

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

**AT PUNE**

**ORIGINAL APPLICATION NO. 39 OF 2024 (WZ)**

Kalpesh Chandrakant Yadav

**..APPLICANT**

**V/s**

M/s Krishna Construction  
and others

**... RESPONDENTS**

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PUNE

DATE : 21 / 10 /2024



ADVOCATE FOR RESPONDENT No.1

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

**AT PUNE**

**ORIGINAL APPLICATION NO. 39 OF 2024 (WZ)**

Kalpesh Chandrakant Yadav

**..APPLICANT**

**V/s**

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and others

**... RESPONDENTS**

**REPLY ON BEHALF OF RESPONDENT NO.1**

**MAY IT PLEASE THE HON'BLE TRIBUNAL**

**THE RESPONDENT NO.1 MOST RESPECTFULLY SUBMITS**

**THAT :-**

1. At the outset, it is submitted that, the contents of the Original Application are not admitted by the Respondent No.1 and that the contents therein of are false and incorrect. The Respondent No.1 submits that the statements and averments made in the said Original Application are not admitted by the Respondent No.1 except so far they are expressly admitted herein under. It is further submitted that, the Respondent No.1 craves leave of this Hon'ble Tribunal to file a detailed Reply, if necessary in the present proceedings. At the outset, the original Application filed by the

Applicant is devoid of any merit and is liable to be dismissed with the compensatory cost. The Applicant herein is neither resident of the concerned area nor an aggrieved party. The Applicant herein is claiming relief, which is beyond the purview of this Hon'ble Tribunal.

### **PRELIMINARY OBJECTIONS**

2. The Respondent No.1 submits that the Applicant is neither an aggrieved person in the eyes of law nor has made out the case of substantial questions relating to environment as mandated u/s 2 (m) of the National Green Tribunal Act, 2010. The Applicant has failed to substantiate to make out a case of environmental destruction in the present Original Application.
3. The Respondent No.1 submits that no substantial issue has been made out for the adjudication before this Hon'ble Tribunal. The Respondent No.1 further submits that the Applicant herein has no locus to file present Original Application and is also not an aggrieved party to the present proceedings. The Hon'ble Supreme Court has held that the and thus, the issue of locus of Applicant is to be decided by this Hon'ble Tribunal. The Hon'ble Supreme Court in the Judgement of '*Uday Welfare Trust Vs. State of U.P.*' has clearly held that, this Hon'ble Tribunal has to consider the

bonafide of the litigant approaching the Hon'ble Tribunal as the question of operation of Industry and employment of numerous employees is depending on the order of this Hon'ble Tribunal.

4. The Respondent No.1 submits that the Respondent No.1 has received the environmental clearance dated 10<sup>th</sup> August 2022. The Applicant has not challenged the said Environmental Clearance. It is submitted that in accordance to the EIA Notification and the conditions of the Environmental Clearance the Project Proponent i.e. the Respondent No.1 has to submit 6 monthly compliance reports to the Ministry of Environment, Forest and Climate Change. The Respondent No.1 has been complying with the said condition. The Applicant without verifying the same has filed the present Application. The Respondent No.1 has also not made the Ministry of Environment & Climate Change as Party Respondent to the Original Application.

#### **FACTS OF THE CASE**

5. The Respondent No.1 submits that, the Respondent No.1 has constructed a residential and commercial project by the name 'Lotus Court' situated at Survey No.28/1A on old Kharadi-Mundhwa Road, Kharadi, Pune. The said Project has been

accorded an Environment Clearance (EC) by the Respondent No.4 vide its EC dated 10<sup>th</sup> August 2022 **(Pg No.168 of the paper book)**.

6. The Respondent No.1 further submits that in view of the receipt of the said EC, the Respondent No.1 has also received the 'Consent to Establish' dated 13<sup>th</sup> October 2022 **(Pg No.177 of the paper book)** for a total built-up area of 21517.88 sq.mtrs. The Respondent No.1 has further received the 'Consent to Operate' dated 18<sup>th</sup> April 2023 **(Pg No.185 of the paper book)**, from the Respondent No.3 herein, which is valid and subsisting up to 31<sup>st</sup> March, 2027.
7. The Respondent No.1 submits that the Respondent No.1 has constructed total built-up area of 23054.67 sq.mtrs. Upon examining the said construction, the Respondent No.1, came to the conclusion that it has exceeded the construction of 1536.79 sq.mtrs. The said area was constructed from the Non-FSI area. The Respondent No.1 thereafter *suo-motu* decided to apply under the office memorandum notification issued by the Ministry of Environment & Forest dated 7<sup>th</sup> July 2021. The said Application was made by the Respondent No.1 on 9<sup>th</sup> October 2023 and the same is pending for the consideration with Respondent No.4. Infact the TOR has been approved by the SEAC. Copy of the minutes

dated 17<sup>th</sup> October 2023 is annexed hereto and marked as **ANNEXURE – R-1.**

8. The Respondent No.1 states that the Applicant has failed to appreciate that as per the EC, the PP has to submit the 6 monthly Compliance Report to the Ministry of Environment & Forest, the Respondent Nos.2 & 4. The Ministry of Environment & Forest vide its Compliance Report dated 9<sup>th</sup> October 2023 addressed to the Respondent No.4 has submitted the details of the present Project. Copy of the report dated 9<sup>th</sup> October 2023 is annexed hereto and marked as **ANNEXURE – R-2.** The aforementioned letter clearly points out the detailed compliances made by the Respondent No.1 from time to time.
9. The Respondent No.2 herein has filed a detailed Affidavit dated 15<sup>th</sup> May 2024 and has observed that, there has been no non-compliance on the part of the Respondent No.1 except so far as the excess built up area of 1536.79 sq.mtrs. The Respondent No.1 submits that on the basis of the present case, the Respondent No.2 has issued directions dated 15<sup>th</sup> May 2024 (**Pg No.201 of the paper book**). The Respondent No.1 submits that if at all anything remains to be adjudicated in the present case, then the Applicant will have to challenge the order dated 15<sup>th</sup> May 2024 in accordance

with the law. The action contemplated against the Respondent No.1 has thus been concluded and nothing remains to be adjudicated in the present Original Application. The present Application is merely made without any basis to suffice the allegations of the Application. In view of the records submitted herein, nothing survives in the Original Application and the same ought to be dismissed.

#### **PARAWISE REPLY**

10. With respect to the contents of Para No.1 of the Original Application, the Respondent No.1 submits that, the Applicant has failed to cult out the substantial question relating to the environment and failed to make out the case that there has been any destruction to the environment.
11. With respect to the contents of Para No.2 of the Original Application, the Respondent No.1 submits that, the Respondent No.1 has already pointed out that it has received respective permissions from the concerned Authorities.
12. With respect to the contents of Para No.3 of the Original Application, the Respondent No.1 submits that, the Six Monthly

Compliance Reports, which have been submitted by the Respondent No.1 to the Ministry of Environment & Forest has already submitted before this Hon'ble Tribunal along with the represent Reply and hence, the allegations made by the Applicant are devoid of any merit. The Respondent No.1 states that all the issues raised by the Applicant have been responded to by the Respondent No.2 in its affidavit dated 15<sup>th</sup> May 2023. Copy of the latest six monthly report dated 28<sup>th</sup> June 2024 is annexed hereto and marked as **ANNEXURE – R-3**.

13. With respect to the contents of Para No.4 of the Original Application, the Respondent No.1 submits that, the Compliance in the part of the visit of the City Engineer of the Municipal Corporation, the Respondent No.1 has complied with substantially.
14. With respect to the contents of Para No.5 of the Original Application, the Respondent No.1 submits that, the Respondent No.1 has received the show cause notices from the Respondent No.2 and replies to that effect have already been submitted to the Respondent No.2 and the Respondent No.2 has also afforded the personal hearing to the Respondent No.1.
15. With respect to the contents of Para No.6 of the Original Application, the Respondent No.1 submits that, it has been a partial

procedural lapse on the part of the Respondent No.1 to not apply for the excess construction of 1536.79 sqmtr.

16. With respect to the contents of Para No.7 of the Original Application, the Respondent No.1 submits that, the same do not pertain to the Respondent No.1 and hence, no comments are warranted in this regard.
17. In view of the facts, narrated above, the present Application has been filed with a view to harass the Respondent No.1 and seek certain orders from this Hon'ble Tribunal just to gain publicity and the present Applicant needs to be dismissed of.

PUNE

DATE: 21/10/2024



ADVOCATE FOR RESPONDENT No.1

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

AT PUNE

ORIGINAL APPLICATION NO. 39 OF 2024 (WZ)

Kalpesh Chandrakant Yadav

..APPLICANT

V/s

M/s Krishna Construction  
and others

... RESPONDENTS

A F F I D A V I T

MAY IT PLEASE THE HON'BLE TRIBUNAL:

I, Mr.Ganapati Bisoyi, adult, Occu.: service, having office at Survey No.28/1, Near Old Relax Hotel, Old Kharadi Mundhwa Road, Kharadi, Pune – 411014 do hereby state on solemn affirmation as under: -

I am the General Manager of the Respondent No.1 above named and responsible for day to day administration of my business. As such, I have gone through the Reply and annexure thereto being filed today. I find that the contents therein are true and correct to the best of my knowledge and belief and which may be treated as part and parcel of the present affidavit.

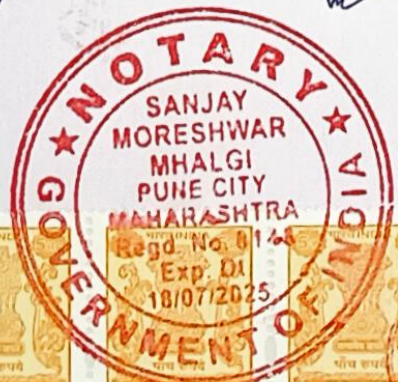
WHATEVER STATED ABOVE is true and correct to the best of my knowledge and belief. In witness whereof I have signed hereunder at

*W* Pune on 21<sup>st</sup> day of October 2024

*[Signature]*  
DEPONENT

**BEFORE ME**

*[Signature]*  
**SANJAY MORESHWAR MHALGI**  
ADVOCATE & NOTARY  
GOVT. OF INDIA  
REGD. No. 8148



**NOTED AND REGISTERED**  
**AT SERIAL NUMBER 179,**  
**DATE 21/10/2024**





# KRISHNA CONSTRUCTIONS

SURVEY NO:28/1, NEAR OLD RELAX HOTEL, OLD KHARADI MUNDHWA ROAD, KHARADI, PUNE - 411014  
EMAIL : admin@lotus-court.com

19<sup>th</sup> October 2024

## AUTHORIZATION LETTER

We hereby authorize Ganapati Bisoyi, holding post in the company as General Manager, to attend & represent the hearing listed at Survey No. 28/1, Near Old Relax Hotel, Old Kharadi Mundhwa Road, Village - Kharadi, District - Pune, State - Maharashtra 411014, he is authorized to attend the NGT and EC related work on behalf of M/s Krishna Constructions.

Thanking You,

**For M/s. Krishna Constructions**



**Mittal P. Mistry**  
**Partner/Authorised Signatory.**





# KRISHNA CONSTRUCTIONS

SURVEY NO:28/1, NEAR OLD RELAX HOTEL, OLD KHARADI MUNDHWA ROAD, KHARADI, PUNE - 411014  
EMAIL : admin@lotus-court.com

26<sup>th</sup> October 2023.

The Honorable Member Secretary  
State Environmental impact Assesment Authority (SEIAA)  
Maharashtra, Mumbai

Ref - ProposalSIA/MH/INFRA2/441772/2023 for our project Krishna Constructions-  
Lotus Court-Kharadi,Pune 411014.

Dear Sir/Madam,

Reference to above subject, we would like to inform you that we have made the above project at Kharadi, Pune under commencement certificate no CC/0549/2022 dated 01/06/2022 issued by Pune Municipal Corporation.

Since our project requires the EC clearance we were granted our Environmental Clearance from the SEIAA for the complete project on 10<sup>th</sup> August 2022 (Copy attached). Due to our error the figures applied for with the EC and the IOD received from the PMC, there was a violation of **Non-FSI** -1538 m2. We have applied suo moto with the SEIAA for regularizing the same which is in process (copy of last committee meeting dated 20<sup>th</sup> September 2023 showing the work in progress attached).

Sir our building is 100 % complete and we also got all the required NOCs hence request you to kindly issue a letter allowing PMC to process our part completion upto the 14<sup>th</sup> residential floor which is less than our granted EC of 8<sup>th</sup> August 2022. In anticipation of your kind cooperation.

Thanking you .

**For Krishna Constructions**



**Partner /Authorised Signatory.**

Encl.-As above.

Minutes of 267<sup>th</sup> Day 1 (Part E) meeting of SEIAA held on 17<sup>th</sup> October, 2023.

**Item no. 63**

**Proposal No.:-** SIA/MH/INFRA2/441772/2023

**Type of Project:** TOR

**Subject-** Environmental Clearance for Project "Lotus Court" at Survey No. 28/1. Near Old Relax Hotel, Old Kharadi Mundhwa Road, Village – Kharadi, Taluka – Haveli, District Pune by M/s. Krishna Constructions

**Project Details-**

Representative of PP was present during the meeting along with environmental consultant M/s. M/s. Cognizance Research India Private Ltd.

Brief information of the proposal is as below:

1.	Proposal Number	PARIVESH NO: SIA/MH/INFRA2/441772/2023	
2.	Name of Project	Proposed Project "Lotus Court" at Kharadi, Pune by M/s. Krishna Constructions	
3.	Project category	Schedule 8(a) Category B2	
4.	Type of Institution	Private	
5.	Project Proponent	Name	Mr. Mittal Pranjivan Mistry, M's Krishna Constructions
		Regd. Office address	Survey No.28/1, Near Old Relax Hotel, Old Kharadi Mundhwa Road Village – Kharadi, Taluka – Haveli District – Pune- 411014
		Contact number	9673788488
		e-mail	mittal_mistry@hotmail.com
6.	Name and Details of Consultant	Accredited Consultant Organization – M/s. Cognizance Research India Private Ltd. (CRIPL)  NABET CERTIFICATE NO.:- NABET/EIA/1922/SA 0186	
7.	Applied for	Amendment/Expansion in EC - 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	Survey No. 28/1, Near Old Relax Hotel, Old Kharadi Mundhwa Road, Village – Kharadi, Taluka – Haveli, District – Pune- 411014	
10.	Latitude and Longitude	18°33'3.89" N 73°55'45.60 E	
11.	Total Plot Area (m2)	10100	
12.	Deductions (m2) - Road Widening + Amenity Space	1,834.85	
13.	Net Plot area (m2)	8265.15	
14.	Proposed FSI area (m2)	12989.84	
15.	Proposed Non-FSI area (m2)	10064.83	

  
Member Secretary

  
Chairman

Minutes of 267<sup>th</sup> Day 1 (Part E) meeting of SEIAA held on 17<sup>th</sup> October, 2023.

16.	Proposed TBUA (m2)	23054.67					
17.	TBUA (m2) approved by Planning Authority till date	As per Layout Approval/IOD – TBUA – 23054.67 sqm					
18.	Total Project Cost (Rs.)	Rs. 48 Crore					
19.	CER as per MoEF & CC circular dated 01/05/2018	As per circular dated 30/09/2020					
20.	Details of Building Configuration :						
	Previous EC / Existing Building			Proposed Configuration		Reason for Modification / Change	
	Building Name	Configuration	Height (m)	Building Name	Configuration		Height (m)
	Wing A (Residential + Commercial Building)	B+G+MEZZ+PO+15 FLOORS	55.95	-	-		-
	Wing B (Residential + Commercial Building)	B+G+MEZZ+PO+15 FLOORS	55.95	-	-		-
21.	Total number of tenements	126					
22.	Water Budget	Dry Season (CMD)			Wet Season (CMD)		
		Fresh Water	79	Fresh Water	79		
		Recycled	56.85	Recycled	45		
		Swimming Pool	0	Swimming Pool	0		
		Flushing	45	Flushing	45		
		Total	135.85	Total	124		
		Waste water generation	97.30	Waste water generation	97.30		
23.	Water Storage Capacity for Firefighting / UGT				As per NOC		
24.	Source of water				PMC		
25.	Rainwater Harvesting (RWH)	Level of the Ground water table			15-20m		
		Size and no of RWH tank(s)			N.A.		
		Quantity and size of recharge pits			Quantity: 4 Nos & Size: 2mX2mX2m		
		Details of UGT tanks if any			Domestic	120	
					Flushing	60	
				Fire	As per NOC		
26.	Sewage and Waste water	Sewage generation in CMD			97.30		
		STP technology			MBBR		
		Capacity of STP (CMD)			100		
27.	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			
28.	Solid Waste Management during Operation Phase	Type	Quantity (kg/d)	Treatment / disposal			
		Dry waste	145	Handed over to Authorized Agency			
		Wet waste	198	In-situ Composting			
		Hazardous waste	Negligible	Negligible			

  
Member Secretary

  
Chairman

Minutes of 267<sup>th</sup> Day 1 (Part E) meeting of SEIAA held on 17<sup>th</sup> October, 2023

		Biomedical waste	N.A.	N.A.	
		E-Waste	1.45	Handed over to Authorized Dismantler / Recycler	
		STP Sludge (dry)	9	In-situ Composting	
29.	Green Belt Development	Total RG area (m2)	972.37		
		Existing trees on plot	52		
		Number of trees to be planted	93		
		Number of trees to be cut	0		
		Number of trees to be transplanted	NIL		
30.	Power requirement	Source of power supply	MSEDCL		
		During Construction Phase (Demand Load)	70 kW		
		During Operation phase (Connected load)	5073 kW		
		During Operation phase (Demand load)	514 kW		
		Transformer	630 kVA X 1 Nos.		
		DG set	200 kVA X 1 Nos.		
		Fuel used	Diesel		
31.	Details of Energy saving	Measures to reduce energy consumption: Ø Generally we have proposed high efficiency transformer, motors etc. to reduce losses. Ø Electronic Ballasts and Energy efficient lamp source either triposphere or LED are proposed for common area & general lighting with automatic time-based control to save power by switching ON & OFF the lights at appropriate time. The estimated saving in common lighting consumption is up to 20 % due to adopting above measures.			
32.	Environmental Management plan budget during Construction phase	No.	Details	Cost	
		1	Water for Construction, Labour & Dust Suppression	Rs. 4 Lacs	
		2	Site Sanitation & Health & Safety PPE Kits	Rs. 3 Lacs	
		3	Environmental Monitoring	Rs. 4 Lacs	
		4	Disinfection & Health & Safety	Rs. 3 Lacs	
		5	Health Check up	Rs. 3 Lacs	
33.	Environmental Management plan Budget during Operation phase	Component	Details	Capital (Rs. In Lacs)	O&M (Rs. In Lacs/Yr)
		Sewage treatment	Waste Water Management	13.75	8.9
		RWH	RWH Pits	3	0.6
		Solid Waste	Organic Waste Composting	5.75	1.75
		Green belt development	Tree Plantation	8.5	2.13
		Energy saving	Energy Conservation	20	1
		Environmental Monitoring	Pollution Control	0	6
		Disaster Management	Fire & LA	53.79	2.69
	PPE Kits Health & Safety	Biomedical Waste Management	0	1	
34.	Traffic Management	Type	Required as per DCR	Actual Provided	Parking Area (m2)

*Shank*  
Member Secretary

*M.T.*  
Chairman

Minutes of 267<sup>th</sup> Day 1 (Part E) meeting of SEIAA held on 17<sup>th</sup> October, 2023.

	4-Wheeler	132	132	2138.61
	2-Wheeler	440	440	
	Bicycles	0	0	
35.	Details of Court cases / litigation w.r.t. the project and project location if any			NA

**SEAC Deliberation –**

PP stated that, the application is for grant of ToR under SOP for Identification and Handling of Violation Cases vide circular number F. No. 22-21/2020-IA.III dated 07/07/2021, for carrying out EIA studies for prior environment clearance for proposed project at Survey No. 28/1, Near Old Relax Hotel, Old Kharadi Mundhwa Road, Kharadi, Haveli, Pune.

The PP holds previous Environment Clearance vide number EC22B038MH182329 dated 10/08/2022. This environment clearance was granted for BUA as follows –

- FSI as per EC Granted – 12989.84 sqm
- Non-FSI as per EC Granted – 8528.04 sqm
- Total BUA as per EC Granted – 21517.88 sqm

The project proponent has breached the level of EC granted, since the construction done on site is as follows –

- FSI as per construction done on site – 12989.84 sqm
- Non-FSI as per construction done on site – 10064.83 sqm
- Total BUA as per construction done on site – 23054.67 sqm

The PP informed that they have not received any directions from MPCB or Environment Department, Govt. of Maharashtra and they have applied suo moto.

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

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

A	Project Description	
A	1	Project description, its importance and benefits.
A	2	Project site details (location, topo-sheet of the study area of 10 Km, Coordinates, google map, layout map, land use, geological features and geo-hydrological status of the study area, drainage). hydro geological survey report with graphs & data.

*Small*  
Member Secretary

*M. J.*  
Chairman

Minutes of 267<sup>th</sup> Day I (Part E) meeting of SEIAA held on 17<sup>th</sup> October, 2023.

A	3	Land use as per the approved Master Plan of the area, Permission/approvals required from the land owning agencies, Planning / Development Authorities, Local Body, Water supply & Sewerage Board, etc.
A	4	Land acquisition status, R & R details.
A	5	Forest and Wildlife and eco-sensitive zones, if any in the study area of 10 km. Any sensitive areas in impact zone such as archaeological structures, reserved forest, noise sensitive zones etc. Clearances required under the Forest (Conservation) Act, 1980, the Wildlife (Protection) Act, 1972 and/or the Environment (Protection) Act, 1986.
A	6	High Tension lines or Hazard lines if any on the plot.
A	7	Plan showing HFL/CRZ lines.
A	8	Permissions granted by State Government in tabular and chronological form. Comparative statement of components approved and components constructed including its configuration as per earlier EC (if applicable) and proposed development.
A	9	PP to submit the detailed master plan indicating already completed construction and proposed construction. PP to submit the certificate from registered architect for completed work, built up area and configuration.
A	10	Project cost shall be based on government notified stamp duty ready reckoner at time of application including cost of land and construction including civil, MEP works, environment services, site/land development, horticulture/landscape works etc complete
B	<b>Base Line Data</b>	
B	1	Baseline environmental study for ambient air (PM <sub>10</sub> , PM <sub>2.5</sub> , SO <sub>2</sub> , NO <sub>x</sub> & CO), water (both surface and ground), noise and soil for one month (except monsoon period) as per MoEF&CC/CPCB guidelines at minimum 5 locations in the study area of 10 km. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
B	2	Detail on flora and fauna and socio-economic aspects in the study area. Details of tree cutting, tree transplantation and survival report of existing trees including conformity to prevailing Tree Act.
B	3	Likely impact of the project on the environmental parameters (ambient air surface and ground water, land, flora and fauna and socio-economic, etc.)
B	4	Source of water for different identified purposes with the permissions required from the concerned authorities, both for surface water and the ground water (by CGWA) as the case may be, Rain water harvesting, etc.
B	5	Socio-economic infrastructure details including public transport arrangements on the site; PP to mention details of socio-economic in EIA.
B	6	PP to submit contour map with slopes, drainage pattern of the site and surrounding area. Layout showing natural water courses on site; total runoff calculation before and after development.
B	7	PP to submit details of existing trees, proposed to be cut, proposed to be transplanted along with tree survival report conforming to prevailing Tree Act.
B	8	Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated.

  
Member Secretary

  
Chairman

Minutes of 267<sup>th</sup> Day 1 (Part E) meeting of SEIAA held on 17<sup>th</sup> October, 2023.

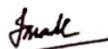
B	9	Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB should be secured and furnished to the effect that the proposed Activities could be considered.
B	10	Similarly, for Coastal Projects, A CRZ map duly authenticated by one of the authorized agencies demarcating LTL, HTL, CRZ area, location of the mine lease w.r.t. CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Projects falling under CRZ would also need to obtain Approval of the concerned Coastal Zone Management Authority).
B	11	The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
B	12	Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
B	13	Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.
B	14	Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
B	15	Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
B	16	Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be examined.
B	17	Information on site elevation, working depth, groundwater table etc. should be provided both in AMSL and BGL. A schematic diagram may also be provided for the same.
C	<b>Traffic Impact Study</b>	
C	1	Traffic Management Plan for the development – Internal circulation indicating road width and turning radius. Cross section of roads at four places showing clear road width, distance left from building line, spaces left for plantation, footpath, service lines etc.
C	2	Traffic Volume Counts and Turning Movement Counts on all the external surrounding roads of the proposed project showing the time period taken.
C	3	Topographic details of roads and intersection of the surrounding roads where counts are taken, actual geometry on ground to be shown with dimensions.
C	4	Traffic generation values of similar development to be given by actual count by actual count as support data for assumption made to the particular project.
C	5	Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as

  
Member Secretary

  
Chairman

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		State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
C	6	Parking statement mentioning parking as per DCR & parking provided actually.
C	7	Basement ventilation plan: Fire Tender Movement Plan showing clear road and turning radius. Cross section of roads at four places including UGT, OWC and DG set location showing clear road width and distance left from building line & spaces left for plantation, parking, service lines, foot paths, etc.
D	<b>Environmental Impact and Management Plan</b>	
D	1	Identify sources of air pollution, indicate mitigation measures to reduce Air pollution/Noise pollution.
D	2	Debris management plan including (a) debris required for refilling, (b) contour plan, (c) details of site where excess debris will be disposed, capacity of the site and NOC of plot owner. PP shall also ensure that debris disposed on other plot shall not be disposed on another plot. If to be disposed on another plot, the same shall be carried out as per prevailing environmental laws.
D	3	Management of solid waste and the construction & demolition waste for the project vis-a-vis the Solid Waste Management Rules 2016 and the Construction & Demolition Rules, 2016. Transport, collection, storage and disposal for all types of wastes like hazardous waste, non-hazardous waste, solid waste, E- waste, and debris/excess earth etc. PP to provide the detailed solid waste management plan along with marked locations on the master plan. Design details of waste processing equipment such as OWC/biogas plants confirming to the technical requirements to meet the quality products.
D	4	Waste water management (treatment, reuse and disposal) for the project and also the study area. Design of all STP's along with BOD load, oxygen requirement calculations and sizing of the tanks with respect to the design criteria. PP to submit detailed calculation for the disinfection of the treated STP water; PP to submit cross sectional drawing of STP's showing dimensions and ground level; PP to provide ozonation for tertiary treatment. PP to mark the area required for all STP's on master layout with dimensions
D	6	PP to show internal storm water drain and sewer line arrangements up to final disposal point.
D	7	Provision of mandatory RG area on virgin land and submit the drawing with calculations, ensuring entire mandatory RG is provided on the plot where residential buildings are proposed.
D	8	A detailed phase wise development plan with safety planning where occupancy has been given.
D	9	If any site specific structures such as creation of water body, alteration of natural storm water, large alteration of slopes, creation of green areas abutting to water bodies / natural storm water drain / river etc, is involved, detailed environmental protection approach for the same shall be provided.
D	10	Separate chapter on Renewable energy in EIA report. PP to submit terrace plan for installing solar panels& calculations of energy saving; Energy efficient measures (LED lights, solar power, etc.) during construction as well as during operational phase of the project. Report on ECBC compliance.
D	11	Provide details of Solar PV and Solar water heater in the specific format. PP to carryout shadow analysis for identifying the roof-top area for providing solar panels Minimum 5% of the total demand load shall be provided with Solar PV.



Member Secretary



Chairman

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D	12	Environmental status report including analysis reports of all environmental pollution reduction facilities if any commissioned.
D	13	PP to submit Disaster management plan.
D	14	Preparation of site specific, executable and auditable environment management plan (EMP)
D	15	A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
D	16	Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc
F	<b>Environmental Modelling and additional Studies</b>	
E	1	Fugitive dust modelling by using local meteorological data.
E	2	Ecological footprint calculation using LCA approach.
E	3	Estimation of Carbon footprint of the project and its analysis to be included.
E	4	Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection of data and sample analysis shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986 or Environmental Laboratory accredited by NABL, or a laboratory of council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
E	6	Gate mass balance analysis for environmental parameters related to solid/liquid waste material coming to site, waste generated and its treatment and disposal from site.
E	7	Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
E	8	Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
E	9	Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
E	10	Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
E	11	PP to refer "approach paper for assessment for environmental damage and estimation of remediation costs for building construction projects initiated with obtaining mandatory environmental clearance" available on the portal : "ecmpeb.in"
F	<b>NOCs, Undertakings, CER and Litigations</b>	
F	1	NOC's required: a) CFO, b) Water supply with quantity, c) Drainage, d) Non-biodegradable waste disposal, e) Aviation f) HRC, G) PESO, H) Defence/NAD etc

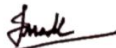
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Member Secretary

*M*  
Chairman

Minutes of 267<sup>th</sup> Day 1 (Part E) meeting of SEIAA held on 17<sup>th</sup> October, 2023.

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



Member Secretary



Chairman

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		to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the proposed safeguard measures in each case should also be provided.
G	10	Besides the above, the below mentioned general points are also to be followed: a) All documents to be properly referenced with index and continuous page numbering. b) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated. c) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project. d) Where the documents provided are in a language other than English, an English translation should be provided.
G	11	In case of continued violation after issue of TOR, the ToR/Environmental Clearance shall be terminated forthwith.
H	<b>Other points:</b>	
H	1	PP to submit the DP Plan.
H	2	PP to submit the detail Architect Certificate stating current status of the construction along with building wise construction done (FSI, NoN- FSI & Total built up area) on site along with the chronology.
H	3	PP to submit the all-approvals details (CC, OC etc) regarding project under consideration.
H	4	PP to submit the details of Court cases / litigations w.r.t. the project and project location, if any.

**Project Specific ToR :**

1. PP to submit the details mandatory RG and its conformity with the orders by Hon'ble Supreme Court in SLP (Civil) Diary No. 11843/2023, dated 8th May, 2023.
2. PP so submit Certified Compliance Report (CCR), from Regional Office, MoEFCC, Nagpur pertaining to previous EC granted.

**Recommendations of SEAC-**

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

**Deliberation in SEIAA-**

Proposal is recommended in 180<sup>th</sup> meeting of SEAC-3 for grant of Terms of References (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 after deliberation decided to grant of Terms of References (TOR) as per recommendation of SEAC.

**SEIAA Decision-**

SEIAA after deliberation decided to grant of Terms of References (TOR) as per recommendation of SEAC.

  
Member Secretary

  
Chairman





भारतसरकार  
GOVERNMENT OF INDIA  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
क्षेत्रीय कार्यालय  
REGIONAL OFFICE  
Ground Floor, East Wing, New Secretariat Building  
Civil Lines, Nagpur - 440001  
E-mail: apccfcentral-ngp-mef@gov.in



F. No. EC-2216/RON/2023-NGP/ 12305

Dated: 9<sup>th</sup> October, 2023

To,

The Principal Secretary & Member Secretary, SEIAA,  
Environment Department, Government of Maharashtra  
Room No., 217, 2<sup>nd</sup> Floor, Mantralaya,  
Annex, Mumbai - 400 032 (Maharashtra)  
(Email: [psec.env@maharashtra.gov.in](mailto:psec.env@maharashtra.gov.in))

(Kind Attn: Mr. Pravin Darade, Member Secretary-SEIAA)

**(EC Violation case)**

**Sub:** A report on the status of compliance of conditions stipulated in the environmental clearance granted by SEIAA Maharashtra vide letter No. EC22B038MH182329 dated 10.08.2022 for Construction Project by M/s. Krishna Constructions located at S. No. 28/1, Near Old Relax Hotel, Kharadi, District Pune (Maharashtra)- CCR reg.

**Ref:** Project Proponent's letter no. nil dated 08/08/2023

Sir,

I am directed to refer to the above subject and letter under reference wherein the project proponent obtained Environmental Clearance from Environment Dept., Govt of Maharashtra for total plot area 10100 Sq. M. and total built up area 21517.88 Sq. M. (FSI 12989.84 Sq. M + Non FSI 8528.04 Sq. M.)

2. Present status of Construction: Currently Construction activity is stopped & PP has submitted Architect Certificate stating that Completed Total BUA 23054.67 Sq. M. out of 21517.88 Sq. M, Project proponent has **exceeded** the sanctioned BUA of EC capacity.

3. Now, Project proponent has applied to SEIAA under SOP for Identification and Handling of Violation Cases vide circular number 22-21/2020-IA.III dated 07.07.2021.

4. PP has applied Suo-moto & declared Violation of 1536.79 Sq. M. which is constructed additional without obtaining revised EC. PP has not received any directions from MPCB or Environment Department, Govt. of Maharashtra.

5. PP requested the Regional Office, Nagpur to conduct a site visit to monitor the status of compliance of conditions stipulated in the environment clearance granted for Construction Project

CCR for Construction Project by M/s. Krishna Constructions located at S. No. 28/1, Near Old Relax Hotel, Kharadi, District Pune (Maharashtra)

by M/s. Krishna Constructions located at S. No. 28/1, Near Old Relax Hotel, Kharadi, District Pune (Maharashtra)

6. In view of the same, it is to inform that a visit for the monitoring of compliance of conditions stipulated in the environment clearance has been conducted by Scientist-E of the Regional Office, Nagpur on 17.09.2023 As per the documents submitted by the project proponent during the monitoring, and also as informed during the site visit, the details are reported to be as under:

- i. SEIAA Maharashtra granted EC **vide letter No. EC22B038MH182329 dated 10.08.2022** for Construction Project by "M/s. Krishna Constructions" located at S. No. 28/1, Near Old Relax Hotel, Kharadi, Pune-411014" (**Annexure-I**)
- ii. CTE from MPCB has been obtained vide letter No. Format1.0/JD (WPC)/UAN No.0000144565/CE/2210000974 dated 13.10.2022 (**Annexure-II**)
- iii. Architect Certificate has been submitted stating that the total Construction carried out as on site is 23054.67 Sq. M. (**Annexure-III**)
- iv. Air, Water & Noise quality monitoring has been carried out by MOEF&CC accredited laboratory (**Annexure-IV**)
- v. Undertaking has been submitted stating that there is no court case pending in any court of law w.r.t. EC & no stop work is directed by any authority (**Annexure-V**)
- vi. Copy of Detailed Environment Management Plan has been submitted. (**Annexure-VI**)
- vii. Project / site Photographs are attached as (**Annexure-VII**)
- viii. Presently, tanker Water is being used for Construction Activity. PP has obtained provisional water NOC from Pune Municipal Corporation (**Annexure-VIII**). PP confirmed that final Water NOC from Pune Municipal Corporation will be obtained once project is completed.
- ix. PP has obtained provisional Drainage NOC from Pune Municipal Corporation (**Annexure-IX**).
- x. PP proposed to treat Wet Waste generated in the project in Organic Waste Composting (OWC) machine.
- xi. PP has obtained NOC from SWaCH, pertaining to the safe disposal of Dry Waste & E-Waste. Copy of NOC is enclosed as (**Annexure-X**)
- xii. PP assured to spend amount of CER/CSR as per Company Law. PP has left mandatory Recreational Ground (RG) area as per Development Control Regulations (DCR) and assured for plantation. Detailed plan for proposed tree plantation has been submitted. (**Annexure - XI**)
- xiii. PP has made advertisement regarding grant of EC. Copy of Newspaper cuttings are enclosed (**Annexure - XII**)

xiv. The Environmental Statement for each financial year ending 31<sup>st</sup> March in (Form-V) has been submitted to MPCB as prescribed under the Environment (Protection) Rules 1986, amended subsequently (**Annexure - XIII**)

xv. Presently there is no High Tension (HT) line passing through project.

7. **Project Proponent has not upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website.**

8. **PP should ensure implementation of green belt development plan and CSR/CER/EMP works with 30% funds must be earmarked for water/soil conservation and seedling planting/distribution.**

9. A detailed inspection report on the compliance of conditions stipulated in the environmental clearance is enclosed herewith.

This issue with the approval of competent authority.

Encl: as above


Yours Faithfully,



(Dr. P.R. Sakhare)  
Scientist 'E'

**Copy to:**

- (i) Director ROHQ, MOEF&CC, IPB, 1st Floor Agni Wing, IPB, Jorbagh Road, New Delhi-110003.  
(Email: [rohq-mefcc@gov.in](mailto:rohq-mefcc@gov.in))
- (ii) The Director, Compliance and Monitoring Division, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New Delhi-110003 (Email: [moefcc-monitoring@gov.in](mailto:moefcc-monitoring@gov.in))
- (iii) Mr. Mittal Mistry (Director), S. No. 28/1, Old Kharadi Mundhawa Road, Kharadi, Pune-411014  
(Email: [admin@lotus-court.com](mailto:admin@lotus-court.com); [sanman.kulkarni.sslenviro@gmail.com](mailto:sanman.kulkarni.sslenviro@gmail.com))
- (iv) Guard File.



(Dr. P.R. Sakhare)  
Scientist 'E'

**Monitoring the Implementation of Environmental Safeguards  
Ministry of Environment, Forest & Climate Change**

**Regional Office, Nagpur**

**Monitoring Report**

**PART-I**

**DATA SHEET**

Sr. No.	Particulars	Details
1.	<b>Project type:</b> River Valley/ Mining/ Industry/ Thermal/ Nuclear/ Others (specify)	Building & Construction Project (8(a)) Category B2
2.	<b>Name of the Project</b>	Proposed Construction Project by "M/s. Krishna Constructions"
3.	<b>Clearance letter (s)/ OM No. and date</b>	EC22B038MH182329 dated 10/08/2022
4.	<b>Location</b> a) District (s)	S. No. 28/1, Near Old Relax Hotel, Kharadi, Pune-411014"
	b) State (s)	Maharashtra
	c) Location latitude / longitude	18 <sup>0</sup> 33'3.89" N and Longitude 73 <sup>0</sup> 55'45.60" E
5.	<b>Address for Correspondence</b> a) Address of the Concerned Project Chief Engineer (with Pin code & Telephone / Telex / Fax Numbers)	Mr. Mittal Mistry (Director),  S. No. 28/1, Old Kharadi Mundhawa Road, Kharadi, Pune-411014
	b) Address of the Concerned Project Chief Engineer (with Pin code & Telephone / Telex / Fax Numbers)	Email: admin@lotus-court.com, Mob. 9673788488
6.	<b>Salient features of the Project</b>	<p><b>Total Plot Area: 10100 Sq. M.</b> <b>Total Built up Area: 21517.88 Sq. M</b></p> <p><b>Bldg. Structure: Architect Certificate is attached.</b></p> <p><b>Water Requirement:</b> Construction Phase: Tanker water Operation Phase: Dry Season (CMD): - 79 Source: - PMC</p> <p><b>Solid Waste Management (Construction Phase)</b> <b>Dry Waste: - 03 Kg/day</b> <b>Wet Waste: - 02 Kg/day</b> Dry waste will be handed over to SWaCH</p>

		<p>Pune Seva Sahkari Sanstha Ltd. (Govt. Authorized E-waste &amp; Dry Waste Recycler)</p> <p><b>Power Requirement:</b></p> <ul style="list-style-type: none"> <li>• During Construction Phase (Demand Load): - 70KW</li> <li>• During Operational Phase (Connected load): - 5073KW</li> <li>• During Operational Phase (Demand load): - 514 KW</li> <li>• DG Set 200 KVA X 1, (Source: - MSEDCL)</li> </ul> <p><b>Energy Saving Measures:</b></p> <ul style="list-style-type: none"> <li>• High energy efficient LED Lamps</li> <li>• Low Loss Transformers, Auto Timers</li> <li>• Solar PV, Hot water, Solar Street lights</li> </ul>												
7.	<b>Breakup of the Project Area</b>													
	a) Submergence area: forest & non forest	Not Applicable												
	b) Others	Not Applicable												
8.	<b>Breakup of the project affected population</b> with the enumeration of those losing Houses / Dwelling units only, Agricultural Land & Landless Laborers / Artisans:	The project is proposed on own land thus there is no displacement of population is proposed.												
	a) SC, ST/Tribes													
	b) Others													
9 a)	<b>Financial Details</b> Project cost as originally planned and subsequent revised estimates and the year of price reference	Total Project Cost Projected- <b>Rs. 48 Crore</b>												
b)	<b>Allocation made for environmental management plans with item wise and year wise breakup</b>	<table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Particulars</th> <th>Amount. in Rs. Lakhs)</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: center;"><b>During Construction Phase</b></td> </tr> <tr> <td>1.</td> <td>Air Environment, Water Environment, Land Environment, Top Soil Preservation, Socio-economic Environment, Safety Training etc.</td> <td>17</td> </tr> <tr> <td colspan="2"><b>Total</b></td> <td>17</td> </tr> </tbody> </table>	Sr. No.	Particulars	Amount. in Rs. Lakhs)	<b>During Construction Phase</b>			1.	Air Environment, Water Environment, Land Environment, Top Soil Preservation, Socio-economic Environment, Safety Training etc.	17	<b>Total</b>		17
Sr. No.	Particulars	Amount. in Rs. Lakhs)												
<b>During Construction Phase</b>														
1.	Air Environment, Water Environment, Land Environment, Top Soil Preservation, Socio-economic Environment, Safety Training etc.	17												
<b>Total</b>		17												
c)	<b>Benefit cost ratio/Internal rate of return and the year of assessment</b>	Not applicable												
d)	<b>Whether (c) includes the cost of environmental management as shown in the above</b>	Yes, included												

e)	<b>Actual expenditure incurred on the project so far</b>	As per requirement
f)	<b>Actual expenditure incurred on the environmental management plans so far</b>	As per requirement
<b>10</b>	<b>Forest Land Requirement</b>	
a)	The status of approval for diversion of forest land for non-forestry use	Not applicable
b)	The status of clearing felling	Not applicable
c)	The status of compensatory afforestation, if any comments on the viability & sustainability of compensatory afforestation program in the light of actual field experience so far	Not applicable
<b>11</b>	<b>The status of clear felling</b> in non-forest areas (such as submergence area or reservoir, approach roads.), if any with quantitative information required.	Not applicable
<b>12</b>	<b>Status of construction</b> (Actual & /or planned)	<b>Construction Status: Currently Construction activity is stopped &amp; PP has submitted Architect Certificate stating that Completed Total BUA 23054.67 Sq. M. out of 21517.88 Sq. M, Project proponent has exceeded the sanctioned BUA of EC capacity.</b>
a)	Date of commencement (Actual & / or planned)	As per earlier EC
b)	Date of completion (Actual & /or planned)	Nil
<b>13</b>	Reasons for the delay if the project is yet to start	NA
<b>14</b>	Dates of Site Visits	NA
a)	The dates on which the project was monitored by the Regional Office on previous occasions, if any	Nil
b)	Date of site visits for this monitoring report	Air, Noise, Water & Soil sampling were done
<b>15</b>	Details of correspondence with project authorities for obtaining action plans / information on the status of compliance to safeguards other than the routine letters for logistic support for site visit.	Nil

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**Report on the status of compliance of conditions stipulated in the environmental clearance granted by SEIAA Maharashtra vide letter No. EC22B038MH182329 dated 10.08.2022 for Construction Project by M/s. Krishna Constructions located at S. No. 28/1, Near Old Relax Hotel, Kharadi, District Pune (Maharashtra)**

A monitoring report on the status of compliance of conditions stipulated in Environmental clearance is given as under:

**The project is under construction phase. Hence, compliance status of construction phase conditions are only given below:**

Sl. No.	Conditions as per EC dated 10.08.2022	Compliance as on 17.09.2023
	<b>SPECIFIC CONDITIONS</b>	
<b>A.</b>	<b>SEAC Conditions</b>	
1.	PP to ensure there should be clear 6 M driveway along with 9 M turning radius for smooth FTM. PP to provide fire Hydrant system with all accessories and equipments as Fire Tender cannot reach to the higher floors of Buildings proposed on East side of plot.	<b>PP consented to condition.</b> PP has obtained Fire NOC from PMC ( <b>Annexure-XIV</b> )
2.	As agreed during presentation PP to plant 93 trees in addition to retaining 52 trees. No tree cutting is involved in the project.	<b>PP consented to condition.</b> PP has obtained Garden NOC from PMC ( <b>Annexure-XV</b> )
3.	PP to submit sewer line section.	<b>PP consented to condition.</b>
4.	PP to provide minimum 30% of total parking arrangements with electric charging facility,	<b>PP has consented to Condition</b>
<b>B.</b>	<b>SEIAA Conditions</b>	
1.	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 and strength to increase the water permeable area as well as to allow effective fire tender movement.	<b>PP has consented to Condition.</b> Project is in construction phase after completion of construction work, Project Proponent will keep open space unpaved, so as to ensure permeability of water. PP will provide grass pavers of suitable types and strength to increase the water permeable area.
2.	PP to achieve at least 5% of total energy requirement from solar/other renewable sources.	<b>PP has consented to Condition.</b>


		PP propose total saving 23 % & Solar Saving 12 %.
3.	PP shall comply with Standard EC conditions mentioned in the Office Memorandum issued by MoEF&CC vide F.No. 22-34/2018-IA.III dated 04.01.2019	<b>PP has consented to condition.</b>  The project proponent has taken various measures to comply with the Standard EC conditions relating to construction phase.  PP has assured to comply with the conditions relating to the operation phase once the construction is completed. Detailed compliance status has not been prepared for operation phase conditions, Since the project is under construction phase only.
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	<b>GENERAL CONDITIONS</b>	
a)	<b>Construction Phase:</b>	
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.	<b>Complied.</b>  During construction phase the generation of Dry Waste is 05 Kg/day & agreement with SWACH has been made for safe disposal of Solid Waste.
II.	Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority	<b>PP has consented to Condition.</b>  PP has been taking precautionary measures.
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.	No Hazardous waste material is generated since it is a construction activity.

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.	<b>Complied.</b>  PP has made arrangement for drinking water facility and Sanitary facility to construction workers.
V.	Arrangement shall be made that waste water and storm water do not get mixed	<b>PP has consented to Condition.</b>  PP will made arrangement for the 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 referred	<b>Complied.</b>  For water conservation measures, use of ready-mix concrete and practice of curing regularly used.
VII.	The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.	<b>Complied.</b>  No ground water extraction takes place.
VIII.	Permission to draw ground water and construction of basement if any shall be obtained from the competent Authority prior to construction/operation of the project.	PP is not drawing ground water.
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	<b>PP has consented to Condition.</b>  PP will be installed in later stages of construction phase.
X.	The Energy Conservation Building code shall be strictly adhered to.	<b>PP has consented to Condition.</b>  PP will strictly adhere the stipulated condition.
XI.	All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.	<b>Complied.</b>  The generated topsoil is being store and will be used for landscaping purpose.
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.	<b>PP has consented to Condition.</b>  Excavated debris & construction waste will be reused on site for backfilling and plot leveling.

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.	<b>Complied.</b>
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 Environmental Clearance.	<b>PP has consented to Condition.</b>  Project proponent has been strictly adhering all the stipulated conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975.
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	<b>PP has consented to Condition.</b>  CPCB approved enclosed type D.G. sets will be used in case of power failure. The location and height of the DG set will be installed as per the Central Pollution Control Board (CPCB).
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XVII.	Vehicles hired for transportation of Raw material shall strictly comply the emission norms prescribed by Ministry of Road Transport & Highway Department. The vehicle shall be adequately covered to avoid spillage / leakage.	<b>Complied.</b>  Vehicles hired for bringing construction material to the site is regularly maintained.
XVIII.	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	<b>Complied.</b>  Ambient Noise level and Ambient Air monitoring done through MoEF approved laboratory.
XIX.	Diesel power generating sets proposed as source of backup power for elevators and common area illumination during operation phase should be of	<b>PP has consented to Condition.</b>  CPCB approved enclosed type D.G.

	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. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board	sets will be used in case of power failure.  The Stack height of DG set will be installed as per the Central Pollution Control Board (CPCB).
XX.	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>Complied.</b>  Project proponent has made Separate Environment Cell for regular supervision

2. The PP has also informed that no court case in any court of law is pending against their project.

  
(Dr. P.R. Sakhare) 31/10/2023  
Scientist 'E'





# KRISHNA CONSTRUCTIONS

SURVEY NO:28/1, NEAR OLD RELAX HOTEL, OLD KHARADI MUNDHWA ROAD, KHARADI, PUNE - 411014  
EMAIL : admin@lotus-court.com

Date- 28/06/2024

To,  
Principal Chief Conservator of Forests,  
Ministry of Environment, Forest & Climate Change,  
Regional Office,  
Ground Floor, East Wing,  
Civil Lines, Nagpur – 440001

Subject: Submission of Six-Monthly Post Environmental Clearance Compliance Report for the period of January 2024 to June 2024.

Project: Proposed Project “Lotus Court” at Kharadi, Pune by M/s Krishna Constructions

Reference: EC Letter No EC22B038MH182329 Dated 10/08/2022

Respected Sir,

With reference to above subject, we are herewith submitting the post environmental clearance compliance report for the period of January 2024 to June 2024.  
This is for your kind information and consideration.

Thanking You,

Yours Faithfully

For M/s Krishna Constructions

**Mr. Mittal Mistry**  
Partner/Authorized Signatory.



Enc.:

1. Project Details in MoEF Format
2. Six Monthly Compliance Report with supporting documentation

Copy To,

1. Sub Regional Officer, Maharashtra Pollution Control Board, Jog Centre, Pune – 03
2. Member Secretary, Maharashtra Pollution Control Board, Sion, Mumbai – 22
3. Environment Department, Room No 217, 2<sup>nd</sup> Floor, Mantralaya, Annexe, Mumbai - 32

**Monitoring the Implementation of Environmental Safeguards  
Ministry of Environment, Forest & Climate Change**

Regional Office, Nagpur

**Monitoring Report**

**PART-I**

**DATA SHEET**

Sr. No.	Particulars	Details
1.	<b>Project type:</b> River Valley/ Mining/ Industry/ Thermal/ Nuclear/ Others (specify)	Building & Construction Project (8(a)) Category B2
2.	<b>Name of the Project</b>	Proposed Construction Project by "M/s. Krishna Constructions"
3.	<b>Clearance letter (s)/ OM No. and date</b>	EC22B038MH182329 dated 10/08/2022
4.	<b>Location</b> a) District (s)	S. No. 28/1, Near Old Relax Hotel, Kharadi, Pune-411014"
	b) State (s)	Maharashtra
	c) Location latitude / longitude	18°33'3.89" N and Longitude 73°55'45.60" E
5.	<b>Address for Correspondence</b> a) Address of the Concerned Project Chief Engineer (with Pin code & Telephone / Telex / Fax Numbers)	Mr. Mittal Mistry (Director),  S. No. 28/1, Old Kharadi Mundhawa Road, Kharadi, Pune-411014
	b) Address of the Concerned Project Chief Engineer (with Pin code & Telephone / Telex / Fax Numbers)	Email: admin@lotus-court.com, Mob. 9673788488
6.	<b>Salient features of the Project</b>	<p><b>Total Plot Area: 10100 Sq. M.</b> <b>Total Built up Area: 21517.88 Sq. M</b></p> <p><b>Bldg. Structure: Architect Certificate is attached.</b></p> <p><b>Water Requirement:</b> Construction Phase: Tanker water Operation Phase: Dry Season (CMD): - 79 Source: - PMC</p> <p><b>Solid Waste Management (Construction Phase)</b> <b>Dry Waste: - 03 Kg/day</b> <b>Wet Waste: - 02 Kg/day</b> Dry waste will be handed over to SWaCH</p>

		<p>Pune Seva Sahkari Sanstha Ltd. (Govt. Authorized E-waste &amp; Dry Waste Recycler)</p> <p><b>Power Requirement:</b></p> <ul style="list-style-type: none"> <li>• During Construction Phase (Demand Load): - 70KW</li> <li>• During Operational Phase (Connected load): - 5073KW</li> <li>• During Operational Phase (Demand load): - 514 KW</li> <li>• DG Set 200 KVA X 1, (Source: - MSEDCL)</li> </ul> <p><b>Energy Saving Measures:</b></p> <ul style="list-style-type: none"> <li>• High energy efficient LED Lamps</li> <li>• Low Loss Transformers, Auto Timers</li> <li>• Solar PV, Hot water, Solar Street lights</li> </ul>												
7.	<b>Breakup of the Project Area</b>													
	a) Submergence area: forest & non forest	Not Applicable												
	b) Others	Not Applicable												
8.	<b>Breakup of the project affected population</b> with the enumeration of those losing Houses / Dwelling units only, Agricultural Land & Landless Laborers / Artisans:	The project is proposed on own land thus there is no displacement of population is proposed.												
	a) SC, ST/Tribes													
	b) Others													
9 a)	<b>Financial Details</b> Project cost as originally planned and subsequent revised estimates and the year of price reference	Total Project Cost Projected- <b>Rs. 48 Crore</b>												
b)	<b>Allocation made for environmental management plans with item wise and year wise breakup</b>	<table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Particulars</th> <th>Amount. in Rs. Lakhs)</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: center;"><b>During Construction Phase</b></td> </tr> <tr> <td>1.</td> <td>Air Environment, Water Environment, Land Environment, Top Soil Preservation, Socio-economic Environment, Safety Training etc.</td> <td>17</td> </tr> <tr> <td colspan="2"><b>Total</b></td> <td>17</td> </tr> </tbody> </table>	Sr. No.	Particulars	Amount. in Rs. Lakhs)	<b>During Construction Phase</b>			1.	Air Environment, Water Environment, Land Environment, Top Soil Preservation, Socio-economic Environment, Safety Training etc.	17	<b>Total</b>		17
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<b>Total</b>		17												
c)	<b>Benefit cost ratio/Internal rate of return and the year of assessment</b>	Not applicable												
d)	<b>Whether (c) includes the cost of environmental management as shown in the above</b>	Yes, included												

e)	<b>Actual expenditure incurred on the project so far</b>	As per requirement
f)	<b>Actual expenditure incurred on the environmental management plans so far</b>	As per requirement
<b>10</b>	<b>Forest Land Requirement</b>	
a)	The status of approval for diversion of forest land for non-forestry use	Not applicable
b)	The status of clearing felling	Not applicable
c)	The status of compensatory afforestation, if any comments on the viability & sustainability of compensatory afforestation program in the light of actual field experience so far	Not applicable
<b>11</b>	<b>The status of clear felling</b> in non-forest areas (such as submergence area or reservoir, approach roads.), if any with quantitative information required.	Not applicable
<b>12</b>	<b>Status of construction</b> (Actual & /or planned)	<b>Construction Status: Currently Construction activity is stopped &amp; PP has submitted Architect Certificate stating that Completed Total BUA 23054.67 Sq. M. out of 21517.88 Sq. M, Project proponent has exceeded the sanctioned BUA of EC capacity.</b>
a)	Date of commencement (Actual & / or planned)	As per earlier EC
b)	Date of completion (Actual & /or planned)	Nil
<b>13</b>	Reasons for the delay if the project is yet to start	NA
<b>14</b>	Dates of Site Visits	NA
a)	The dates on which the project was monitored by the Regional Office on previous occasions, if any	Nil
b)	Date of site visits for this monitoring report	Air, Noise, Water & Soil sampling were done
<b>15</b>	Details of correspondence with project authorities for obtaining action plans / information on the status of compliance to safeguards other than the routine letters for logistic support for site visit.	Nil

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**Report on the status of compliance of conditions stipulated in the environmental clearance granted by SEIAA Maharashtra vide letter No. EC22B038MH182329 dated 10.08.2022 for Construction Project by M/s. Krishna Constructions located at S. No. 28/1, Near Old Relax Hotel, Kharadi, District Pune (Maharashtra)**

A monitoring report on the status of compliance of conditions stipulated in Environmental clearance is given as under:

The project is under construction phase. Hence, compliance status of construction phase conditions are only given below:

Sl. No.	Conditions as per EC dated 10.08.2022	Compliance as on 17.09.2023
	<b>SPECIFIC CONDITIONS</b>	
<b>A.</b>	<b>SEAC Conditions</b>	
1.	PP to ensure there should be clear 6 M driveway along with 9 M turning radius for smooth FTM. PP to provide fire Hydrant system with all accessories and equipments as Fire Tender cannot reach to the higher floors of Buildings proposed on East side of plot.	<b>PP consented to condition.</b>  PP has obtained Fire NOC from PMC ( <b>Annexure-XIV</b> )
2.	As agreed during presentation PP to plant 93 trees in addition to retaining 52 trees. No tree cutting is involved in the project.	<b>PP consented to condition.</b>  PP has obtained Garden NOC from PMC ( <b>Annexure-XV</b> )
3.	PP to submit sewer line section.	<b>PP consented to condition.</b>
4.	PP to provide minimum 30% of total parking arrangements with electric charging facility,	<b>PP has consented to Condition</b>
<b>B.</b>	<b>SEIAA Conditions</b>	
1.	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 and strength to increase the water permeable area as well as to allow effective fire tender movement.	<b>PP has consented to Condition.</b>  Project is in construction phase after completion of construction work, Project Proponent will keep open space unpaved, so as to ensure permeability of water. PP will provide grass pavers of suitable types and strength to increase the water permeable area.
2.	PP to achieve at least 5% of total energy requirement from solar/other renewable sources.	<b>PP has consented to Condition.</b>

		PP propose total saving 23 % & Solar Saving 12 %.
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XX.	<p>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.</p>	<p><b>Complied.</b></p> <p>Project proponent has made Separate Environment Cell for regular supervision</p>

2. The PP has also informed that no court case in any court of law is pending against their project.

