



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION NO. 107/2022

Irba Mashnaji Konapure

... Applicant

v.

Union of India & Ors.

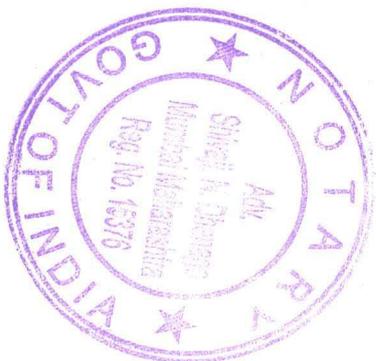
... Respondents

REPLY AFFIDAVIT BY RESPONDENT NO. 3,  
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

I, Dattatray Suryakant Bhalerao, working as Scientist II & Under 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.

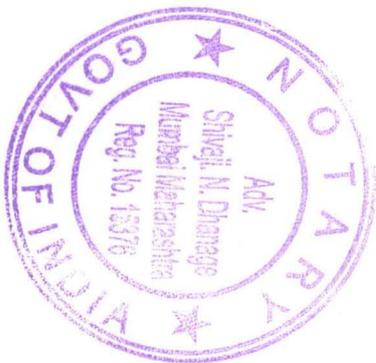
1. It is submitted that at the very outset this respondent denies each  
averment made in the present application which is contrary to and  
inconsistent with the averments made and the facts stated in the present



*Shreeji H. Dhargave*

reply. It is submitted that nothing stated in the application may deemed to have been admitted by this respondent unless and until the same has been admitted by the respondent.

2. The present case alleges that, Respondent No. 11 M/s. EVERSMILE PROPERTIES PRIVATE LIMITED, having their residential & commercial project of “Srishti Namaah” situated at Sector-IIA, Old Survey Nos. 233 (P), 235(P), 256 (P), and, New Survey Nos. 66 (P), 68 (P), 69 (P) at Village Penkarpada, District Thane, within the jurisdiction of Mira-Bhayandar Municipal Corporation (MBMC), has not taken prior EC, CRZ Clearance and that there are other environmental violations.
3. SEAC asked PP to submit compliance of the following points –
  - 1) PP to submit IOD / IOA / Concession Document / Plan Approval or any other form of documents as applicable clarifying its conformity with local planning rules and provisions as per the circular dated 30-01-2014 issued by Environment Department, Government of Maharashtra.
  - 2) PP to submit revised CRZ NOC from MCZMA as per latest revised planning of the project.



*Shivaji N. Dhorage*

- 3) PP to submit details of energy calculation with terrace floor plan in accordance with shadow analysis & ensure that the energy savings from renewable sources shall be minimum 5% and overall energy saving of the project is minimum 20%.
- 4) PP to reduce discharge of treated water upto 35%. PP to submit undertaking from concerned authority / agency / third party regarding use of excess treated water.
- 5) PP to revise biodiversity chapter in EIA including details of trees to be cut & compensatory plantation details.
- 6) PP to provide adequate mechanical ventilation in the STP – 2 & include cost of it in EMP.
- 7) PP to provide two row plantations all along the project boundary to mitigate noise and air pollution due to vehicular movements on roads.
- 8) Planning authority to ensure that water supply, sewer and storm water networks are made available in the vicinity of the project before issuing occupation certificate to the project.



*[Handwritten signature]*

4. Subject to compliance of the above points by PP, the proposal was recommended by SEAC in their 178<sup>th</sup> Meeting to SEIAA for grant of EC.
5. Proposal of the PP was considered by SEIAA in the 257<sup>th</sup> Meeting held on 10<sup>th</sup> March, 2023. SEIAA asked PP to submit undertaking regarding the no construction has been carried out on portion of land falling in CRZ-II. PP submitted the same vide email dated 13-03-2023. PP even submitted about pendency of the present case to SEIAA.
6. SEIAA observed from the google satellite image that the construction initiated by PP on site. SEIAA asked clarification on the same. PP submitted that the construction work commenced upto 16,733 m<sup>2</sup> at site as per commencement certificate by Mira Bhayander Municipal Corporation and as per Environment Department Circular dated 21-04-2015. SEIAA asked PP to submit Joint Statement under the signature of PP's registered architect & environment consultant to that effect. Accordingly, PP submitted the same dated 10-03-2023.
7. Further, SEIAA observed that PP has obtained Chief Fire Officer NOC. PP submitted compliance of SEAC conditions dated 25-02-2023. SEIAA



A handwritten signature in blue ink, appearing to be 'Smt. N. Chandra'.

after deliberation decided to grant EC to the PP for FSI – 1,85,303.99m2,  
Non FSI – 1,38,352.19 m2 and total BUA – 3,23,656.18 m2.

Copy of 257<sup>th</sup> MoM dated 10<sup>th</sup> March, 2023 is annexed as **Annexure 1**.

Copy of EC dated 12-04-2023 is annexed as **Annexure 2**.

8. In light of the above averments, this respondent craves leave to file any additional reply as and when required. It is respectfully prayed that 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 02/05/2023



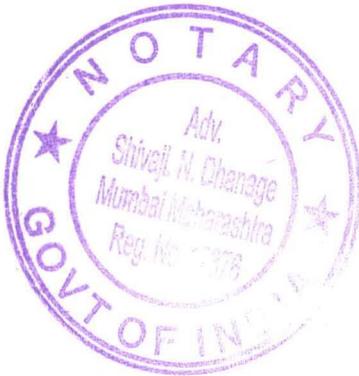
Deponent

**Dattatray Suryakant Bhalerao**

Scientist II & Under Secretary,

Environment and Climate Change Department,

Government of Maharashtra



VERIFICATION

I, Dattatray Surayakant Bhalerao, Scientist II & Under Secretary, Environment and Climate Change Department, Government of Maharashtra, having my office address at room no. 217, 2nd floor, Mantralaya, Mumbai – 400 032 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 02<sup>nd</sup> day of May, 2023 at Mumbai.



  
Deponent

**Dattatray Suryakant Bhalerao**

Scientist II & Under Secretary,

Environment and Climate Change Department,

Government of Maharashtra



**BEFORE ME**



Adv. Shivaji. N. Dhanage  
Notary Govt Of India

Regd. No. 15378 MUMBAI (MS)  
404-405, 4th Floor, Davar House,  
197/199, Near Central Camera Bldg.  
D.N. Road Fort, Mumbai - 400001.

**NOTED & REGISTERED**

PageNo... 87 ... Sr.No. 859

Dated... 02 MAY 2023

**02 MAY 2023**

Minutes of 257<sup>th</sup> Day - 4 (Part B) meeting of SEIAA held on 10<sup>th</sup> March, 2023

**Item no. 28**

**Proposal No.:-** SIA/MH/MIS/238569/2021

**Type of Project: EC**

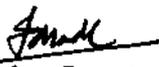
**Subject-** Environmental Clearance for proposed residential development at old Survey No. 233 (Pt.), 235 (Pt.), and 256 (Pt.), {new survey no. 66 (Pt.), 68 (Pt.), and 69 (Pt.)} at Village: Penkarpada, Mira road, Thane by Eversmile Properties Pvt Ltd.

**Project Details-**

PP submitted the application for environment clearance to their proposed Residential Development project having total plot area of 37,880.43 Sq. Mtrs, Total construction area of 3,23,656.18 Sq. Mtrs and FSI area of 1,85,303.99 Sq. Mtrs. PP proposes to construct 12 Nos. of Residential buildings with shops as mentioned at Sr. no-20 of the project details.

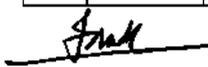
Representative of PP was present during the meeting along with environmental consultant Enviro Analysts & Engineers Pvt Ltd. The details of project are as mentioned below:

Sr No.	Description	Details	
1	Proposal Number	SIA/MH/MIS/238569/2021	
2	Name of Project	Proposed residential development at old Survey No. 233 (Pt.), 235(Pt.) and 256(Pt.) (new survey no. 66(Pt.), 68(Pt.) and 69(Pt.) at Village: Penkarpada, Mira road, Thane by M/s Eversmile Properties Pvt Ltd.	
3	Project category	8(b) B1	
4	Type of Institution	Private	
5	Project Proponent	Name	Mr. Parag Saraiya
		Regd. Office address	101, Kalpataru Synergy, Opp. Grand Hyatt, Santacruz (E), Mumbai 400 055.
		Contact number	022 30645000
		e-mail	eversmile@kalpataru.com
6	Consultant	Name: M/s. Enviro Analysts & Engineers Pvt. Ltd. NABET Accreditation No: NABET/EIA/2023/RA0206 Validity: 13.05.2023	
7	Applied for	New	
8	Location of the project	Old Survey No. 233 (Pt.), 235(Pt.) and 256(Pt.) (new survey no. 66(Pt.), 68(Pt.) and 69(Pt.) at Village: Penkarpada, Mira road, Thane.	
9	Latitude and Longitude	Latitude: 19°16'19.39"N Longitude: 72°52'10.49"E	
10	Plot Area (sq.m.)	37,880.43 sq. mt.	
11	Deductions (sq.m.)	0.00 sq. mt.	
12	Net Plot area (sq.m.)	37,880.43 sq. mt.	
13	Ground coverage (m <sup>2</sup> ) & %	22869.166 sq .mt. (60.371 %)	
14	FSI Area (sq.m.)	1,85,303.99 sq. mt.	

  
Member Secretary

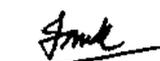
  
Chairman

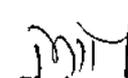
15	Non-FSI (sq.m.)	138352.19 sq. mt.				
16	Proposed built-up area (FSI + Non FSI) (sq.m.)	323656.18 sq. mt.				
17	TBUA (m <sup>2</sup> ) approved by Planning Authority till date	CC has been received dated -31//3/2022 from MBMC. Approved FSI area- 1,93,657. 72sq.m				
18	Earlier EC details with Total Construction area, if any.	NA. This is fresh project.				
19	Construction completed (FSI + Non FSI) (sq.m.)					
20	<b>Previous EC / Existing Building</b>	<b>Proposed Configuration</b>				<b>Reason for Modification / Change</b>
	<b>Buildi ng Name</b>	<b>Configura tion</b>	<b>Heig ht (m)</b>	<b>Building Name</b>	<b>Configuration</b>	<b>Height (m)</b>
		NA	NA	A	2B + Ground + 1 <sup>st</sup> Podium + 2 <sup>nd</sup> Podium+ 1st to 33th floor	108.60
				B	2B + Ground + 1 <sup>st</sup> Podium + 2 <sup>nd</sup> Podium+ 1st to 33th floor	108.60
				C	2B + Ground/Shopping + 1 <sup>st</sup> Podium/Shopping + 2 <sup>nd</sup> Podium + 1st to 33th floor	108.60
				D	3B + Ground/Shopping + 1 <sup>st</sup> Podium/Shopping + 2 <sup>nd</sup> Podium + 1st to 33th floor	108.60
				E	3B + Ground + 1 <sup>st</sup> Podium + 2 <sup>nd</sup> Podium + 1st to 31 <sup>st</sup> floor	102.70
				F	3B + Ground + 1 <sup>st</sup> Podium + 2 <sup>nd</sup> Podium + 1st to 31st floor	102.70
				G	2B + Ground + 1 <sup>st</sup> Podium + 2 <sup>nd</sup>	102.70

  
Member Secretary

  
Chairman

				Podium + 1st to 31st floor	
			H	2B + Ground + 1st Podium + 2nd Podium + 1st to 31st floor	102.70
			I	2B + Ground + 1st Podium + 2nd Podium + 1st to 2nd floor	16.00
			J	2B + Ground + 1st to 4th floor	14.95
			K	2B + Ground + 1st Podium + 2nd Podium + 1st to 3rd floor	18.95
			L	2B + Ground + 1st Podium + 2nd Podium + 1st to 33th floor	108.60
21	No. of Tenements & Shops		Flats-2521 Nos. Shops-21 nos		
22	Total Population		11602 Nos.		
23	Total Water Requirements CMD		Total Water Requirement:1705 Domestic: 1103 Flushing: 572 Landscape: 30		
24	Under Ground Tank (UGT) location		Below ground		
25	Source of water		MBMC		
26	STP Capacity & Technology		1624 KLD MBBR technology		
27	STP Location		Ground		
28	Sewage Generation CMD & % of sewage discharge in sewer line		Sewage Generation is 1455 CMD & 634 CMD (35% of sewage discharge in the sewer line.)		
29	Solid Waste Management during Construction Phase		<b>Type</b>	<b>Quantity (Kg/d)</b>	<b>Treatment / disposal</b>
			Dry waste	20	Will be handed over to a recycler
			Wet waste	30	Will be handed over to municipal

  
Member Secretary

  
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30	Total	Solid	Waste	Type	Quantity (Kg/d)	Treatme
				Constructi on waste	Top Soil	6805 7 cum To be preserved for landscapi ng.
					Demoliti on waste	Nil NA
					Excavate d material	1375 50 cum The excavated soil shall be reused for backfillin g to the extent possible. The excess shall be disposed off
					Cement Bags	9133 8 The empty bags shall be recycled and reused.
					Paint container (@20L)	2316 8 Cans To be sold to recyclers
					Scrap metal generate d	706 Mt The steel shall be sent for recycling
					Tiles	1997 87 Sq ft The excess shall be disposed of through authorize d vendors.

  
Member Secretary

  
Chairman

	Quantities with type during Operation Phase & Capacity of OWC to be installed			<b>nt / disposal</b>						
		Dry waste	3543 kg/day	Will be handed over to a recycler.						
		Wet waste	2362 kg/day	Will be treated on OWC. Manure obtained shall be used as manure for landscaping.						
		E-Waste	8535 kg/year	Will be collected and sent to MPCB authorized recyclers.						
		STP Sludge (dry)	73 kg/day	Sewage sludge is used as manure for gardening.						
31	R.G. Area in sq. m.	<p>RG required – 3788.04 sq.m.                      RG provided on Mother earth- 1.5 strip proposed                      RG provided on Podium - 3788.04 sq.m.                      Total – 3788.04 sq.m.</p> <p>Existing trees on the plot: 197nos</p> <p>Number of trees to be planted: 1298 nos.                      a) In RG area: 625 nos.                      b) In Miyawaki Plantation; 1000 nos.</p> <p>Number of trees to be cut: 167 nos.</p> <p>Number of trees to be transplanted: 30 nos.</p>								
32	Power requirement	<p>During Operation Phase:</p> <table border="1" style="width: 100%;"> <thead> <tr> <th colspan="2">Details</th> </tr> </thead> <tbody> <tr> <td>Connected load (kW)</td> <td style="text-align: center;">37788</td> </tr> <tr> <td>Demand load (kW)</td> <td style="text-align: center;">10674</td> </tr> </tbody> </table>			Details		Connected load (kW)	37788	Demand load (kW)	10674
Details										
Connected load (kW)	37788									
Demand load (kW)	10674									
33	Energy Efficiency	a) Total Energy saving (%): 20%								

  
Member Secretary

  
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		b) Solar energy (%): 5%
34	D.G. set capacity	3 x 910 KVA
35	No. of 4-W & 2-W Parking with 25% EV	4W – 2917 No's 2W – 3036 No's 25% EV Charging Points provided
36	No. & capacity of Rain water harvesting tanks /Pits	11 Recharge Pits
37	Project Cost in (Cr.)	Rs 1084.26crores
38	EMP Cost	Capital Cost: Rs. 366.25 lakhs O & M Cost: Rs. 47.34 lakhs/annum
39	CER Details with justification if any....as per MoEF&CC circular dated 01/05/2018	OM dated 30.9.2020 U/n F.No- 22-65/2017.IA.III supersedes earlier OM under even number dated 1st May, 2018 regarding guidelines in respect to CER
40	Details of Court Cases/litigations w.r.t the project and project location, if any.	Nil

#### SEAC Deliberation –

PP informed that the project comes in the jurisdiction of Mira Bhayandar Municipal Corporation (MBMC). PP also informed that the project site is accessible by 30.0 Mtr wide existing DP road. PP further informed that the project is proposed for IGBC Green homes certification.

PP submitted that the project has received Terms of Reference (ToR) vide letter No-SIA/MH/MIS/238569/2021, dated: 23.03.2022 for total plot area of 37,880.34 Sq. Mtrs, Total construction area of 3,85,708.276 Sq. Mtrs. and FSI area of 2,44,659.300 Sq. Mtrs. Accordingly, PP has submitted EIA report on Parivesh portal for appraisal. However, Committee noted that the proposed total construction area of the project is 3,23,656.18 Sq. Mtrs which is well within the total construction area of 3,85,708.276 Sq. Mtrs. approved in ToR dated: 23.03.2022.

The project proposal was discussed on the basis of presentation made and documents submitted by the proponent along with environmental consultant Enviro Analysts & Engineers Pvt Ltd. All issues related to environment, including air, water, land, soil, ecology and biodiversity and social aspects were discussed. Committee noted that the project is under 8(b) B1 category of EIA Notification, 2006. Consolidated Statements, Form- 2/1A, presentation & plans submitted are taken on the record.

#### During discussion following points emerged:

1.PP to submit IOD/IOA/Concession Document/Plan Approval or any other form of documents as applicable clarifying its conformity with local planning rules and provisions as per the Circular dated 30.01.2014 issued by the Environment Department, Govt. of Maharashtra.

2.PP to submit revised CRZ NOC from MCZMA as per latest revised planning of the project.

3.PP to submit details energy calculation with terrace floor plan in accordance with shadow analysis & ensure that the energy savings from renewable sources shall be minimum 5 % & over all energy saving of the project is minimum 20%.

  
Member Secretary

  
Chairman

4. PP to reduce discharge of treated water up to 35%. PP to submit undertaking from concerned authority/agency/third party regarding use of excess treated water.

5. PP to revise biodiversity chapter in EIA including details of trees to be cut & compensatory plantation details.

6. PP to provide adequate mechanical ventilation in the STP-2 & include cost of it in EMP.

7. PP to provide two row plantations all along the project boundary to mitigate noise and air pollution due to vehicular movements on roads.

8. Planning authority to ensure that water supply, sewer and storm water networks are made available in the vicinity of the project before issuing occupation certificate to the project.

### Recommendations of SEAC-

In view of above discussion and subject to compliance of above points the proposal is recommended to SEIAA for grant of Environmental Clearance.

### Deliberation in SEIAA-

Proposal is a new construction project. Proposal is recommended by SEAC-2 in its 178<sup>th</sup> meeting for grant of Environment Clearance for total plot area of 37,880.43 m<sup>2</sup>, FSI area of 1,85,303.99 m<sup>2</sup>, Non FSI area of 1,38,352.19 m<sup>2</sup> and total BUA of 3,23,656.18 m<sup>2</sup>.

The proposal was deferred in 247<sup>th</sup> & 252<sup>nd</sup> meeting of SEIAA as PP was absent for the meeting.

SEIAA asked PP to submit undertaking regarding the no construction has been carried out on portion of land falls in CRZ-II area. PP submitted the same vide email dated 13.03.2023.

PP submitted that OA No. 107 /2022 filed before Hon. NGT pertain to the project. The matter listed on 29.11.2022, 23.01.2023 & 15.03.2023 and Hon. NGT has not passed any adverse orders in respect of said project.

SEIAA observed from the google satellite image that the construction initiated by PP on site. SEIAA asked clarification on the same. PP submitted that the construction work commenced and completed up to 16,733 m<sup>2</sup> at site as per commencement certificate by MBMC and as per Environment Dept. Circular dated 21.04.2015. SEIAA asked PP to submit Joint Statement under the signature of PP, Registered Architect & Environment Consultant to that effect. Accordingly, PP submitted the same dated 10.03.2023.

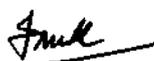
During the meeting, SEIAA observed that PP has obtained CFO NOC dated 29.12.2021 for height up to 107.25 for Building Wing-A to D, I, K & L , for height up to 101.35 m for Wing -E to H & for height up to 106.40 m for Wing -J. SEIAA decided to restrict building height as per CFO NOC.

SEIAA also asked PP to submit undertaking regarding the complying the SEAC conditions. PP submitted the same dated 25.02.2023.

SEIAA after deliberation decided to grant EC for - FSI area -1,85,303.99 m<sup>2</sup>, Non FSI area - 1,38,352.19 m<sup>2</sup> and total BUA - 3,23,656.18 m<sup>2</sup>. (Plan approval No. MBMC/TP/46/2021-22, dated- 31.03.2022) (Restricted as per appraisal)

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

1. This EC is restricted for height up to 107.25 for Building Wing-A to D, I, K & L , for height up to 101.35 m for Wing -E to H & for height up to 106.40 m for Wing -J. SEIAA decided to restrict building height as per CFO NOC.
2. 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.
3. PP to achieve at least 5% of total energy requirement from solar/other renewable sources.



Member Secretary



Chairman

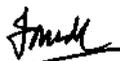
# 2416

Minutes of 257<sup>th</sup> Day - 4 (Part B) meeting of SEIAA held on 10<sup>th</sup> March, 2023

4. 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.
5. SEIAA after deliberation decided to grant EC for – FSI area -1,85,303.99 m<sup>2</sup>, Non FSI area - 1,38,352.19 m<sup>2</sup> and total BUA - 3,23,656.18 m<sup>2</sup>. (Plan approval No. MBMC/TP/46/2021-22, dated- 31.03.2022) (Restricted as per appraisal)

**SEIAA Decision-**

SEIAA after deliberation decided to grant Environment Clearance.



Member Secretary



Chairman



**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Issued by the State Environment Impact Assessment**  
**Authority(SEIAA), Maharashtra)**

To,

The Director  
EVERSMILE PROPERTIES PVT LTD.  
101, Kalpataru Synergy, Opp Grand Hyatt, Santacruz East -400055

**Subject:** Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/MH/MIS/238569/2021 dated 06 Apr 2022. The particulars of the environmental clearance granted to the project are as below.

- |   |  |
|---|--|
| 1. <b>EC Identification No.</b>                   | <b>EC23B039MH162099</b>  |
| 2. <b>File No.</b>                                | SIA/MH/MIS/238569/2021   |
| 3. <b>Project Type</b>                            | New  |
| 4. <b>Category</b>                                | B1   |
| 5. <b>Project/Activity including Schedule No.</b> | 8(b) Townships and Area Development projects.  |
| 6. <b>Name of Project</b>                         | PROPOSED RESIDENTIAL DEVELOPMENT AT Old SurveyNos 233 (pt), 235(pt) & 256(pt) New Survey Nos 66(pt), 68(pt) and 69(pt) ATVILLAGE PENKARPADA, MIRA ROAD, THANE by EVERSMILE PROPERTIES PVT LTD. |
| 7. <b>Name of Company/Organization</b>            | EVERSMILE PROPERTIES PVT LTD.  |
| 8. <b>Location of Project</b>                     | Maharashtra  |
| 9. <b>TOR Date</b>                                | N/A  |

The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 12/04/2023

(e-signed)  
Pravin C. Darade , I.A.S.  
Member Secretary  
SEIAA - (Maharashtra)

*Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.*

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PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,  
and Virtuous Environmental Single-Window Hub)



## STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

No. SIA/MH/MIS/238569/2021  
 Environment & Climate Change Department  
 Room No. 217, 2<sup>nd</sup> Floor,  
 Mantralaya, Mumbai- 400032.

To  
 M/s. Eversmile Properties Pvt Ltd.  
 Village: Penkarpada, Mira road, Thane

Subject: Environmental Clearance for proposed residential development at old Survey No. 233 (Pt.), 235 (Pt.), and 256 (Pt.), {new survey no. 66 (Pt.), 68 (Pt.), and 69 (Pt.)} at Village: Penkarpada, Mira road, Thane by M/s. Eversmile Properties Pvt Ltd.

Reference: Application no. SIA/MH/MIS/238569/2021

This has reference to your communication on the above-mentioned subject. The proposal was considered by the SEAC-2 in its 178<sup>th</sup> meeting under screening category 8 (b) B1 as per EIA Notification, 2006 and recommend to SEIAA. Proposal then considered in 257<sup>th</sup> meeting (Day-4) of State Level Environment Impact Assessment Authority (SEIAA) held on 10.03.2023.

2. Brief Information of the project submitted by you is as below:-

Sr No.	Description	Details	
1	Proposal Number	SIA/MH/MIS/238569/2021	
2	Name of Project	Proposed residential development at old Survey No. 233 (Pt.), 235(Pt.) and 256(Pt.) (new survey no. 66(Pt.), 68(Pt.) and 69(Pt.) at Village: Penkapada, Mira road, Thane by M/s Eversmile Properties Pvt Ltd.	
3	Project category	8(b) B1	
4	Type of Institution	Private	
5	Project Proponent	Name	Mr. Parag Saraiya
		Regd. Office address	101, Kalpataru Synergy, Opp. Grand Hyatt, Santacruz (E), Mumbai 400 055.
		Contact number	022 30645000
		e-mail	<a href="mailto:eversmile@kalpataru.com">eversmile@kalpataru.com</a>

6	Consultant	Name: M/s. Enviro Analysts & Engineers Pvt. Ltd. NABET Accreditation No: NABET/EIA/2023/RA0206 Validity: 13.05.2023					
7	Applied for	New					
8	Location of the project	Old Survey No. 233 (Pt.), 235(Pt.) and 256(Pt.) (new survey no. 66(Pt.), 68(Pt.) and 69(Pt.) at Village: Penkarpada, Mira road, Thane.					
9	Latitude and Longitude	Latitude: 19°16'19.39"N Longitude: 72°52'10.49"E					
10	Plot Area (sq.m.)	37,880.43 sq. mt.					
11	Deductions (sq.m.)	0.00 sq. mt.					
12	Net Plot area (sq.m.)	37,880.43 sq. mt.					
13	Ground coverage (m <sup>2</sup> ) & %	22869.166 sq. mt. (60.371 %)					
14	FSI Area (sq.m.)	1,85,303.99 sq. mt.					
15	Non-FSI (sq.m.)	138352.19 sq. mt.					
16	Proposed built-up area (FSI + Non FSI) (sq.m.)	323656.18 sq. mt.					
17	TBUA (m <sup>2</sup> ) approved by Planning Authority till date	CC has been received dated -31//3/2022 from MBMC. Approved FSI area- 1,93,657. 72sq.m					
18	Earlier EC details with Total Construction area, if any.	NA. This is fresh project.					
19	Construction completed (FSI + Non FSI) (sq.m.)						
20	<b>Previous EC / Existing Building</b>		<b>Proposed Configuration</b>			<b>Reason for Modification / Change</b>	
	<b>Buildi ng Name</b>	<b>Configura tion</b>	<b>Heig ht (m)</b>	<b>Building Name</b>	<b>Configuration</b>		<b>Height (m)</b>
		NA	NA	A	2B + Ground + 1 <sup>st</sup> Podium + 2 <sup>nd</sup> Podium+ 1st to 33th floor	108.60	NA
				B	2B + Ground + 1 <sup>st</sup> Podium + 2 <sup>nd</sup> Podium+ 1st to 33th floor	108.60	
			C	2B + Ground/Shopping + 1 <sup>st</sup> Podium/Shop ping + 2 <sup>nd</sup> Podium + 1st	108.60		

				to 33th floor	
			D	3B + Ground/Shopping + 1 <sup>st</sup> Podium/Shopping + 2 <sup>nd</sup> Podium + 1st to 33th floor	108.60
			E	3B + Ground + 1st Podium + 2 <sup>nd</sup> Podium + 1st to 31 <sup>st</sup> floor	102.70
			F	3B + Ground + 1st Podium + 2nd Podium + 1st to 31st floor	102.70
			G	2B + Ground + 1st Podium + 2nd Podium + 1st to 31st floor	102.70
			H	2B + Ground + 1st Podium + 2nd Podium + 1st to 31st floor	102.70
			I	2B + Ground + 1st Podium + 2nd Podium + 1st to 2nd floor	16.00
			J	2B + Ground + 1st to 4th floor	14.95
			K	2B + Ground + 1st Podium + 2nd Podium + 1st to 3rd floor	18.95
			L	2B + Ground + 1st Podium + 2nd Podium + 1st to 33th floor	108.60
21	No. of Tenements & Shops	Flats-2521 Nos. Shops-21 nos			
22	Total Population	11602 Nos.			
23	Total Water Requirements CMD	Total Water Requirement:1705 Domestic: 1103 Flushing: 572 Landscape: 30			
24	Under Ground Tank (UGT) location	Below ground			
25	Source of water	MBMC			

26	STP Capacity & Technology	1624 KLD MBBR technology			
27	STP Location	Ground			
28	Sewage Generation CMD & % of sewage discharge in sewer line	Sewage Generation is 1455 CMD & 634 CMD (35% of sewage discharge in the sewer line.)			
29	Solid Waste Management during Construction Phase	<b>Type</b>	<b>Quantity (Kg/d)</b>	<b>Treatment / disposal</b>	
		Dry waste	20	Will be handed over to a recycler	
		Wet waste	30	Will be handed over to municipal waste collector	
		Construction waste	Top Soil	6805 7 cum	To be preserved for landscaping.
			Demolition waste	Nil	NA
		Excavated material	1375 50 cum	The excavated soil shall be reused for backfilling to the extent possible. The excess shall be disposed off	
Cement Bags	9133 8	The empty bags shall be recycled and reused.			
Paint container	2316 8	To be sold to			

			(@20L)	Cans	recyclers
			Scrap metal generated	706 Mt	The steel shall be sent for recycling
			Tiles	199787 Sq ft	The excess shall be disposed of through authorized vendors.
30	Total Solid Waste Quantities with type during Operation Phase & Capacity of OWC to be installed	<b>Type</b>	<b>Quantity (Kg/d)</b>		<b>Treatment / disposal</b>
		Dry waste	3543 kg/day		Will be handed over to a recycler.
		Wet waste	2362 kg/day		Will be treated on OWC. Manure obtained shall be used as manure for landscaping.
		E-Waste	8535 kg/year		Will be collected and sent to MPCB authorized recyclers.
		STP Sludge (dry)	73 kg/day		Sewage sludge is used as manure for gardening.
31	R.G. Area in sq. m.	RG required – 3788.04 sq.m. RG provided on Mother earth- 1.5 strip proposed			

		RG provided on Podium - 3788.04 sq.m. Total – 3788.04 sq.m.						
		Existing trees on the plot: 197nos						
		Number of trees to be planted: 1298 nos. a) In RG area: 625 nos. b) In Miyawaki Plantation; 1000 nos.						
		Number of trees to be cut: 167 nos.						
		Number of trees to be transplanted: 30 nos.						
32	Power requirement	During Operation Phase: <table border="1"> <thead> <tr> <th colspan="2">Details</th> </tr> </thead> <tbody> <tr> <td>Connected load (kW)</td> <td>37788</td> </tr> <tr> <td>Demand load (kW)</td> <td>10674</td> </tr> </tbody> </table>	Details		Connected load (kW)	37788	Demand load (kW)	10674
Details								
Connected load (kW)	37788							
Demand load (kW)	10674							
33	Energy Efficiency	a) Total Energy saving (%): 20% b) Solar energy (%): 5%						
34	D.G. set capacity	3 x 910 KVA						
35	No. of 4-W & 2-W Parking with 25% EV	4W – 2917 No's 2W – 3036 No's 25% EV Charging Points provided						
36	No. & capacity of Rain water harvesting tanks /Pits	11 Recharge Pits						
37	Project Cost in (Cr.)	Rs 1084.26crores						
38	EMP Cost	Capital Cost: Rs. 366.25 lakhs O & M Cost: Rs. 47.34 lakhs/annum						
39	CER Details with justification if any....as per MoEF&CC circular dated 01/05/2018	OM dated 30.9.2020 U/n F.No- 22-65/2017.IA.III supersedes earlier OM under even number dated 1st May, 2018 regarding guidelines in respect to CER						
40	Details of Court Cases/litigations w.r.t the project and project location, if any.	Nil						

3. Proposal is a new construction project. Proposal has been considered by SEIAA in its 257<sup>th</sup> meeting (Day-4) and decided to accord Environment Clearance to the said project under the provisions of Environment Impact Assessment Notification, 2006 subject to implantation of following terms and conditions-

**Specific Conditions:**

**A. SEAC Conditions-**

1.PP to submit IOD/IOA/Concession Document/Plan Approval or any other form of documents as applicable clarifying its conformity with local planning rules and provisions as per the Circular dated 30.01.2014 issued by the Environment Department, Govt. of Maharashtra.

2.PP to submit revised CRZ NOC from MCZMA as per latest revised planning of the project.

3.PP to submit details energy calculation with terrace floor plan in accordance with shadow

analysis & ensure that the energy savings from renewable sources shall be minimum 5 % & over all energy saving of the project is minimum 20%.

4.PP to reduce discharge of treated water up to 35%. PP to submit undertaking from concerned authority/agency/third party regarding use of excess treated water.

5.PP to revise biodiversity chapter in EIA including details of trees to be cut & compensatory plantation details.

6.PP to provide adequate mechanical ventilation in the STP-2 & include cost of it in EMP.

7.PP to provide two row plantations all along the project boundary to mitigate noise and air pollution due to vehicular movements on roads.

8.Planning authority to ensure that water supply, sewer and storm water networks are made available in the vicinity of the project before issuing occupation certificate to the project.

#### **B. SEIAA Conditions-**

1. This EC is restricted for height up to 107.25 for Building Wing-A to B, for height up to 101.35 m for Wing -E to H & for height up to 107.25 m for Wing -L. SEIAA decided to restrict building height as per CFO NOC.
2. 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.
3. PP to achieve at least 5% of total energy requirement from solar/other renewable sources.
4. 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.
5. SEIAA after deliberation decided to grant EC for – FSI area -1,85,303.99 m<sup>2</sup>, Non FSI area - 1,38,352.19 m<sup>2</sup> and total BUA - 3,23,656.18 m<sup>2</sup>. (Plan approval No. MBMC/TP/46/2021-22, dated- 31.03.2022) (Restricted as per appraisal)

#### **General Conditions:**

##### **a) Construction Phase :-**

- I. The solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- II. Disposal of muck, Construction spoils, including bituminous material during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in the approved sites with the approval of competent authority.
- III. Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- IV. Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- V. Arrangement shall be made that waste water and storm water do not get mixed.
- VI. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices.
- VII. The ground water level and its quality should be monitored regularly in

consultation with Ground Water Authority.

- VIII. Permission to draw ground water for construction of basement if any shall be obtained from the competent Authority prior to construction/operation of the project.
- IX. Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
- X. The Energy Conservation Building code shall be strictly adhered to.
- XI. All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- XII. Additional soil for levelling of the proposed site shall be generated within the sites (to the extent possible) so that natural drainage system of the area is protected and improved.
- XIII. Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
- XIV. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.
- XV. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.
- XVI. Vehicles hired for transportation of Raw material shall strictly comply the emission norms prescribed by Ministry of Road Transport & Highways Department. The vehicle shall be adequately covered to avoid spillage/leakages.
- XVII. Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/MPCB.
- XVIII. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during construction phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel is preferred. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- XIX. Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings by a separate environment cell /designated person.

#### **B) Operation phase:-**

- I. a) The solid waste generated should be properly collected and segregated. b) Wet waste should be treated by Organic Waste Converter and treated waste (manure) should be utilized in the existing premises for gardening. And, no wet garbage will be disposed outside the premises. c) Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- II. E-waste shall be disposed through Authorized vendor as per E-waste (Management and Handling) Rules, 2016.

- III. a) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the MPCB and Environment department before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Necessary measures should be made to mitigate the odour problem from STP. b) PP to give 100 % treatment to sewage /Liquid waste and explore the possibility to recycle at least 50 % of water, Local authority should ensure this.
- IV. Project proponent shall ensure completion of STP, MSW disposal facility, green belt development prior to occupation of the buildings. As agreed during the SEIAA meeting, PP to explore possibility of utilizing excess treated water in the adjacent area for gardening before discharging it into sewer line No physical occupation or allotment will be given unless all above said environmental infrastructure is installed and made functional including water requirement.
- V. The Occupancy Certificate shall be issued by the Local Planning Authority to the project only after ensuring sustained availability of drinking water, connectivity of sewer line to the project site and proper disposal of treated water as per environmental norms.
- VI. Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- VII. PP to provide adequate electric charging points for electric vehicles (EVs).
- VIII. Green Belt Development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO/ Agriculture Dept.
- IX. A separate environment management cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.
- X. Separate funds shall be allocated for implementation of environmental protection measures/EMP along with item-wise breaks-up. These cost shall be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes.
- XI. The project management shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the Marathi language of the local concerned within seven days of issue of this letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the Maharashtra Pollution Control Board and may also be seen at Website at [parivesh.nic.in](http://parivesh.nic.in)
- XII. A copy of the clearance letter shall be sent by proponent to the concerned Municipal Corporation and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
- XIII. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO<sub>2</sub>, NO<sub>x</sub> (ambient levels as well as stack emissions) or critical sector parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the

company in the public domain.

**C) General EC Conditions:-**

- I. PP has to strictly abide by the conditions stipulated by SEAC& SEIAA.
  - II. If applicable Consent for Establishment" shall be obtained from Maharashtra Pollution Control Board under Air and Water Act and a copy shall be submitted to the Environment department before start of any construction work at the site.
  - III. Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining environmental clearance.
  - IV. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.
  - V. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.
  - VI. No further Expansion or modifications, other than mentioned in the EIA Notification, 2006 and its amendments, shall be carried out without prior approval of the SEIAA. In case of deviations or alterations in the project proposal from those submitted to SEIAA for clearance, a fresh reference shall be made to the SEIAA as applicable to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.
  - VII. This environmental clearance is issued subject to obtaining NOC from Forestry & Wild life angle including clearance from the standing committee of the National Board for Wild life as if applicable & this environment clearance does not necessarily implies that Forestry & Wild life clearance granted to the project which will be considered separately on merit.
4. The environmental clearance is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this clearance does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.
  5. This Environment Clearance is issued purely from an environment point of view without prejudice to any court cases and all other applicable permissions/ NOCs shall be obtained before starting proposed work at site.
  6. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environment clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.
  7. Validity of Environment Clearance: The environmental clearance accorded shall be valid as per EIA Notification, 2006, amended from time to time.
  8. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and rules there under, Hazardous Wastes

(Management and Handling) Rules, 1989 and its amendments, the public Liability Insurance Act, 1991 and its amendments.

9. Any appeal against this Environment clearance shall lie with the National Green Tribunal (Western Zone Bench, Pune), New Administrative Building, 1<sup>st</sup> Floor, D-Wing, Opposite Council Hall, Pune, if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.



Pravin Darade  
(Member Secretary, SEIAA)

Copy to:

1. Chairman, SEIAA, Mumbai.
2. Secretary, MoEF & CC, IA- Division MOEF & CC
3. Member Secretary, Maharashtra Pollution Control Board, Mumbai.
4. Regional Office MoEF & CC, Nagpur
5. District Collector, Thane
6. Commissioner, Mira Bhaindar Municipal Corporation
7. Regional Officer, Maharashtra Pollution Control Board, Thane

**Signature Not Verified**

Digitally signed by Shri Pravin C.  
Darade , I.A.S.  
Member Secretary

Date: 4/12/2023 2:39:24 PM