

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE**

OA No. 33/2020

Tanaji Gambhire

... Applicant

V/s

Union of India & Ors.

... Respondents

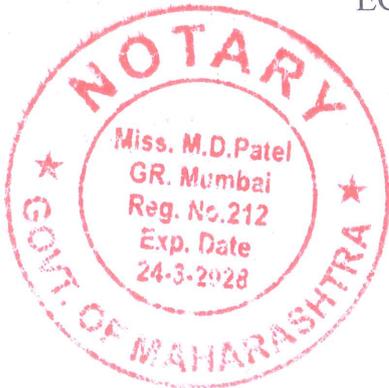
**REPLY AFFIDAVIT BY RESPONDENT NO. 4,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY**

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 –

(P)

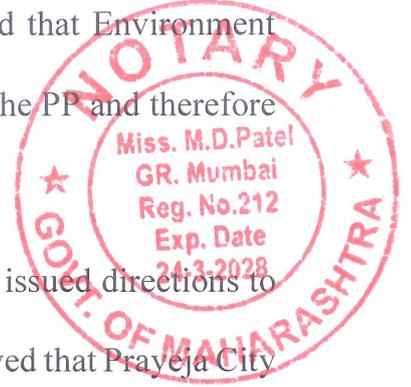
I am well conversant with the facts of the present case and I am competent to swear this Affidavit based upon the records available with this office.

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 deemed to have been admitted by this respondent unless and until the same has been admitted by the respondent.
2. The present case pertains to project named and styled as Prayeja City-I at S.no. 71/5 (P), 71/6A/1 to 71/6A/13, 71/6B/1 to 71/6B/6, 71/7B, 71/9A/1, 71/3/1 to 71/3/6 and Prayeja City-II at S. no. 71 (PT) and 72/20A to 27A, Vill. Vadgaon Bk, Sinhgad Road, Pune-411051 undertaken by the Respondent no. 13 M/s Bhandari Gelada Associates LLP & M/s Prayeja Developers LLP. It is alleged that the said project is being undertaken by the PP without obtaining prior EC, Consent to Establish and other environmental non compliances.
3. Admittedly the present project doesn't have valid environmental clearance and the PP has undertaken construction without obtaining prior EC. This is violation under EIA Notification, 2006.





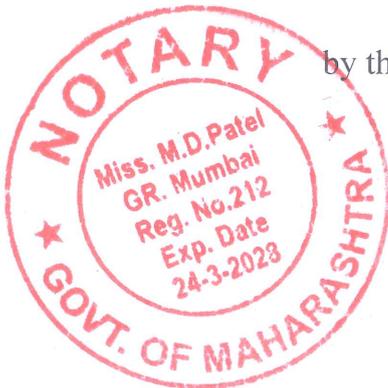
4. Based on the complaint received from the Applicant, Environment Department on 29-08-2019 issued proposed directions u/s. 5 of the Environment Protection Act, 1986 to the PP.
5. On 05-09-2019, the PP made an application for prior EC to the SEIAA for Prayeja City - I. SEAC – 3 considered the proposal in their 96th Meeting dated 15-18th October, 2019 and observed that Environment Department has issued proposed directions against the PP and therefore referred the proposal to SEIAA.
6. On 16th November, 2019, Environment Department issued directions to the PMC. In the said letter the Department has observed that Prayeja City I & II have made total construction of BUA 67,154.88 m² on plot no. 1 & 2 on Survey No. 71(P) and 72(P). As per the bifurcation, the total BUA constructed on Prayeja – I is 56,292.038 m² and Prayeja – II is 11,150.00 m². Both the projects are independent with separate commencement and sanctions. However, BUA of Prayeja – I is 56,292 m² which is violation of EP Act. Prayeja – II BUA is 11,150 m² which is liable to excluded from getting prior EC as per the EP Act. Accordingly directions issued to PMC to take strict action against the PP.
7. With respect to Prayeja city – II, SEAC considered the proposal of PP for prior EC for a total BUA of 37,095m² in their 114th Meeting dated 3rd to 5th February, 2021 and recommended the proposal for EC subject



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to outcome of the Civil Appeal No. 04/2021 pending before the Hon'ble Supreme Court.

8. SEIAA considered the proposal of the PP in their 183rd Meeting dated 13th December 2019 and observed that PP has accepted that they have constructed more than 20,000 m² without obtaining prior EC and PP also hasn't applied under the Amnesty Scheme of MoEF&CC dated 14-03-2017 and 08-03-2018. Therefore SEIAA decided to delist the proposal.
9. PP has applied for EC under the MoEF&CC notification dated 07-07-2021 vide application no. SIA/MH/INFRA2/406656/2022 dated 16-11-2022. the ToR application was considered in 162nd SEAC-3 Meeting Scheduled On 23rd, 24th and 25th January, 2023 and recommended the proposal to SEIAA for grant of ToR . After that SEIAA in its 257 meeting dated 2nd March considered and decided to grant ToR. Presently application is pending before the SEAC for awaiting the compliances from project proponent.
10. 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.



A handwritten signature in blue ink, appearing to be 'M.D. Patel', written over a small circular stamp.

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 22-08-2023

Dattatray Suryakant Bhalerao
Scientist II & Under Secretary,
Environment & CC Department,
Government of Maharashtra



VERIFICATION

I, Dattatray Suryakant Bhalerao, Age-40, working as Scientist II & Under Secretary, Environment and Climate Change Department, Government of Maharashtra, having my office address at 15th Floor, New Administrative Building, 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 22nd day of August 2023 at Mumbai.

[Handwritten initials]



[Handwritten signature of Dattatray Suryakant Bhalerao]

Dattatray Suryakant Bhalerao
Scientist II & Under Secretary,
Environment & CC Department,
Government of Maharas

BEFORE ME

M. D. Patel
22-8-2023
Sr. No. 556
Bk. No. 4

MISS M. D. PATEL
ADVOCATE & NOTARY
Kohiar House,
4, Dhuswadi, Dhobitalao,
MUMBAI - 400 002.

I+MHADA with configuration BP+P+15FL, Commercial Building 1 and Commercial Building 2 with configuration BP+G+1st/Mezz.Fl. To 5th Flr and 1 building with building configuration BP+GP+Pod+1 FL.

PP further stated that, till date total built up area constructed on site is 27119.09Sq.mt.

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

During discussion following points emerged:

“Committee noted that, as per Architect’s certificate submitted by PP, they have constructed wing A and wing B- BP+P+8th floors instead of approved building profile for wing A & wing B- P + 12 floors. After detailed deliberation & considering the above said changes in the approved building profile, committee is of the opinion that, prima facie, this is a case of violation of EIA Notification. The expansion/amendment proposal therefore cannot be appraised and is liable for rejection. Committee also noticed that, the PP has not submitted their application as per Notification issued by MoEF & CC dated 14.03.2017 or Office Memorandum issued by MoEF & CC dated 7th July, 2021 for violation cases, hence Committee decided to refer the application to SEIAA for rejection and further necessary action.”

19	P-19	SIA/MH/INFRA2/401364/2022	“SHIV VISTARA” Proposed Residential and Commercial Project by OM Shivam Buildcon Private Limited
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PP was absent hence the proposal was deferred.

20	P-20	SIA/MH/INFRA2/406656/2022	Project "Prayeja City - Plot No. 1" at Wadgaon (Bk), Pune by Bhandari Gelada Associates LLP & Prayeja Developers LLP
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Representative of PP Mr. Sandeep was present during the meeting along with environmental consultant M/s. M/s. COGNIZANCE RESEARCH INDIA PRIVATE LTD. (CRIPL)

It is noted that, the PP has submitted the application for Environmental Clearance as per Office Memorandum dated 07.07.2021 under violation category for proposed residential

and commercial project with total plot area of 23485.5m², FSI area of 27871.63m², Non FSI area of 28420.406m² and total BUA of 56292.036m².

Brief information of the proposal is as below:

1.	Proposal Number	SIA/MH/INFRA2/406656/2022	
2.	Name of Project	Project "Prayeja City - Plot No. 1" at Wadgaon (Bk), Pune by Bhandari Gelada Associates LLP & Prayeja Developers LLP	
3.	Project category	Schedule 8(a) Category B2	
4.	Type of Institution	Private	
5.	Project Proponent	Name	Mr. Sandeep Jani
		Regd. Office address	"Mangeshree", 1464, Sadashiv Peth, Pune 411030
		Contact number	8600866660
		e-mail	sn.jani@yahoo.in
6.	Name and Details of Consultant	Accredited Consultant Organization – M/s. COGNIZANCE RESEARCH INDIA PRIVATE LTD. (CRIPL) NABET Certificate No.: NABET/EIA/1922/RA0151	
7.	Applied for	Fresh EC-Existing Construction-Application under SOP for Identification and Handling of Violation Cases vide circular number F. No. 22-21/2020-IA.III dated 07/07/2021	
8.	Details of previous EC	N.A.	
9.	Location of the project	S.no. 71/5(Pt), 71/6A/1 To 71/6A/13, 71/6B/1 To 71/6B/6, 71/7B, 71/9A/1, 71/3/1 To 71/3/6, Plot No.1, Sinhgad Road, Village - Wadgaon(Bk), Taluka - Haveli, District - Pune, State – Maharashtra Pincode - 411041	
10.	Latitude and Longitude	Latitude - 18°28'1.79"N	
		Longitude - 73°48'48.76"E	
11.	Total Plot Area (m ²)	23485.5	
12.	Deductions (m ²)	3652.17	
13.	Net Plot area (m ²)	19833.33	
14.	Proposed FSI area (m ²)	27871.63	
15.	Proposed Non-FSI area (m ²)	28420.406	

16.	Proposed TBUA (m2)	56292.036					
17.	TBUA (m2) approved by Planning Authority till date	As per IOD					
18.	Total Project Cost (Rs.)	Rs. 87.12 Crore					
19.	CER as per MoEF & CC circular dated 01/05/2018	Acti vity	Location	Cost (Rs.)	Duration		
		As per Circular dated 30/09/2020					
20.	<p>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.</p>						
	Previous EC / Existing Building		Proposed Configuration			Reason for Modification / Change	
	Building Name	Configurati on	Heig ht (m)	Building Name	Configuration		Height (m)
	Building A	G+5 Floors	17.7	-	-		-
	Building A1	P+10 Floors	34.8	-	-		-
	Building B	P+9 Floors	29	-	-		-
	Building C1	P+9 Floors	29				
	Building C2	P+9 Floors	29	-	-		-
	Building C3	P+9 Floors	29	-	-		-
	Building C4	P+11 Floors	34.8	-	-		-
	Building D	P+6 Floors	20.3	-	-		-
	Building E1	P+11 Floors	34.8	-	-		-

	Building E2	P+6 Floors	20.3	-	-	-
	Building F1+F2	P+St.+6 Floors	23.75	-	-	-
21.	Total number of tenements		617 Residential Tenements			
22.	Water Budget	Dry Season (CMD)		Wet Season (CMD)		
		Fresh Water	279.05	Fresh Water	279.05	
		Recycled	154.58	Recycled	154.58	
		Swimming Pool	6.03	Swimming Pool	6.03	
		Flushing	140.58	Flushing	140.58	
		Total	439.65	Total	425.66	
		Waste water generation	377.66	Waste water generation	377.66	
23.	Water Storage Capacity for Firefighting / UGT	As per NOC				
24.	Source of water	PMC				
		Size and no of RWH tank(s) and Quantity		N.A.		
		Quantity and size of recharge pits		Quantity: 10 Nos & Size: 2mX1.5mX2m		
		Details of UGT tanks if any		Domestic + Drinking	416	
				Flushing	208	
				Fire	As per NOC	
25.	Sewage and Waste water	Sewage generation in CMD	377.66			
		STP technology	MBBR			
		Capacity of STP (CMD)	380 KLD			
26.	Solid Waste Management during Construction Phase	Type	Quantity (kg/d)	Treatment / disposal		
		Dry waste	As per NBC	Through authorized agency		
		Wet waste	As per NBC	Through authorized agency		
		Construction waste	As per C&D Rules	Through authorized agency		
27.	Solid Waste Management during	Type	Quantity (kg/d)	Treatment / disposal		
		Dry waste	624	Handed over to Authorized Agency		
		Wet waste	929	In-situ Composting		
		Hazardous waste	Negligible	Negligible		

	Operation Phase	Biomedical waste	N.A.	N.A.	
		E-Waste	4.4	Handed over to Authorized Dismantler / Recycler	
		STP Sludge (dry)	34.17	In-situ Composting	
28.	Green Belt Development	Total RG area (m2)	2333.33		
		Number of trees proposed	248 Nos. of Trees Required by Rule		
29.	Power requirement	Source of power supply	MSEDCL		
		During Construction Phase (Demand Load)	102 kW		
		During Operation phase (Connected load)	2705 kW		
		During Operation phase (Demand load)	1153 kW		
		Transformer	630 kVA X 2 Nos. + 250 kVA X 1 Nos.		
		DG set	200 kVA X 1 Nos. + 110 kVA X 1 Nos.		
		Fuel used	HSD		
30.	Details of Energy saving	<p>Most of the common area & external lighting are proposed to work on high energy efficient lamps (LED) as specified in bureau of energy efficiency which again results in saving in general consumption</p> <p>Low loss Transformers due to which 6.22% losses are saved against conventional transformer.</p> <p>Power Capacitors are proposed for load power factor correction and to maintain a healthy power situation. This also results in less demand load factor for the project.</p> <p>Solar PV, Hot Water, Solar Street Lights, Energy Efficient Motors are proposed</p>			
31.	Environmental Management plan budget during Construction phase	No.	Details	Cost	
		1	Water for Construction, Labour & Dust Suppression	Rs. 4 Lakhs	
		2	Site Sanitation & Health & Safety PPE Kits	Rs. 3 Lakhs	
		3	Environmental Monitoring	Rs. 4 Lakhs	
		4	Disinfection & Health & Safety	Rs. 3 Lakhs	
		5	Health Check up	Rs. 3 Lakhs	
32.	Environmental Management plan Budget during Operation phase	Component	Details	Capital (Rs. In Lacs)	O&M (Rs. In Lacs/Yr)
		Sewage treatment	Waste Water Management	19.20	8.90
		RWH	RWH Pits	6.25	0.50
		Solid Waste	Organic Waste Composting	22.80	2.09
		Green belt development	Tree Plantation	35.20	11.90
		Energy saving	Energy Conservation	81.00	1.00

		Environmental Monitoring	Pollution Control	0.00	6.00
		Disaster Management	Fire & LA	As per State DMP	As per State DMP
		PPE Kits Health & Safety	Biomedical Waste Management	0.00	1.00
33.	Traffic Management	Type	Required as per DCR	Proposed	Parking Area (m2)
		4-Wheeler	342	342	6929.40
		2-Wheeler	1015	1015	
		Bicycles	892	892	
34.	Details of Court cases / litigation w.r.t. the project and project location if any		<ol style="list-style-type: none"> 1. Ongoing NGT Case - NGT Western Zone Bench – Order Pending 2. Directions issued under section 5 of the Environment (Protection) Act 1986 rw EIA Notification 2006 		

Deliberations:

PP stated that, the Project is a residential project located in Haveli, Pune. PP stated that, the project was commenced in March 2007 as per the CC vide First Commencement vide Sanction No. CC/4871/06 dated 30/03/2007. PP further stated that, the entire construction activity was completed. PP informed that, occupancy is given to all buildings and STP is installed on site and is operative. PP further informed that, currently, one NGT case is ongoing with respect to the project and the order is pending.

PP further informed that, now they have applied for Violation TOR for total construction built up area 56292.036sq. m.

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

After detailed deliberations on the proposal committee confirmed the case to be of violation of the EIA Notification, 2006 and as per Office Memorandum- F. No. 22-21/2020-IA.III dated 07.07.2021 issued by the Ministry of Environment, Forest & Climate Change, decided to issuing following Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP).

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 28th January 2022 and Approach for Assessment for Environment Damage and Estimation of Remediation Costs for Building Construction Projects Initiated Without Mandatory Environment Clearance” 2018

The following TOR are drafted with reference to Ministry of Environment Forest and Climate Change impact assessment division TORs for Violation Case a) For Construction Sector vide Notification S.O.804 (E) dated 14th March 2017 in the matter of IA/HR/NCP/63612/2017 and b) For Mining Sector dated 12th November 2018 in the proposal No IA/MH/MIN/68113/2017.

A) Project Description

1. Project description, its importance and benefits.
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.
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.
4. Land acquisition status, R & R details.
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.
6. High Tension lines or Hazard lines if any on the plot.
7. Plan showing HFL/CRZ lines.
8. Permissions granted by State Government in tabular and chronological form. Comparative statement of components approved and components constructed including its configuration as per earlier EC (if applicable) and proposed development.
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.
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

11. Baseline environmental study for ambient air (PM₁₀, PM_{2.5}, SO₂, 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.

12. 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.

13. Likely impact of the project on the environmental parameters (ambient air surface and ground water, land, flora and fauna and socio-economic, etc.)

14. 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.

15. Socio-economic infrastructure details including public transport arrangements on the site; PP to mention details of socio-economic in EIA.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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).

21. 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.

22. Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

23. 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.

24. 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.
25. 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.
26. 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.
27. 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 in detail including:

28. 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.
29. Traffic Volume Counts and Turning Movement Counts on all the external surrounding roads of the proposed project showing the time period taken.
30. Topographic details of roads and intersection of the surrounding roads where counts are taken, actual geometry on ground to be shown with dimensions.
31. 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.
32. 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.
33. Parking statement mentioning parking as per DCR & parking provided actually.
34. 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:

35. Identify sources of air pollution, indicate mitigation measures to reduce Air pollution/Noise pollution.
36. 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.
37. 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.
38. 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
39. PP to show internal storm water drain and sewer line arrangements up to final disposal point.
40. 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.
41. A detailed phase wise development plan with safety planning where occupancy has been given.
42. 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.
43. 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.
44. Provide details of Solar PV and Solar water heater in the specific format. PP to carry out shadow analysis for identifying the roof-top area for providing solar panels Minimum 5% of the total connected load shall be provided with Solar PV.

45. Environmental status report including analysis reports of all environmental pollution reduction facilities if any commissioned.
46. PP to submit Disaster management plan.
47. Preparation of site specific, executable and auditable environment management plan (EMP)
48. 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.
49. 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:

50. Fugitive dust modelling by using local meteorological data.
51. Ecological footprint calculation using LCA approach.
52. Estimation of Carbon footprint of the project and its analysis to be included.
53. 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.
54. 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.
55. 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.
56. 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.
57. 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.

58. 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.

59. 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:

60. 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

61. Undertaking to provide DG set backup to all Pollution Control Devices, Water Supply, Emergency Services including emergency lifts, etc.

62. 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

63. 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.

64. PP to submit Roles and Responsibilities of developer etc for compliance of environmental regulations under the provisions of EP act.

65. 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

66. 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.

67. 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.

68. Such cases shall be subject to appropriate

(a) Damage Assessment

(b) Remedial Plan and

(c) Community Augmentation Plan.

69. 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.

70. 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
71. 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.
72. The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP in a period of one year, followed by recommendations of the EAC and approval of the regulatory authority.
73. 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.
74. 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.
75. 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.
76. 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.

77. In case of continued violation after issue of TOR, the ToR/Environmental Clearance shall be terminated forthwith.

Project Specific emerged points

1. PP to submit the DP Plan.
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.
3. PP to submit the all-approvals details (CC, OC etc) regarding project under consideration.
4. PP to submit the details of Court cases / litigations w.r.t. the project and project location, if any.
5. PP to submit details of implementation of points mentioned in point number 68 along with financial requirements for same with EIA

Decision: -

After deliberation, Committee decided to recommend the proposal to SEIAA for grant of ToR.

21	P-21	SIA/MH/INFRA2/406897/2022	Palm Spring by Ajay Vinayak Lanke
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PP Mr. Lanke was present during the meeting along with environmental consultant M/s. Open Arch Design and Enviro Solutions LLP.

It is noted that, the PP has submitted the application for expansion in existing Environmental Clearance for proposed residential project with total plot area of 12022.00 m², FSI area of 43673.33 m², Non FSI area of 35442.91 m² and total BUA of 79116.24 m².

Brief information of the proposal is as below:

1.	Proposal Number	SIA/MH/INFRA2/406897/2022
2.	Name of Project	“ Palm Spring ”
3.	Project category	8(a)B2

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Item no. 04

Proposal No.:- SIA/MH/INFRA2/406656/2022

Type of Project: EC

Subject- Environmental Clearance for proposed construction Project "Prayeja City – at Plot No. 1" at Wadgaon (Bk), Pune by M/s.Bhandari Gelada Associates LLP & Prayeja Developers LLP

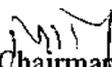
Project Details-

Representative of PP Mr. Sandeep was present during the meeting along with environmental consultant M/s. M/s. COGNIZANCE RESEARCH INDIA PRIVATE LTD. (CRIPL)

Brief information of the proposal is as below:

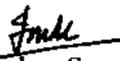
1.	Proposal Number	SIA/MH/INFRA2/406656/2022	
2.	Name of Project	Project "Prayeja City - Plot No. 1" at Wadgaon (Bk), Pune by Bhandari Gelada Associates LLP & Prayeja Developers LLP	
3.	Project category	Schedule 8(a) Category B2	
4.	Type of Institution	Private	
5.	Project Proponent	Name	Mr. Sandeep Jani
		Regd. Office address	"Mangeshree", 1464, Sadashiv Peth, Pune 411030
		Contact number	8600866660
		e-mail	sn.jani@yahoo.in
6.	Name and Details of Consultant	Accredited Consultant Organization – M/s. COGNIZANCE RESEARCH INDIA PRIVATE LTD. (CRIPL) NABET Certificate No.: NABET/EIA/1922/RA0151	
7.	Applied for	Fresh EC-Existing Construction-Application under SOP for Identification and Handling of Violation Cases vide circular number F. No. 22-21/2020-IA.III dated 07/07/2021	
8.	Details of previous EC	N.A.	
9.	Location of the project	S.no. 71/5(Pt), 71/6A/1 To 71/6A/13, 71/6B/1 To 71/6B/6, 71/7B, 71/9A/1, 71/3/1 To 71/3/6, Plot No.1, Sinhgad Road, Village - Wadgaon(Bk), Taluka - Haveli, District - Pune, State – Maharashtra Pincode - 411041	
10.	Latitude and Longitude	Latitude - 18°28'1.79"N Longitude - 73°48'48.76"E	
11.	Total Plot Area (m2)	23485.5	
12.	Deductions (m2)	3652.17	
13.	Net Plot area (m2)	19833.33	
14.	Proposed FSI area (m2)	27871.63	
15.	Proposed Non-FSI area (m2)	28420.406	


Member Secretary


Chairman

Minutes of 257th Day - 1 (Part A) meeting of SEIAA held on 02nd March, 2023.

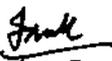
16.	Proposed TBUA (m2)	56292.036					
17.	TBUA (m2) approved by Planning Authority till date	As per IOD					
18.	Total Project Cost (Rs.)	Rs. 87.12 Crore					
19.	CER as per MoEF & CC circular dated 01/05/2018	Acti vity	Location	Cost (Rs.)	Duration		
		As per Circular dated 30/09/2020					
20.	Details of Building Configuration: <Please use following legends: Floor = F, Parking = Pk, Podium = Po, Stilt =St, Lower Ground = LG, Upper Ground = UG, Basement = B, Shops = Sh.						
	Previous EC / Existing Building		Proposed Configuration			Reason for Modification / Change	
	Building Name	Configurati on	Heig ht (m)	Building Name	Configuration		Height (m)
	Building A	G+5 Floors	17.7	-	-		-
	Building A1	P+10 Floors	34.8	-	-		-
	Building B	P+9 Floors	29	-	-		-
	Building C1	P+9 Floors	29	-	-		-
	Building C2	P+9 Floors	29	-	-		-
	Building C3	P+9 Floors	29	-	-		-
	Building C4	P+11 Floors	34.8	-	-		-
	Building D	P+6 Floors	20.3	-	-		-
	Building E1	P+11 Floors	34.8	-	-		-
Building E2	P+6 Floors	20.3	-	-	-		

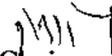

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Chairman

Minutes of 257th Day - 1 (Part A) meeting of SEIAA held on 02nd March, 2023.

	Building F1+F2	P+St.+6 Floors	23.75	-	-	-	
21.	Total number of tenements		617 Residential Tenements				
22.	Water Budget	Dry Season (CMD)			Wet Season (CMD)		
		Fresh Water	279.05	Fresh Water	279.05		
		Recycled	154.58	Recycled	154.58		
		Swimming Pool	6.03	Swimming Pool	6.03		
		Flushing	140.58	Flushing	140.58		
		Total	439.65	Total	425.66		
		Waste water generation	377.66	Waste water generation	377.66		
23.	Water Storage Capacity for Firefighting / UGT	As per NOC					
24.	Source of water	PMC					
		Size and no of RWH tank(s) and Quantity			N.A.		
		Quantity and size of recharge pits			Quantity: 10 Nos & Size: 2mX1.5mX2m		
		Details of UGT tanks if any			Domestic + Drinking	416	
					Flushing	208	
25.	Sewage and Waste water	Sewage generation in CMD		377.66			
		STP technology		MBBR			
		Capacity of STP (CMD)		380 KLD			
26.	Solid Waste Management during Construction Phase	Type	Quantity (kg/d)	Treatment / disposal			
		Dry waste	As per NBC	Through authorized agency			
		Wet waste	As per NBC	Through authorized agency			
		Construction waste	As per C&D Rules	Through authorized agency			
27.	Solid Waste Management during Operation Phase	Type	Quantity (kg/d)	Treatment / disposal			
		Dry waste	624	Handed over to Authorized Agency			
		Wet waste	929	In-situ Composting			
		Hazardous waste	Negligible	Negligible			
		Biomedical waste	N.A.	N.A.			
		E-Waste	4.4	Handed over to Authorized Dismantler / Recycler			


Member Secretary

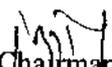

Chairman

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Minutes of 257th Day - 1 (Part A) meeting of SEIAA held on 02nd March, 2023.

		STP Sludge (dry)	34.17	In-situ Composting	
28.	Green Belt Development	Total RG area (m ²)	2333.33		
		Number of trees proposed	248 Nos. of Trees Required by Rule		
29.	Power requirement	Source of power supply	MSEDCL		
		During Construction Phase (Demand Load)	102 kW		
		During Operation phase (Connected load)	2705 kW		
		During Operation phase (Demand load)	1153 kW		
		Transformer	630 kVA X 2 Nos. + 250 kVA X 1 Nos.		
		DG set	200 kVA X 1 Nos. + 110 kVA X 1 Nos.		
		Fuel used	HSD		
30.	Details of Energy saving	<p>Most of the common area & external lighting are proposed to work on high energy efficient lamps (LED) as specified in bureau of energy efficiency which again results in saving in general consumption</p> <p>Low loss Transformers due to which 6.22% losses are saved against conventional transformer.</p> <p>Power Capacitors are proposed for load power factor correction and to maintain a healthy power situation. This also results in less demand load factor for the project.</p> <p>Solar PV, Hot Water, Solar Street Lights, Energy Efficient Motors are proposed</p>			
31.	Environmental Management plan budget during Construction phase	No.	Details	Cost	
		1	Water for Construction, Labour & Dust Suppression	Rs. 4 Lakhs	
		2	Site Sanitation & Health & Safety PPE Kits	Rs. 3 Lakhs	
		3	Environmental Monitoring	Rs. 4 Lakhs	
		4	Disinfection & Health & Safety	Rs. 3 Lakhs	
		5	Health Check up	Rs. 3 Lakhs	
32.	Environmental Management plan Budget during Operation phase	Component	Details	Capital (Rs. In Lacs)	O&M (Rs. In Lacs/Yr)
		Sewage treatment	Waste Water Management	19.20	8.90
		RWH	RWH Pits	6.25	0.50
		Solid Waste	Organic Waste Composting	22.80	2.09
		Green belt development	Tree Plantation	35.20	11.90
		Energy saving	Energy Conservation	81.00	1.00
		Environmental Monitoring	Pollution Control	0.00	6.00
		Disaster Management	Fire & LA	As per State DMP	As per State DMP


Member Secretary


Chairman

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		PPE Kits Health & Safety	Biomedical Waste Management	0.00	1.00
33.	Traffic Management	Type	Required as per DCR	Proposed	Parking Area (m ²)
		4-Wheeler	342	342	
		2-Wheeler	1015	1015	
		Bicycles	892	892	6929.40
34.	Details of Court cases / litigation w.r.t. the project and project location if any		<ol style="list-style-type: none"> 1. Ongoing NGT Case - NGT Western Zone Bench -- Order Pending 2. Directions issued under section 5 of the Environment (Protection) Act 1986 rw EIA Notification 2006 		

SEAC Deliberation –

PP stated that, the Project is a residential project located in Haveli, Pune. PP stated that, the project was commenced in March 2007 as per the CC vide First Commencement vide Sanction No. CC/4871/06 dated 30/03/2007. PP further stated that, the entire construction activity was completed. PP informed that, occupancy is given to all buildings and STP is installed on site and is operative. PP further informed that, currently, one NGT case is ongoing with respect to the project and the order is pending.

PP further informed that, now they have applied for Violation TOR for total construction built up area 56292.036sq. m.

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

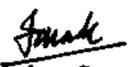
After detailed deliberations on the proposal committee confirmed the case to be of violation of the EIA Notification, 2006 and as per Office Memorandum- F. No. 22-21/2020-IA.III dated 07.07.2021 issued by the Ministry of Environment, Forest & Climate Change, decided to issuing following Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP).

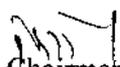
Terms of Reference for EIA and preparation of Environment Management Plan (EMP) for Violation Cases

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 28th January 2022 and Approach for Assessment for Environment Damage and Estimation of Remediation Costs for Building Construction Projects Initiated Without Mandatory Environment Clearance” 2018

The following TOR are drafted with reference to Ministry of Environment Forest and Climate Change impact assessment division TORs for Violation Case a) For Construction Sector vide Notification S.O.804 (E) dated 14th March 2017 in the matter of IA/HR/NCP/63612/2017 and b) For Mining Sector dated 12th November 2018 in the proposal No IA/MH/MIN/68113/2017.

A) Project Description


Member Secretary

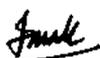

Chairman

Minutes of 257th Day - 1 (Part A) meeting of SEIAA held on 02nd March, 2023.

1. Project description, its importance and benefits.
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.
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.
4. Land acquisition status, R & R details.
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.
6. High Tension lines or Hazard lines if any on the plot.
7. Plan showing HFL/CRZ lines.
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.
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.
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

11. Baseline environmental study for ambient air (PM₁₀, PM_{2.5}, SO₂, 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.
12. 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.
13. Likely impact of the project on the environmental parameters (ambient air surface and ground water, land, flora and fauna and socio-economic, etc.)
14. 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.



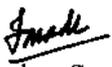
Member Secretary



Chairman

Minutes of 257th Day - 1 (Part A) meeting of SEIAA held on 02nd March, 2023.

15. Socio-economic infrastructure details including public transport arrangements on the site; PP to mention details of socio-economic in EIA.
 16. 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.
 17. 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.
 18. 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.
 19. 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.
 20. 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).
 21. 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.
 22. Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
 23. 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.
 24. 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.
 25. 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.
 26. 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.
 27. 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 in detail including:**
28. 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.


Member Secretary

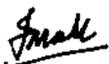

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Minutes of 257th Day - 1 (Part A) meeting of SEIAA held on 02nd March, 2023.

29. Traffic Volume Counts and Turning Movement Counts on all the external surrounding roads of the proposed project showing the time period taken.
30. Topographic details of roads and intersection of the surrounding roads where counts are taken, actual geometry on ground to be shown with dimensions.
31. 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.
32. 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.
33. Parking statement mentioning parking as per DCR & parking provided actually.
34. 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:

35. Identify sources of air pollution, indicate mitigation measures to reduce Air pollution/Noise pollution.
36. 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.
37. 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.
38. 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
39. PP to show internal storm water drain and sewer line arrangements up to final disposal point.
40. 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.



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41. A detailed phase wise development plan with safety planning where occupancy has been given.
 42. 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.
 43. 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.
 44. 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.
 45. Environmental status report including analysis reports of all environmental pollution reduction facilities if any commissioned.
 46. PP to submit Disaster management plan.
 47. Preparation of site specific, executable and auditable environment management plan (EMP)
 48. 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.
 49. 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:**
50. Fugitive dust modelling by using local meteorological data.
 51. Ecological footprint calculation using LCA approach.
 52. Estimation of Carbon footprint of the project and its analysis to be included.
 53. 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.
 54. 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.
 55. 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.


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56. 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.
57. 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.
58. 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.
59. 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:

60. 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
61. Undertaking to provide DG set backup to all Pollution Control Devices, Water Supply, Emergency Services including emergency lifts, etc.
62. 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
63. 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.
64. PP to submit Roles and Responsibilities of developer etc for compliance of environmental regulations under the provisions of EP act.
65. 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

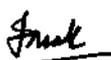
66. The State Government/SPCB shall take action against the project proponent under the provisions of section 15 read in conjunction with Section 19 of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC.
67. As per extant regulations 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.
68. Such cases shall be subject to appropriate
 - (a) Damage Assessment
 - (b) Remedial Plan and
 - (c) Community Augmentation Plan.


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69. 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.
70. 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
71. 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.
72. The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP in a period of one year, followed by recommendations of the EAC and approval of the regulatory authority.
73. 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.
74. 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.
75. 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.
76. 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.


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- 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.

77. In case of continued violation after issue of TOR, the ToR/Environmental Clearance shall be terminated forthwith.

Project Specific emerged points

1. PP to submit the DP Plan.
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.
3. PP to submit the all-approvals details (CC, OC etc) regarding project under consideration.
4. PP to submit the details of Court cases / litigations w.r.t. the project and project location, if any.
5. PP to submit details of implementation of points mentioned in point number 68 along with financial requirements for same with EIA

Recommendations of SEAC-

After deliberation, Committee decided to recommend the proposal to SEIAA for grant of ToR.

Deliberation in SEIAA-

Proposal is recommended in 162nd meeting of SEAC-3 for grant of Terms of References (ToR). During the meeting, SEIAA observed that, though the application is for Terms of Reference (ToR) under violation category, PP has made application under EC category instead of Terms of Reference (ToR). PP submitted that in PARIVESH 2.0 due to technical reason there were unable to apply under ToR under violation category.

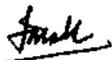
SEIAA further directed SEIAA cell to communicate with MPCB to confirm whether action has been initiated against the Project Proponent under section 15 of Environment (Protection) Act, 1986 for violating provisions of EIA Notification, 2006.

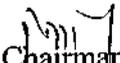
SEIAA also asked PP to submit details of court cases pending. PP submitted that, OA 33/2020 is pending before the Hon'ble NGT (WZ) wherein Hon'ble NGT has vide order dated 17.09.2020 directed PP to submit interim compensation of Rs. 5 crore with the state PCB. Then PP filed appeal against the Hon'ble NGT order dated 17.09.2020 in the Hon'ble Supreme Court. Hon'ble Supreme Court vide order dated 12.01.2021 stayed the Hon'ble NGT order dated 17.09.2020. Matter is still pending before the Hon'ble NGT (WZ).

SEIAA after deliberation decided to grant of Terms of References (ToR) as per recommendation of SEAC and decided to refer back the proposal to SEAC for further appraisal after submission of EIA report by PP.

SEIAA Decision-

SEIAA after deliberation decided to grant of Terms of References (ToR) as per recommendation of SEAC and decided to refer back the proposal to SEAC.


Member Secretary


Chairman