansion in EC (Under Violation category in accordance with the Office Memorandum dated. 07.07.2021 issued by MoEF&CC) for proposed hospital building project at plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra by M/s. Ashoka Institute of Medical Sciences & Research and VIVA Infrastructure Ltd.
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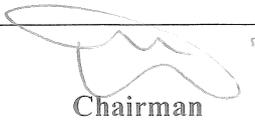
Representative of PP was present during the meeting along with environmental consultant M/s. Mahabal Enviro Engineers Pvt. Ltd..

It is noted that, the PP has submitted the application for prior environment clearance for proposed expansion project with total plot area of 14,089.00 m², FSI area of 56,039.86 m², Non FSI area of 22,403.27 m² and total BUA of 78,443.13 m².

Brief information of the proposal is as below:

1.	Proposal Number	SIA/MH/INFRA2/441438/2023	
2.	Name of Project	Amendment / Expansion in EC for proposed Hospital project at Plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra - 422009 by M/s. Ashoka Institute of Medical Sciences & Research and Viva Infrastructure Limited.	
3.	Project category	8(a), B2	
4.	Type of Institution	Partnership	
5.	Project Proponent	Name	Mr. Anup Katariya
		Regd. Office address	V-Tech IT Park, S. No. 113, Wadala, Nashik, Maharashtra - 422011
		Contact number	+91 - 9822261839
		E-mail	ec.aimsar@gmail.com
6.	Consultant	Mahabal Enviro Engineers Pvt. Ltd., Accredited by NABET vide No. QCI/NABET/EIA/ACO/17/ 00427	
7.	Applied for	Amendment / Expansion in EC	
8.	Details of previous EC	EC received from SEIAA vide No. SEIAA-EC-0000000586 dt. 03.01.2019 for plot area of 14,089 m ² having FSI area of 30633.26 m ² and Total BUA of 52,726.19 m ²	
9.	Location of the project	02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra - 422009	
10.	Latitude and Longitude	Latitude: 19°58'24.7"N Longitude: 73°47'29.2"E	
11.	Total Plot Area (m ²)	14,089.00	
12.	Deductions (m ²)	-	
13.	Net Plot area (m ²)	14,089.00	


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14.	Proposed FSI area (m ²)	56,039.86					
15.	Proposed Non-FSI area (m ²)	22,403.27					
16.	Proposed TBUA (m ²)	78,443.13					
17.	TBUA (m ²) approved by Planning Authority till date	Plan is approved by NMC vide A4/RBP/136/2023 dt. 04.08.2023					
18.	Ground coverage (m ²) & %	7669.25 Sq. m (54 % of net plot area)					
19.	Total Project Cost (Rs.)	Rs. 230 Cr (including Existing 140 + 90 Proposed)					
20.	CER as per MoEF & CC circular dated 01.05.2018	Not Applicable (as per MoEF&CC OM F. No. 22-65/2017-IA.III dt. 25.02.2021)					
21.	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			
	Buildin g Name	Configuration	Heig ht (m)	Building Name	Configuration	Heig ht (m)	
	Buildin g A	B + G + Mezz. Floor + 7 th Upper Floors (34.00 m)	34.00	Building A	B + G + Mezz. Floor + 7 th Upper Floors (34.00 m)	34.00	No change Status: B + G + Mezz. Floor + 7 th Upper Floors are constructed & occupied
	Buildin g B	B + G + Mezz. Floor + 4 th Upper Floors (18.00 m)	18.00	Building B	B + G + Mezz. Floor + 12 th Upper Floors (50.60 m)	50.60	No change in footprint & vertical expansion is proposed by addition of 12 upper floors Status: B + G + Mezz. Floor + 12 th Upper Floors are constructed
Parking Buildin g	B + G + 1 st to 4 th Floors	17.80	Parking & Staff Quarters	B + G + 1 st to 7 th Floors -Parking + 8 th to 14 th Floors - Staff Quarters (47.40 m)	48.15	No change in footprint & vertical expansion is proposed by addition of 10 upper floors Status: 3 floors constructed	
22.	-	-	-	Service Building	B+ G + 1 st to 3 rd Upper Floors (14.85 m)	14.85	Newly added Status: Work not started
23.	Total number of tenements			Existing- 270 Bedded Hospital			

 Member Secretary

 Chairman

		Proposed- 230 Bedded Hospital and 96 Staff Quarters units. Total 500 Bedded Hospital and 142 Staff Quarters units			
24.	Total number of Population	Total – 3,034 Nos. Hospital- 500 Nos., Staff Quarters units- 142 Nos.			
25.	Water Budget	Dry Season (CMD)		Wet Season (CMD)	
		Fresh Water	232	Fresh Water	232
		Recycled for Flushing	133	Recycled for Flushing	133
		Recycled for landscape	16	Recycled for landscape	0
		Recycled for HVAC	189	Recycled for HVAC	189
		Waste Water generation	341	Wastewater generation	341
		Total treated water for reuse	338	Total treated water for reuse	322
		Total water requirement	365	Total water requirement	365
		Excess water	Zero	Excess water	16
26.	Water Storage Capacity for Firefighting / UGT	UGT for Fire=300 KLD OHT for Fire= 30 KLD			
27.	Source of water	Nashik Municipal Corporation			
28.	Rainwater Harvesting (RWH)	Level of the Ground water table:		Post Monsoon: 2-3 m B.G.L. Pre Monsoon: 3-4 m B.G.L.	
		Size and no of RWH tank(s) and Quantity:		-	
		Quantity and size of recharge pits:		4 Recharge Pits Size: 2 x 2 x 2 m with filter layers 0.160 diameter and 60 m deep bore well and 1 x 1 x 1 m collection chamber.	
		Details of UGT tanks if any:		4 Nos.	
29.	Sewage and Wastewater	Sewage generation		341 kld	
		STP technology:		Bio-Cask Technology	
		Capacity of STP KLD:		450 KLD (Existing 300 KLD, Proposed 150 KLD)	
		ETP Capacity		50 KLD (Existing 10 KLD, Proposed 40 KLD)	
30.	Solid Waste Management during Construction Phase	Type	Quantity (kg/d)	Treatment / disposal	
		Dry waste:	18	The maximum construction waste will be used within the site for	
		Wet waste:	12		

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				leveling purposes and base course preparation of internal approach roads.
		Construction waste	2,300 m ³	The construction waste generated during construction shall be segregated, reused on site and surplus shall be disposed as per C & D Rules
		Dry waste:	277 kg/day	Handed over to authorize recyclers for further handling & disposal purpose.
		Wet waste:	415 kg/day	Wet waste will be treated in organic waste converter machine.
		Hazardous waste:	-	NA
		Biomedical waste	250 kg/day	Handed over to authorized vendor for disposal
		E-Waste	3 ton / yr	Handed over to authorized recyclers for further handling & disposal purpose.
		STP Sludge (dry)	3 kg/day	Will be used as manure
31.	Green Belt Development	Total RG area (m ²):		2650
		Existing trees on plot:		135 Nos
		Number of trees planted:		108 Nos
		Number of trees to be cut:		Nil
		Number of trees to be transplanted:		Nil
		Total No of trees on plot		243 Nos.
32.	Power requirement:	Source of power supply:		MSEDCL
		During Construction Phase (Demand Load):		45 kW
		DG Set during Construction Phase		75 kVA
		During Operation phase (Connected load):		3.9 MW
		During Operation phase (Demand load):		2.6 MW


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		Transformer:	3 x 2000 kVA, 1 x 315 kVA		
		DG set:	2 x 2000 kVA and 1 x 250 kVA		
		Fuel used:	HSD		
33.	Details of Energy saving	Own Solar Plant of capacity 2.5 MW installed at Sinnar, Nashik			
34.	Environmental Management plan budget during Construction phase	Type	Details	Cost (Rs. in lakhs)	
		Water spray for dust suppression	Erosion control – dust suppression measures, barricading and topsoil preservation	5.0	
		Site sanitation & Facility & its Maintenance, Disinfection	Labor Camp toilets & sanitation	18.0	
		Solid Waste Management & Site maintenance activity	Segregation of waste at source	4.0	
		Potable Water Supply to Labour	Drinking	5.5	
		Safety Personal Protective Equipment & Safety - Training to Workers (Twice in Year), Safety Officer	Disinfection and Health Check-ups	32.0	
		Safety nets, Safety training to workers, health check up and first aid		21.0	
		Traffic Management	Sign Boards, Persons at entry exit and Parking area	2.0	
		Environmental Monitoring	(As per the CPCB guidelines through MoEF Approved laboratories – Ambient Air-RSPM, PM2.5, SO2, NOx, CO), Noise: Leq day time and Night Time)	3.5	
Total			91.0		
35.	Environmental Management plan Budget during Operation phase	Component	Details	Capital (Lakh)	O&M (Lakh /Y)
		STP/ETP	Continuous O & M	99	18
		RWH	During rainy season (cleaning of SWD, Contour trenches and filtration units)	55	3

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			before rainy season)		
	Solid Waste management		Continuous O & M	20	8
	Landscape development		Development and Maintenance	27	4
	Environmental Monitoring		As per the CPCB guidelines through MoEF Approved laboratories	-	4
	Disaster Management Plan		Fire Fighting measures, Disaster Management Kit, Well equipped Control Room	432	26
			Total	633	63
36.	Traffic Management	Type	Required as per DCR	Actual Provided	Total parking Area (m2)
		4-Wheeler	219	219	5129
		2-Wheeler	1314	1314	
37.	Details of Court cases / litigations w.r.t. the project and project location if any.				NA

Deliberations:

PP stated that, the application is for Amendment / Expansion in EC for proposed Hospital project at Plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik .

PP holds previous EC vide No. SEIAAEC-0000000586 dt. 03.01.2019 for plot area of 14,089 m2 having FSI area of 30,633.26 m2 and Total BUA of 52,726.19 m2. PP informed that they have started construction on site as per EC received. Till date, they have constructed the Total BUA of 52,616.08 m2 (FSI area: 44,507.95 m2).

PP further informed that the total BUA is less than earlier EC, and have exceeded the configuration of one building [I e; Block B from B+G+M+ 4 to B+G+M+ 12] than the EC; hence PP had applied under violation category.

The project consists of 1 hospital building, 1 Parking and staff quarter building and 1 service building. The project site is accessible by 30.00 m wide DP Road. Nasik Road Railway station is at ~5.9 km. Airport is at 19 km from site. PP had received ToR vide letter No. SIA/MH/INFRA2/423643/2023 dated. 20.07.2023.

The


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The comparative statement for the project is as below:

Sr.	Details	Earlier EC (Dt. 03.01.2019)	Proposed EC	Remarks
1	Plot area (m ²)	14,089.00	14,089.00	No change
2	Built up Area (m ²)	52,726.19	78,443.13	Change in planning as per UDCPR, 2020
3	Building A	B + G + Mezz. Floor + 7 th Upper Floors	B + G + Mezz. Floor + 7 th Upper Floors	No Change Status: B + G + Mezz. Floor + 7 th Upper Floors are constructed & occupied
4	Building B	B + G + Mezz. Floor + 4 th Upper Floors	B + G + Mezz. Floor + 12 th Upper Floors	No change in footprint & vertical expansion is proposed by addition of 8 upper floors Status: B + G + Mezz. Floor + 12 th Upper Floors are constructed
5	Parking Building	B + G + 1 st to 4 th Floors	B + G + 1 st to 7 th Floors - Parking + 8 th to 14 th Floors - Staff Quarters	No change in footprint & vertical expansion is proposed by addition of 10 upper floors Status: Construction done up to 3 rd floor
6	Service Building	-	B+ G + 1 st to 3 rd Upper Floors	Newly added Status: Work not started

Details of damage assessment as presented by PP is as below:

1. Project Details:

1	Name and address of Project	Amendment / Expansion in EC for proposed Hospital project at Plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra - 422009 by M/s. Ashoka Institute of Medical Sciences & Research and Viva Infrastructure Limited.
2	Name of Authorized Person	Mr. Anup Katariya
3	Details of previous EC and area constructed on site	<ul style="list-style-type: none"> ▪ EC received from SEIAA vide No. SEIAA – EC - 0000000586 dt. 03.01.2019 for plot area of 14,089 m² having FSI area of 30633.26 m² and Total BUA of 52,726.19 m² ▪ Till date, we have constructed the Total BUA of 49,612.10 m² (FSI area: 44,507.95 m²).
4	Total area proposed	FSI Area: 56,039.86 m ² Non FSI Area: 22,403.27 m ² BUA: 78,443.13 m ²


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5	The total cost of the project and total cost of the project already executed? Also, give total cost of the project constructed without EC.	Rs. 230 Cr (including Existing 140 + 90 Proposed) Total cost incurred for violated area: Rs. 14.50 Cr.
6	Application for Expansion in EC (under violation category)	28.03.2023
7	The construction upto EC limit was completed i.e. Building 'B' 4 th floor	23.01.2022
8	Date of start of 5 th floor of building 'B'	10.02.2022
9	No. of days of violation (8-6)	<ul style="list-style-type: none"> ▪ Violation period calculated is from 10.02.2022 to 28.03.2023 ▪ No of days of violation: 412 days
10	Name and address of Environmental consultant	Dr. D. A. Patil Mahabal Enviro Engineers Pvt. Ltd., Accredited by NABET vide No. QCI/NABET/EIA/ACO/17/00427
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 contributing to the environmental damage and degradation

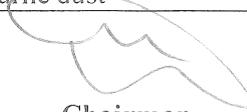
A	Demolition, site preparation	Remark
1	Whether any demolition work was carried out prior to EC? If yes what is date of commencement of demolition and also date of completion of demolition?	No demolition activity envisaged.
2	Whether such demolition or site had some asbestos, industrial waste or contaminated soil or hazardous waste etc and if yes, how these types of waste have been segregated and disposed?	No
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	As per DP, site is in Residential Zone..
4	State the quantity of demolition waste disposed from the site, including quantity and disposal location along with location map and photographs	There was no demolition activity on site.
5	Any air quality (including noise) monitoring done during demolition work? If yes, results	
6	Whether building plan and layout approved and permission from local authorities is taken to commence the work prior to demolition work	There was no demolition activity on site.
B	Construction stage	
1	Date of commencement of construction and completion of construction, if any	CC vide letter No. LND/BP/A4/RBP/136/2023 dt. 04.08.2023


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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 construction is as per the sanctioned plan given by NMC and OC received.
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?	-
4	How many labours were engaged in construction, average per day?	Approx 100 Nos.
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?	<ul style="list-style-type: none"> ▪ There is no change in footprint of the building ▪ We have exceeded the configuration of one building than the EC; hence we are applying under violation category.
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	<ul style="list-style-type: none"> ▪ We have voluntarily applied for EC to avoid any future ambiguities under violation category.
7	<ul style="list-style-type: none"> • 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 changes required in the Foundation design of existing building No. The excavated quantity was utilized on site itself partially in the Garden Area as well as for back filling.
8	What is the quantity of top soil removed and how it is managed?	Top soil was preserved and used for the RG development as per earlier EC, for the proposed expansion no top soil excavation is needed.
9	Also, if water is encountered at such foundation depth, what is the volume of water pumped for such additional depth of excavation?	Excavation was done as per earlier EC.
10	How much additional water was required for curing and construction purpose? Source of water?	Water requirement as per earlier EC.
11	Rain Water harvesting details	4 recharge pits with 2 x 2 x 2 m are constructed on site
12	Solar light, water heating details	NA
13	Use of fly ash bricks ensured? Details thereof	Fly ash was used in concrete as per the mixed design during construction of the building.
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


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		<ul style="list-style-type: none"> • 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 <p>Noise Pollution Control Measures</p> <ul style="list-style-type: none"> • Barricading to plot boundary • PPEs were provided to construction workers • Noise generating equipments were fitted with silencers, mufflers or acoustic enclosures etc.
15	Whether any air quality and noise level monitoring done during construction stage, if yes attach results	Air quality records could not be retrieved. But to mitigate the noise levels and safety purpose, 2.5-3 m high barrications were done along the periphery.
16	Whether any third-party rights are created on the construction without EC?	No third – party rights are created
17	Whether any of the construction without EC has already been occupied? If yes, number of families given such occupation. Also give total commercial area being used presently. Also state type of commercial activity i.e. offices, shops, hotels, restaurants etc.	No
18	How many flats sold which are in the area of EC violation and total sale value of such flats	As proposed project is hospital project, nothing has been sold.
19	How much commercial area sold which is in area of EC violation and total sale value of such commercial area.	No area sold.
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?	The Block B which is partly under violation is not yet been operational. There is no sell component in the project as it is a Hospital building will be operated by the project proponent.
2	How many families are staying in project?	Not Applicable (Hospital project)
3	What is total water supply to project, source and quality	365 KLD (this quantum is for entire project) Source: NMC
4	Total sewage generation m ³ /day	341 KLD

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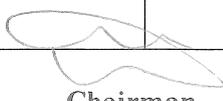
 Chairman

5	STP details,	450 KLD with Biocask Technology + 50KLD ETP
6	Treated wastewater disposal	All the treated water is being used for flushing, gardening, dust suppression, and HVAC makeup, hence it is a Zero discharge project.
7	Any DG sets, are they complying the norms	2 x 2000 kVA and 1 x 250 kVA of DG sets are provided and are in compliance with CPCB guidelines.

Format of Assessment of Environmental Damages:

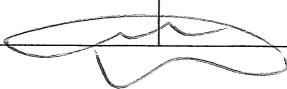
Attributes	Scope of saving on account of environmental protection measures	EMP cost	Non-recurring cost (Rs.)
		Recurring cost per day (Rs.)	
Air Pollution	Water requirement for sprinkling (KLD) Cost of 1 KL water (Rs.)	Recurring cost not applicable as the violation portion of the building is from the 5 th – 12 th floor. We have complied with the earlier EC conditions for both the Block A (7 floors) and B (4 floors). In this vertical expansion there was no excavation or no ground preparation was required. The treated water from the existing STP is being used for water sprinkling for dust suppression, flushing and HVAC make up thereby optimum utilization of treated water and there is no load on the fresh water resource	-
Water Pollution	A) Cost of water requirement:		
	a) Construction phase:		
	For Labour avg 100 Laborer : 4.5 KLD NMC domestic Water costs @Rs 27/KL = Rs 121.5/day	Water for construction phase was met from the treated water of existing STP. The part project was <i>occupied (OC Dt. 11.09.2018)</i> and operational and have a valid Consent to Operate from the MPCB (no. BO/CAC/Cell/CCA/UAN-60156/CAC dt. 13.03.2019 and CAC/UAN 0000106774/CR-2106000693 dt. 15.06.2021 valid till 30.03.2026) Hence there is no cost of water usage during the construction phase of the extension of Block 2. NIL for construction use	


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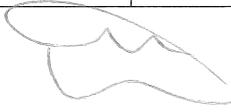
		For Labourer cost is Rs. 121.5/day	
	b) Operation phase:		
	B. Cost of sewage treatment, reuse & disposal:		
	a) Construction phase: (4 kl/d=Rs. 150/d)	Connected to Existed STP Nil	
	b) Operation phase: No untreated waste discharge	Not yet operational Nil	
	A. Quantity of water pumped out during excavation and a lump sum cost of Rs. 50 per cum for such unauthorized water extraction and disposal: Water pumped during foundation works	The proposed expansion is vertical in nature and we had Earlier EC for G+4 floors which was covered in the EMP Nil	
	B. Cost of construction & maintenance of recharge well:	Constructed as per earlier EC Nil	
Soil environment	In case of demolition has carried out, the cost of demolition waste management plan needs to be discussed and finalized as non - recurring cost.	No demolition activity was involved. Nil	
	In case there is some hazardous waste like asbestos or the site is located on industrial area where hazardous chemical or waste was handled, the cost based on due diligence of the project site, as given by consultants. (the report must include soil analysis, water analysis, MPCB consent copies, manifest of HW if any). This requires critical	No, Not applicable Nil	

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	examination from SPCB.		
	Cost of preservation of top soil & excavated earth to be considered. [Area x depth x sp. Gravity x cost per ton]	Top soil was preserved and used for the RG development as per earlier EC, for the proposed expansion no top soil excavation is needed.	
Noise and Vibration	For damage due to noise pollution & vibration, the cost of barricades around the project site should be considered. Length 3.6 mtr x width 1.05 mtr =3.78 m2. (No. of sheets 95 X Rs. 1253.00 per sheet)	Not Applicable as all necessary steps have been taken to avoid noise pollution. Nil	1,19,035/-
Green Belt	In case of any tree cutting without EC cost of Rs. 10000/- per tree apart from any statutory action for such tree cutting if any, For damage due to noise pollution & vibration, the cost of barricades around the project site should be considered. Cost of planting & maintaining trees (Number of trees as per the bye- laws) Cost of compensatory tree plantation (5 trees for each tree cut)	No tree cutting on site Nil	
RH/Occupational Health Safety	Cost of workers benefit to be considered in view of Building and Other Construction Workers' Welfare Cess Act, 1996		3,73,345.00


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	A. cost of health check up of workers: Rs. 25,000/- B. Cost of safety measures including PPEs: Rs. 3,48,345.00		
Total		121.5/-	4,92,380.00/-

Calculation of cost of remediation plan and natural & community resource augmentation plan:

Sr. No.	Description	Details	Amount (Rs.)
A	Assessment of Environment Damages		
1.	Total of recurring Cost (Rs. 27 X 412 days) (From 10.02.2022 to 28.03.2023)	Capital Cost arrived from above table per day (121.5) x 412, number of days in violation (412 days)	50,058/-
2.	Non-recurring cost	Cost as arrived from above table	4,92,380/-
Sub Total (1+2 above) (Subject to minimum Rs. 1 crore or whichever is higher)		5,42,438/- which is less than Rs. 1 Cr.	
Hence, Cost to be considered is		Rs. 1 Cr.	

B	Economic benefits accrued due to violation		
1.	Economic benefits accrued due to violation	1% of Total project cost including land (Rs. 14.5/- Cr.) as declared by AIMSAR before SEAC, subject to maximum Rs. 10 Cr.	14,50,000/-
2.	Track record of project proponent	Incremental cost of Rs. 10 lakhs for each EC violation by PP or its directors observed at any other projects in last 3 years	All the directors on board have no track record of other violation
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)= Rs.1,14,50,000/-


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D	As per OM dt. 07.07.2021: Sec 12, b(i): FOR EXPANSION PROJECTS: Where operation / production with expanded capacity has not commenced#		
1.	1% of the project cost (attributable to the expansion activity) incurred up to the date of filing the application along with the EIA / EMP report + 0.25% of the total turnover (attributable to the expanded activity / capacity) involved during the period of violation. *	1% of the project cost (Attributable to expansion activity) Project Cost Rs. 14.50 Cr *The % rates as above shall be halved of the PP <i>suo-moto</i> reports such violations without such violation coming to the knowledge of the Govt either on inquiry or complaint.	=14,50,00,000/- *0.5% = 7,25,000/-

Project Proponent *Suo Moto* declared the violation and applied for EC under Violation category hence penalty is halved.

Total Costing: Rs. 19,92,438/- + Rs. 7,25,000/- = Rs. 27,17,438/-

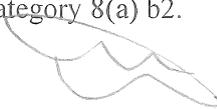
Remediation Cost Bifurcation:

Sr. No.	Description of Activity	% Allocation	Implementing Agency	Remarks	Probable activities to be carried out
1	Plantation / garden development	50%	Local Body	Plantation can be done through the Local body. Within the limits of Nashik Municipal Corporation	Plantation of native trees as per the guidelines of Garden Department NMC
2	Water conservation (rain Water Harvesting in the Limits of Nashik Municipal Corporation	50%	Local Body	Within 50 km from project site.	Rain water harvesting systems in the municipal gardens.

PP clarified that mandatory RG is provided on ground.

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.


Member Secretary


Chairman

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 **Rs. 7,25,000/-.(Considering Suo moto declaration.)**
 - (b) As per format given in SEIAA Circular, the Damage Assessment value is arrived at **Rs.1,14,50,000/-**
2. PP to submit Certified Compliance Report (CCR), from Regional Office, MoEFCC, Nagpur.
3. PP to ensure maintaining sanctity of silence zone as mandated.
4. PP to provide electric charging facility by providing charging points at suitable places as per Maharashtra Electric Vehicle Policy, 2021. Also, 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.

25.	SIA/MH/INFRA2/440334/2023	EC Expansion for Residential and Commercial Project "Ganga Arcadia" by Goel Ganga India Pvt. Ltd.
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Decision: -

PP requested to withdraw the application. Committee noted & accepted the same, hence application is forwarded to SEIAA with the recommendation that PP may be allowed to withdraw the project.


Member Secretary


Chairman

ANNEXURE-4

Minutes of 272nd Day 2 (Part B) meeting of SEIAA held on 14th December, 2023

Item no. 23

Proposal No.:- SIA/MH/INFRA2/441438/2023

Type of Project: EC

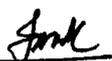
Subject- Environmental Clearance for Amendment / Expansion in EC for proposed Hospital project at Plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra - 422009 by M/s. Ashoka Institute of Medical Sciences & Research and Viva Infrastructure Limited.

Project Details-

It is noted that, the PP has submitted the application for prior environment clearance for proposed expansion project with total plot area of 14,089.00 m², FSI area of 56,039.86 m², Non FSI area of 22,403.27 m² and total BUA of 78,443.13 m².

Brief information of the proposal is as below:

1.	Proposal Number	SIA/MH/INFRA2/441438/2023	
2.	Name of Project	Amendment / Expansion in EC for proposed Hospital project at Plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra - 422009 by M/s. Ashoka Institute of Medical Sciences & Research and Viva Infrastructure Limited.	
3.	Project category	8(a), B2	
4.	Type of Institution	Partnership	
5.	Project Proponent	Name	Mr. Anup Katariya
		Regd. Office address	V-Tech IT Park, S. No. 113, Wadala, Nashik, Maharashtra - 422011
		Contact number	+91 - 9822261839
		E-mail	ec.aimsar@gmail.com
6.	Consultant	Mahabal Enviro Engineers Pvt. Ltd., Accredited by NABET vide No. QCI/NABET/EIA/ACO/17/ 00427	
7.	Applied for	Amendment / Expansion in EC	
8.	Details of previous EC	EC received from SEIAA vide No. SEIAA-EC-0000000586 dt. 03.01.2019 for plot area of 14,089 m ² having FSI area of 30633.26 m ² and Total BUA of 52,726.19 m ²	
9.	Location of the project	02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra - 422009	
10.	Latitude and Longitude	Latitude: 19°58'24.7"N Longitude: 73°47'29.2"E	
11.	Total Plot Area (m ²)	14,089.00	
12.	Deductions (m ²)	-	
13.	Net Plot area (m ²)	14,089.00	
14.	Proposed FSI area (m ²)	56,039.86	
15.	Proposed Non-FSI area (m ²)	22,403.27	
16.	Proposed TBUA (m ²)	78,443.13	
17.	TBUA (m ²) approved by Planning Authority till date	Plan is approved by NMC vide A4/RBP/136/2023 dt. 04.08.2023	
18.	Ground coverage (m ²) & %	7669.25 Sq. m (54 % of net plot area)	
19.	Total Project Cost (Rs.)	Rs. 230 Cr (including Existing 140 + 90 Proposed)	


Member Secretary


Chairman

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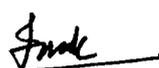
Minutes of 272nd Day 2 (Part B) meeting of SEIAA held on 14th December, 2023

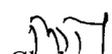
20.	CER as per MoEF & CC circular dated 01.05.2018	Not Applicable (as per MoEF&CC OM F. No. 22-65/2017-IA.III dt. 25.02.2021)					
21.	Details of Building Configuration: <Please use following legends: Floor = F, Parking = Pk, Podium = Po, Stilt =St, Lower Ground = LG, Upper Ground = UG, Basement = B, Shops = Sh>					Reason for Modification / Change	
	Previous EC / Existing Building			Proposed Configuration			
	Buildin g Name	Configuration	Heig ht (m)	Building Name	Configuration	Heig ht (m)	
	Buildin g A	B + G + Mezz. Floor + 7 th Upper Floors (34.00 m)	34.00	Building A	B + G + Mezz. Floor + 7 th Upper Floors (34.00 m)	34.00	No change Status: B + G + Mezz. Floor + 7 th Upper Floors are constructed & occupied
	Buildin g B	B + G + Mezz. Floor + 4 th Upper Floors (18.00 m)	18.00	Building B	B + G + Mezz. Floor + 12 th Upper Floors (50.60 m)	50.60	No change in footprint & vertical expansion is proposed by addition of 12 upper floors Status: B + G + Mezz. Floor + 12 th Upper Floors are constructed
Parking Buildin g	B + G + 1 st to 4 th Floors	17.80	Parking & Staff Quarters	B + G + 1 st to 7 th Floors -Parking + 8 th to 14 th Floors - Staff Quarters (47.40 m)	48.15	No change in footprint & vertical expansion is proposed by addition of 10 upper floors Status: 3 floors constructed	
22.	-	-	-	Service Building	B+ G + 1 st to 3 rd Upper Floors (14.85 m)	14.85	Newly added Status: Work not started
23.	Total number of tenements			Existing- 270 Bedded Hospital Proposed- 230 Bedded Hospital and 96 Staff Quarters units. Total 500 Bedded Hospital and 142 Staff Quarters units			
24.	Total number of Population			Total – 3,034 Nos. Hospital- 500 Nos., Staff Quarters units- 142 Nos.			
25.	Water Budget			Dry Season (CMD)		Wet Season (CMD)	
				Fresh Water	232	Fresh Water	232
				Recycled for Flushing	133	Recycled for Flushing	133
				Recycled for landscape	16	Recycled for landscape	0


Member Secretary


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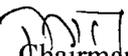
		Recycled for HVAC	189	Recycled for HVAC	189
		Waste Water generation	341	Wastewater generation	341
		Total treated water for reuse	338	Total treated water for reuse	322
		Total water requirement	365	Total water requirement	365
		Excess water	Zero	Excess water	16
26.	Water Storage Capacity for Firefighting / UGT	UGT for Fire=300 KLD OHT for Fire= 30 KLD			
27.	Source of water	Nashik Municipal Corporation			
28.	Rainwater Harvesting (RWH)	Level of the Ground water table:	Post Monsoon: 2-3 m B.G.L. Pre Monsoon: 3-4 m B.G.L.		
		Size and no of RWH tank(s) and Quantity:	-		
		Quantity and size of recharge pits:	4 Recharge Pits Size: 2 x 2 x 2 m with filter layers 0.160 diameter and 60 m deep bore well and 1 x 1 x 1 m collection chamber.		
		Details of UGT tanks if any:	4 Nos.		
29.	Sewage and Wastewater	Sewage generation	341 kld		
		STP technology:	Bio-Cask Technology		
		Capacity of STP KLD:	450 KLD (Existing 300 KLD, Proposed 150 KLD)		
		ETP Capacity	50 KLD (Existing 10 KLD, Proposed 40 KLD)		
30.	Solid Waste Management during Construction Phase	Type	Quantity (kg/d)	Treatment / disposal	
		Dry waste:	18	The maximum construction waste will be used within the site for leveling purposes and base course preparation of internal approach roads.	
		Wet waste:	12		
		Construction waste	2,300 m ³	The construction waste generated during construction shall be segregated, reused on site and surplus shall be disposed as per C & D Rules	
		Dry waste:	277 kg/day	Handed over to authorize recyclers for further	


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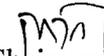
			handling & disposal purpose.	
	Wet waste:	415 kg/day	Wet waste will be treated in organic waste converter machine.	
	Hazardous waste:	-	NA	
	Biomedical waste	250 kg/day	Handed over to authorized vendor for disposal	
	E-Waste	3 ton / yr	Handed over to authorized recyclers for further handling & disposal purpose.	
	STP Sludge (dry)	3 kg/day	Will be used as manure	
31.	Green Belt Development	Total RG area (m ²):	2650	
		Existing trees on plot:	135 Nos	
		Number of trees planted:	108 Nos	
		Number of trees to be cut:	Nil	
		Number of trees to be transplanted:	Nil	
		Total No of trees on plot	243 Nos.	
32.	Power requirement:	Source of power supply:	MSEDCL	
		During Construction Phase (Demand Load):	45 kW	
		DG Set during Construction Phase	75 kVA	
		During Operation phase (Connected load):	3.9 MW	
		During Operation phase (Demand load):	2.6 MW	
		Transformer:	3 x 2000 kVA, 1 x 315 kVA	
		DG set:	2 x 2000 kVA and 1 x 250 kVA	
		Fuel used:	HSD	
33.	Details of Energy saving	Own Solar Plant of capacity 2.5 MW installed at Sinnar, Nashik		
34.	Environmental Management plan budget during Construction phase	Type	Details	Cost (Rs. in lakhs)
		Water spray for dust suppression	Erosion control – dust suppression measures, barricading and topsoil preservation	5.0
		Site sanitation & Facility & its Maintenance, Disinfection	Labor Camp toilets & sanitation	18.0
		Solid Waste Management & Site	Segregation of waste at source	4.0


Member Secretary


Chairman

	maintenance activity					
	Potable Water Supply to Labour	Drinking		5.5		
	Safety Personal Protective Equipment & Safety - Training to Workers (Twice in Year), Safety Officer	Disinfection and Health Check-ups		32.0		
	Safety nets, Safety training to workers, health check up and first aid			21.0		
	Traffic Management	Sign Boards, Persons at entry exit and Parking area		2.0		
	Environmental Monitoring	(As per the CPCB guidelines through MoEF Approved laboratories – Ambient Air-RSPM, PM2.5, SO ₂ , NO _x , CO), Noise: Leq day time and Night Time)		3.5		
	Total				91.0	
35.	Environmental Management plan Budget during Operation phase	Component	Details	Capital (Lakh)	O&M (Lakh /Y)	
		STP/ETP	Continuous O & M	99	18	
		RWH	During rainy season (cleaning of SWD, Contour trenches and filtration units before rainy season)	55	3	
		Solid Waste management	Continuous O & M	20	8	
		Landscape development	Development and Maintenance	27	4	
		Environmental Monitoring	As per the CPCB guidelines through MoEF Approved laboratories	-	4	
		Disaster Management Plan	Fire Fighting measures, Disaster Management Kit, Well equipped Control Room	432	26	
		Total			633	63
		36.	Traffic Management	Type	Required as per DCR	Actual Provided
4-Wheeler	219			219		
2-Wheeler	1314			1314	5129	
37.	Details of Court cases / litigations w.r.t. the project and project location				NA	


Member Secretary


Chairman

if any.	
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SEAC Deliberation –

PP stated that, the application is for Amendment / Expansion in EC for proposed Hospital project at Plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik .

PP holds previous EC vide No. SEIAAEC-0000000586 dt. 03.01.2019 for plot area of 14,089 m² having FSI area of 30,633.26 m² and Total BUA of 52,726.19 m².

PP informed that they have started construction on site as per EC received. Till date, they have constructed the Total BUA of 52,616.08 m² (FSI area: 44,507.95 m²).

PP further informed that the total BUA is less than earlier EC, and have exceeded the configuration of one building [I e; Block B from B+G+M+ 4 to B+G+M+ 12] than the EC; hence PP had applied under violation category.

The project consists of 1 hospital building, 1 Parking and staff quarter building and 1 service building. The project site is accessible by 30.00 m wide DP Road. Nasik Road Railway station is at ~5.9 km. Airport is at 19 km from site. PP had received ToR vide letter No. SIA/MH/INFRA2/423643/2023 dated. 20.07.2023.

The

The comparative statement for the project is as below:

Sr.	Details	Earlier EC (Dt. 03.01.2019)	Proposed EC	Remarks
1	Plot area (m ²)	14,089.00	14,089.00	No change
2	Built up Area (m ²)	52,726.19	78,443.13	Change in planning as per UDCPR, 2020
3	Building A	B + G + Mezz. Floor + 7 th Upper Floors	B + G + Mezz. Floor + 7 th Upper Floors	No Change Status: B + G + Mezz. Floor + 7 th Upper Floors are constructed & occupied
4	Building B	B + G + Mezz. Floor + 4 th Upper Floors	B + G + Mezz. Floor + 12 th Upper Floors	No change in footprint & vertical expansion is proposed by addition of 8 upper floors Status: B + G + Mezz. Floor + 12 th Upper Floors are constructed
5	Parking Building	B + G + 1 st to 4 th Floors	B + G + 1 st to 7 th Floors - Parking + 8 th to 14 th Floors - Staff Quarters	No change in footprint & vertical expansion is proposed by addition of 10 upper floors Status: Construction done up to 3 rd floor
6	Service Building	-	B+ G + 1 st to 3 rd Upper Floors	Newly added Status: Work not started

Details of damage assessment as presented by PP is as below:

1. Project Details:


Member Secretary

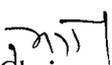

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1	Name and address of Project	Amendment / Expansion in EC for proposed Hospital project at Plot No. 02 + 03, S. No. 113/2A, Near Indira Nagar, Village Wadala, Sawata Mali Road, Nashik, Maharashtra - 422009 by M/s. Ashoka Institute of Medical Sciences & Research and Viva Infrastructure Limited.
2	Name of Authorized Person	Mr. Anup Katariya
3	Details of previous EC and area constructed on site	<ul style="list-style-type: none"> ▪ EC received from SEIAA vide No. SEIAA – EC - 0000000586 dt. 03.01.2019 for plot area of 14,089 m² having FSI area of 30633.26 m² and Total BUA of 52,726.19 m² ▪ Till date, we have constructed the Total BUA of 49,612.10 m² (FSI area: 44,507.95 m²).
4	Total area proposed	FSI Area: 56,039.86 m ² Non FSI Area: 22,403.27 m ² BUA: 78,443.13 m ²
5	The total cost of the project and total cost of the project already executed? Also, give total cost of the project constructed without EC.	Rs. 230 Cr (including Existing 140 + 90 Proposed) Total cost incurred for violated area: Rs. 14.50 Cr.
6	Application for Expansion in EC (under violation category)	28.03.2023
7	The construction upto EC limit was completed i.e. Building 'B' 4 th floor	23.01.2022
8	Date of start of 5 th floor of building 'B'	10.02.2022
9	No. of days of violation (8-6)	<ul style="list-style-type: none"> ▪ Violation period calculated is from 10.02.2022 to 28.03.2023 ▪ No of days of violation: 412 days
10	Name and address of Environmental consultant	Dr. D. A. Patil Mahabal Enviro Engineers Pvt. Ltd., Accredited by NABET vide No. QCI/NABET/EIA/ACO/17/00427
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 contributing to the environmental damage and degradation

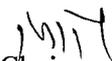
A	Demolition, site preparation	Remark
1	Whether any demolition work was carried out prior to EC? If yes what is date of commencement of demolition and also date of completion of demolition?	No demolition activity envisaged.
2	Whether such demolition or site had some asbestos, industrial waste or contaminated soil or hazardous waste etc and if yes, how these types of waste have been segregated and disposed?	No
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	As per DP, site is in Residential Zone..


Member Secretary


Chairman

4	State the quantity of demolition waste disposed from the site, including quantity and disposal location along with location map and photographs	There was no demolition activity on site.
5	Any air quality (including noise) monitoring done during demolition work? If yes, results	
6	Whether building plan and layout approved and permission from local authorities is taken to commence the work prior to demolition work	There was no demolition activity on site.
B	Construction stage	
1	Date of commencement of construction and completion of construction, if any	CC vide letter No. LND/BP/A4/RBP/136/2023 dt. 04.08.2023
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 construction is as per the sanctioned plan given by NMC and OC received.
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?	-
4	How many labours were engaged in construction, average per day?	Approx 100 Nos.
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?	<ul style="list-style-type: none"> ▪ There is no change in footprint of the building ▪ We have exceeded the configuration of one building than the EC; hence we are applying under violation category.
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	<ul style="list-style-type: none"> ▪ We have voluntarily applied for EC to avoid any future ambiguities under violation category.
7	<ul style="list-style-type: none"> • 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 changes required in the Foundation design of existing building No. The excavated quantity was utilized on site itself partially in the Garden Area as well as for back filling.
8	What is the quantity of top soil removed and how it is managed?	Top soil was preserved and used for the RG development as per earlier EC, for the proposed expansion no top soil excavation is needed.
9	Also, if water is encountered at such foundation depth, what is the volume of water pumped for such additional depth of excavation?	Excavation was done as per earlier EC.
10	How much additional water was required for curing and construction purpose? Source of water?	Water requirement as per earlier EC.
11	Rain Water harvesting details	4 recharge pits with 2 x 2 x 2 m are constructed on site


Member Secretary


Chairman

12	Solar light, water heating details	NA
13	Use of fly ash bricks ensured? Details thereof	Fly ash was used in concrete as per the mixed design during construction of the building.
14	Whether any noise or air pollution control measures taken? if so, what are they?	<p>Air Pollution Control Measures</p> <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 <p>Noise Pollution Control Measures</p> <ul style="list-style-type: none"> • Barricading to plot boundary • PPEs were provided to construction workers • Noise generating equipments were fitted with silencers, mufflers or acoustic enclosures etc.
15	Whether any air quality and noise level monitoring done during construction stage, if yes attach results	Air quality records could not be retrieved. But to mitigate the noise levels and safety purpose, 2.5-3 m high barrications were done along the periphery.
16	Whether any third-party rights are created on the construction without EC?	No third – party rights are created
17	Whether any of the construction without EC has already been occupied? If yes, number of families given such occupation. Also give total commercial area being used presently. Also state type of commercial activity i.e. offices, shops, hotels, restaurants etc.	No
18	How many flats sold which are in the area of EC violation and total sale value of such flats	As proposed project is hospital project, nothing has been sold.
19	How much commercial area sold which is in area of EC violation and total sale value of such commercial area.	No area sold.
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?	The Block B which is partly under violation is not yet been operational. There is no sell component in the project as it is a Hospital building will be operated by the project proponent.
2	How many families are staying in project?	Not Applicable (Hospital project)

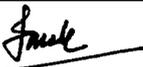

Member Secretary

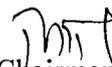

Chairman

3	What is total water supply to project, source and quality	365 KLD (this quantum is for entire project) Source: NMC
4	Total sewage generation m ³ /day	341 KLD
5	STP details,	450 KLD with Biocask Technology + 50KLD ETP
6	Treated wastewater disposal	All the treated water is being used for flushing, gardening, dust suppression, and HVAC makeup, hence it is a Zero discharge project.
7	Any DG sets, are they complying the norms	2 x 2000 kVA and 1 x 250 kVA of DG sets are provided and are in compliance with CPCB guidelines.

Format of Assessment of Environmental Damages:

Attributes	Scope of saving on account of environmental protection measures	EMP cost	
		Recurring cost per day (Rs.)	Non-recurring cost (Rs.)
Air Pollution	Water requirement for sprinkling (KLD) Cost of 1 KL water (Rs.)	Recurring cost not applicable as the violation portion of the building is from the 5 th – 12 th floor. We have complied with the earlier EC conditions for both the Block A (7 floors) and B (4 floors). In this vertical expansion there was no excavation or no ground preparation was required. The treated water from the existing STP is being used for water sprinkling for dust suppression, flushing and HVAC make up thereby optimum utilization of treated water and there is no load on the fresh water resource	-
Water Pollution	A) Cost of water requirement:		
	a) Construction phase:		
	For Labour avg 100 Laborer : 4.5 KLD NMC domestic Water costs @Rs 27/KL = Rs 121.5/day	Water for construction phase was met from the treated water of existing STP. The part project was <i>occupied (OC Dt. 11.09.2018)</i> and operational and have a valid Consent to Operate from the MPCB (no. BO/CAC/Cell/CCA/UAN-60156/CAC dt. 13.03.2019 and CAC/UAN 0000106774/CR-2106000693 dt. 15.06.2021 valid till 30.03.2026) Hence there is no cost of water usage during the construction phase of the extension of Block 2. NIL for construction use	


Member Secretary


Chairman

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Minutes of 272nd Day 2 (Part B) meeting of SEIAA held on 14th December, 2023

		For Labourer cost is Rs. 121.5/day	
	b) Operation phase:		
	B. Cost of sewage treatment, reuse & disposal:		
	a) Construction phase: (4 kl/d=Rs. 150/d)	Connected to Existed STP Nil	
	b) Operation phase: No untreated waste discharge	Not yet operational Nil	
	A. Quantity of water pumped out during excavation and a lump sum cost of Rs. 50 per cum for such unauthorized water extraction and disposal: Water pumped during foundation works	The proposed expansion is vertical in nature and we had Earlier EC for G+4 floors which was covered in the EMP Nil	
	B. Cost of construction & maintenance of recharge well:	Constructed as per earlier EC Nil	
Soil environment	In case of demolition has carried out, the cost of demolition waste management plan needs to be discussed and finalized as non - recurring cost.	No demolition activity was involved. Nil	
	In case there is some hazardous waste like asbestos or the site is located on industrial area where hazardous chemical or waste was handled, the cost based on due diligence of the project site, as given by consultants. (the report must include soil analysis, water analysis, MPCB consent copies,	No, Not applicable Nil	


Member Secretary


Chairman

	manifest of HW if any). This requires critical examination from SPCB.		
	Cost of preservation of top soil & excavated earth to be considered. [Area x depth x sp. Gravity x cost per ton]	Top soil was preserved and used for the RG development as per earlier EC, for the proposed expansion no top soil excavation is needed.	
Noise and Vibration	For damage due to noise pollution & vibration, the cost of barricades around the project site should be considered. Length 3.6 mtr x width 1.05 mtr =3.78 m2. (No. of sheets 95 X Rs. 1253.00 per sheet)	Not Applicable as all necessary steps have been taken to avoid noise pollution. Nil	1,19,035/-
Green Belt	In case of any tree cutting without EC cost of Rs. 10000/- per tree apart from any statutory action for such tree cutting if any, For damage due to noise pollution & vibration, the cost of barricades around the project site should be considered. Cost of planting & maintaining trees (Number of trees as per the bye- laws) Cost of compensatory tree plantation (5 trees for each tree cut)	No tree cutting on site Nil	
RH/Occupational Health Safety	Cost of workers benefit to be considered in view of Building and Other Construction Workers' Welfare Cess Act, 1996 A. cost of health check up of workers: Rs. 25,000/-		3,73,345.00


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	B. Cost of safety measures including PPEs: Rs. 3,48,345.00		
Total		121.5/-	4,92,380.00/-

Calculation of cost of remediation plan and natural & community resource augmentation plan:

Sr. No.	Description	Details	Amount (Rs.)
A	Assessment of Environment Damages		
1.	Total of recurring Cost (Rs. 27 X 412 days) (From 10.02.2022 to 28.03.2023)	Capital Cost arrived from above table per day (121.5) x 412, number of days in violation (412 days)	50,058/-
2.	Non-recurring cost	Cost as arrived from above table	4,92,380/-
Sub Total (1+2 above) (Subject to minimum Rs. 1 crore or whichever is higher)		5,42,438/- which is less than Rs. 1 Cr.	
Hence, Cost to be considered is		Rs. 1 Cr.	

B	Economic benefits accrued due to violation		
1.	Economic benefits accrued due to violation	1% of Total project cost including land (Rs. 14.5/- Cr.) as declared by AIMSAR before SEAC, subject to maximum Rs. 10 Cr.	14,50,000/-
2.	Track record of project proponent	Incremental cost of Rs. 10 lakhs for each EC violation by PP or its directors observed at any other projects in last 3 years	All the directors on board have no track record of other violation
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)= Rs.1,14,50,000/-
D	As per OM dt. 07.07.2021: Sec 12, b(i): FOR EXPANSION PROJECTS: Where operation / production with expanded capacity has not commenced#		
1.	1% of the project cost (attributable to the expansion activity) incurred up to the date of filing the application along with the EIA / EMP report + 0.25% of the total turnover (attributable to the expanded activity / capacity) involved during the period of violation.	1% of the project cost (Attributable to expansion activity) Project Cost Rs. 14.50 Cr *The % rates as above shall be halved of the PP <i>suo-moto</i> reports such violations without such violation coming to the knowledge of	=14,50,00,000/- *0.5% = 7,25,000/-


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	*	the Govt either on inquiry or complaint.
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Project Proponent Suo Moto declared the violation and applied for EC under Violation category hence penalty is halved.

Total Costing: Rs. 19,92,438/- + Rs. 7,25,000/- = Rs. 27,17,438/-

Remediation Cost Bifurcation:

Sr. No.	Description of Activity	% Allocation	Implementing Agency	Remarks	Probable activities to be carried out
1	Plantation / garden development	50%	Local Body	Plantation can be done through the Local body. Within the limits of Nashik Municipal Corporation	Plantation of native trees as per the guidelines of Garden Department NMC
2	Water conservation (rain Water Harvesting in the Limits of Nashik Municipal Corporation	50%	Local Body	Within 50 km from project site.	Rain water harvesting systems in the municipal gardens.

PP clarified that mandatory RG is provided on ground.

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. 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 **Rs. 7,25,000/-.(Considering Suo moto declaration.)**
 - (b) As per format given in SEIAA Circular, the Damage Assessment value is arrived at **Rs.1,14,50,000/-**
2. PP to submit Certified Compliance Report (CCR), from Regional Office, MoEFCC, Nagpur.
3. PP to ensure maintaining sanctity of silence zone as mandated.
4. PP to provide electric charging facility by providing charging points at suitable places as per Maharashtra Electric Vehicle Policy, 2021. Also, PP to ensure that, the water


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proposed to be used for construction phase should not be drinking water. They can use recycled water or tanker water for proposed construction.

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 182nd meeting for grant of Environment Clearance for total plot area of 14,089.00 m², FSI area of 56,039.86 m², Non FSI area of 22,403.27 m² and total BUA of 78,443.13 m².

PP has obtained earlier EC vide

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 Rs.1,14,50,000/- and Penalty of Rs. 7,25,000/-.

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 Rs.1,14,50,000/- 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 Rs.1,14,50,000/- towards effective implementation of remediation plan and Natural and Community Resource augmentation Plan and submission of penalty of Rs. Rs. 7,25,000/-.

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 1408 m² of mandatory RG on mother earth without any construction. SEIAA noted the same and asked PP to submit undertaking to that effect. PP submitted the same dated 11.12.2023.

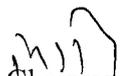
SEIAA also asked PP to submit undertaking regarding the complying the SEAC conditions. PP submitted the same dated 11.12.2023.

SEIAA after deliberation decided to grant EC for-FSI- 54,242.42 m², Non FSI- 22,403.27 m², total BUA- 76,645.69 m². (Plan approval No- A4/RBP/136/2023, dated-04.08.2023) (Restricted as per approval)

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

1. PP to submit Bank Guarantee of Rs.1,14,50,000/- 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


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Rs. 7,25,000/-.

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 submitted that, they have provided 1408 m2 of mandatory RG 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- 54,242.42 m2, Non FSI- 22,403.27 m2, total BUA- 76,645.69 m2. (Plan approval No- A4/RBP/136/2023, dated-04.08.2023) (Restricted as per approval)

SEIAA Decision-

SEIAA after deliberation decided to grant Environment Clearance.



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