

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

APPEAL NO. 82/2024 WZ

TANAJI B. GAMBHIRE

APPELLANT

V/s

UNION OF INDIA & ORS.

RESPONDENTS

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PUNE

DATE : 29/11/2024



ADVOCATE FOR THE RESPONDENTS NO. 4

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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RESPONDENTS

REPLY ON BEHALF OF RESPONDENT NO.4,
(M/S PRASUN ASSOCIATES)

MOST RESPECTFULLY SHOWETH:

1. At the outset, it is submitted that, the contents of the Appeal are not admitted by the Respondent No.4 and that the contents therein are false and incorrect. The Respondent No.4 submits that the statements and averments made in the said Appeal are not admitted by the Respondent No.4 except so far they are expressly admitted herein under. It is further submitted that, the Respondent No.4 craves leave of this Hon'ble Tribunal to file a detailed Reply, if necessary, in the present proceedings. At the outset, the Appeal filed by the Appellant is devoid of any merit and is liable to be dismissed in limine with the compensatory cost. The Appellant herein is neither resident of the concerned area nor an aggrieved party and thus has no locus standi and has filed the present proceedings only to harass

the Respondents. The Applicant herein is claiming relief, which is beyond the jurisdiction of this Hon'ble Tribunal.

2. The Respondent No.4 submits that no substantial issue has been made out for adjudication of this Hon'ble Tribunal. The statutory authorities are already performing their statutory duties. The Respondent No.4 further submits that the Appellant herein has no locus standi to file the present Appeal and he is also not an aggrieved party to the present proceedings. The Hon'ble Supreme Court has clearly held that the bonafides of the litigant are to be tested before proceeding with the proceedings for adjudication.
3. The present Appeal is filed by the Appellant whereby he has sought quashing and setting aside of Environment Clearance (EC) dated 7th February 2024 issued by the Respondent No.2 **(which is annexed at ANNEXURE – A-1 of the Appeal at Pg No.14 of the Appeal Paper Book)**.
4. The present Appeal is clearly abuse of process of law and has been wrongfully filed by the Appellant, lacking any merit in its assertions against the Respondent No.4. The present Appeal is entirely founded on baseless assumptions, speculation, conjectures and thus holds no substance.

I. PRELIMINARY OBJECTIONS:

5. Appeal Not Maintainable Due to MoEFCC's 2nd AUGUST 2023

Notification Allowing SEIAA Members to Grant EC Post-Tenure:

- a. The sole ground for the Appellant's challenge in the present appeal is the unsubstantiated claim that the EC, granted to Respondent No.4 by SEIAA, was issued during the period when the SEIAA was allegedly not operational. However, this assertion is wholly unfounded and misleading as Ministry of Environment, Forest, and Climate Change Impact Assessment Division vide its notification/office memorandum dated 2nd August 2023 explicitly grants authority to Member of SEIAAs to issue/grant Environment Clearance letter for category B proposals even after expiry of its tenure for certain period where after approval to grant EC the SEIAA has become non-functional.
- b. The Respondent No.4 submits that the present case is clearly covered by the *de-facto* doctrine as the decision was

taken in good faith & on merits and the law on the said aspect is clear.

6. Appellant's Wrongful Suppression of MoEFCC Notification

Clarifying Procedure:

- a. The Appellant has not come with clean hands and has conveniently suppressed the material fact that the Ministry of Environment, Forest, and Climate Change (MOEFCC) issued a notification/office memorandum dated 2nd August 2023, titled "*Procedure for consideration of Category 'B' proposals at Central level due to the non-functionality or delay in constitution of SEIAA/SEAC.*" This notification explicitly outlines the procedures for handling EC proposals when SEIAAs or SEACs are non-functional or delayed in their constitution.
- b. The said notification categorizes various scenarios where EC proposals might be delayed, which includes:
 - I. Proposals submitted to SEIAA and not accepted by SEIAA.
 - II. Proposals received by SEAC/SEIAA and have been processed or are under processing.

- III. Proposals considered and/or deferred by SEAC for various reasons.
 - IV. Proposals recommended by SEAC but not forwarded to/not approved by SEIAA.
 - V. Proposals (which do not require examination of SEAC) accepted by SEIAA but not processed and/or deferred for various reasons.
 - VI. Proposals approved by SEIAA, but minutes/letter not uploaded on PARIVESH.
- c. For scenarios given in point I to V of the said notification, the MOEFCC has outlined a process where these pending proposals can be transferred from the state level to the Central level for further processing, ensuring they are not indefinitely stalled due to the non-functionality of SEIAAs/SEACs.
- d. The Respondent No.4 submits that whereas point VI specifically addresses the scenario where proposals have already been approved by the SEIAA but the official minutes or approval letters have not yet been uploaded to

the PARIVESH system (*an online platform used for environmental clearances and monitoring*). Pertinently, the proposal of Respondent No.4 was covered under point VI as SEIAA has granted the EC to it on 28th December 2023, after which SEIAA's tenure had expired on 10th January 2024. However, official minutes of meetings and EC letter has been uploaded on the site of PARIVESH on 7th February 2024. It is thus submitted as stated earlier, the present scenario would be covered by the *de-facto* doctrine.

- e. It is stated that the MOEFCC has granted a "*window period*" of fifteen (15) days, for the Member Secretary of the SEIAA, extendable with another fifteen (15) days, to upload the minutes or approval letters related for the proposals covered under point VI, i.e., proposal which was duly approved by SEIAA before it became non-functional.
- f. In the case of Respondent No. 4, the SEIAA clearly operated within this time frame, ensuring that the EC approval was formalized and recorded in due compliance with the procedure laid out by the MOEFCC.

A Copy of Ministry of Environment, Forest, and Climate Change (MOEFCC) notification/office memorandum dated 2nd August 2023, titled "*Procedure for consideration of Category 'B' proposals at Central level due to the non-functionality or delay in constitution of SEIAA/SEAC*" is annexed herewith as **ANNEXURE – R-1**.

7. Compliance of Due Process by Respondent No. 4:
 - a. Respondent No.4 has scrupulously followed the due process prescribed for seeking Environmental Clearance (EC) for its project categorized under Category B as per the EIA Notification, 2006. Environmental Clearance has been granted to Respondent No. 4 in absolute compliance with the provisions of the EIA Rules and Regulations and after a thorough and proper appraisal process.
 - b. Both SEAC III and SEIAA have granted approvals to the proposal of Respondent No.4 in all their meetings whenever the proposal was listed for appraisal. The said approvals were granted by the competent authorities within their tenure, following due deliberation and careful

consideration. Thus, there has been no deviation from the prescribed procedures at any stage of the process.

- c. The Respondent. No.4 submits that the Respondent No.4 has rigorously complied with all rules/regulations/procedures prevailing at that period of time. The Respondent No.4 thus cannot be denied the due benefits of the EC which has been obtained in accordance with the law.

8. Baseless Allegations of Misrepresentation and Non-Compliance by Appellant:

- a. The Appellant's claims that Respondent No. 4 submitted a false, defective and misleading application for the grant of Environmental Clearance (EC) and failed to comply with the conditions imposed by SEAC III and SEIAA, are entirely false, baseless and without merit & with malicious intent.
- b. Respondent No.4 has meticulously adhered to all regulatory requirements under the Environmental Impact Assessment (EIA) framework and has acted in full compliance with the

stipulated procedures. Respondent No. 4 has not only submitted its application in strict accordance with the provisions of the EIA but has also responded comprehensively to every query and concern raised by the SEAC III and SEIAA, from time to time.

- c. The Respondent No.4 submits that the Respondent No.4 vide its letter dated 29th June 2022 submitted the application for grant of Environmental Clearance along with Form I & IA. The Respondent No.4 vide its undertaking dated 4th July 2022 undertook to provide and implement facilities at the concerned project. Copy of the letter dated 29th June 2022 and the undertaking dated 4th July 2022 are annexed hereto and marked as **ANNEXURE – R-2 & R-3** respectively.
- d. The Respondent No.4 further submits that vide its letter dated 16th September 2022 the Respondent No.4 submitted the debris disposal plan for residential and commercial construction. Copy of the letter dated 16th September 2022 is annexed hereto and marked as **ANNEXURE – R-4**.

- e. The Respondent No.4 submits that the proposal of the Respondent No.4 was considered during the 152nd meeting held on 21st September 2022. During the course of the said meeting certain details were sought from the Respondent No.4. In response, the Respondent No.4 vide its letter dated 21st October 2022 submitted the requisite details to the SEAC III for consideration. Copy of the reply letter dated 21st October 2022 is annexed hereto and marked as **ANNEXURE – R-5**.
- f. The Respondent No.4 vide its letters dated 26th December 2022 to MPCB and 15th January 2023 to the MoEF submitted the current status of construction, monitoring reports, data sheets and pointwise compliance status. Copies of the said letters are annexed hereto and marked as **ANNEXURE -R-6 colly**.
- g. The Respondent No.4 vide its letters dated 7th July 2023 and 2nd August 2023 addressed to the SEAC III decided to withdraw its application for grant of EC. Copies of the letters dated 7th July 2023 and 2nd August 2023 are annexed

hereto and marked as **ANNEXURE – R-7 colly**. The Respondent No.4 further submits that vide letter dated 28th August 2023 the Respondent No.4 requested the SEAC III to reopen the application for grant of EC and requested to consider the application for grant of EC. Copy of the letter dated 28th August 2023 is annexed hereto and marked as **ANNEXURE – R-8**.

- h. The Respondent No.4 further submits that the proposal of the Respondent No.4 was considered in 182nd meeting held on 11th October 2023. The Respondent No.4 was directed to furnish certain details for the same. The Respondent No.4 vide its letter dated 25th December 2023 submitted the details to the SEAC III. Copy of the letter dated 25th December 2023 is annexed hereto and marked as **ANNEXURE – R-9**. The proposal of the Respondent No.4 was thus considered in the 272nd meeting held on 28th December 2023 and the SEIAA decided to grant the EC to the Respondent No.4.

i. It is stated that the EC was granted to Respondent No.4 by the SEIAA after carefully considering all the aforementioned submissions and ensuring that Respondent No.4 had fully complied with all procedural and regulatory requirements. The SEIAA's decision was based on a thorough appraisal of the application, the responses to queries, and the supporting documentation provided by Respondent No.4. Thus, the Appellant's allegations of non-compliance and misrepresentation are devoid of any factual basis and are simply an attempt to mislead and prejudice the mind of this Hon'ble Tribunal.

9. No Prejudice to Environmental Safeguards:

- a. The Appellant has entirely failed to demonstrate any harm or prejudice to environmental safeguards as a result of the Environmental Clearance (EC) granted to Respondent No.4. There is no specific assertion in the appeal that the project in question will cause any environmental damage or degradation, rendering the allegations of appellant baseless.
- b. Respondent No.4 has adhered to all environmental regulations and requirements as mandated by law. The EC

was granted after a thorough and lawful appraisal process conducted by the appropriate authorities, ensuring that all environmental conditions were met. The Appellant's allegations lack any factual basis and do not provide any evidence of non-compliance with environmental safeguards. The absence of any concrete assertion regarding potential environmental harm demonstrates that the appeal is unfounded and serves no legitimate purpose other than to obstruct Respondent No.4's lawful activities and are done with a view to harass the Respondent No. 4.

BRIEF FACTS OF THE PRESENT CASE:

10. The brief facts of the present case are enumerated as under: -
 - a. Respondent No.4, is a Partnership Firm registered under the laws of India, having its registered office at Prasun Arcade, 1st Floor, Plot No.12, Opp. Gokul Hotel, Station Road, Pimpri, Pune.
 - b. The Respondent No.4 filed an application with the Ministry of Environment, Forest and Climate Change seeking

Environment Clearance (*EC*) for proposed residential and commercial building located at Plot Nos.D+Da+Db Survey No.10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village Kharadi, Pune. The application of Respondent No.4 has been registered in “*Category B*” projects vide proposal no. SIA/MH/INFRA2/439350/2023. Copy of Respondent No.4’s application no. SIA/MH/INFRA2/439350/2023 is annexed herewith as **ANNEXURE – R-10**. The said application has been considered and the EC has been granted to the Respondent No.4.

PARAWISE REPLY

- 11.The Respondent No.4 submits that the contents of Para 1 of the appeal are a matter of record and hence needs no reply.
- 12.The Respondent No.4 submits that the contents of Para 2 of the Appeal to an extent are a matter of record and needs no response. Rest of the contents of the said para are denied being ill-motivated, false and incorrect. It is stated that the present appeal at the outset is not maintainable as the same wrongly challenges the issuance

of EC to the answering Respondent by Respondent Nos.2 & 3. It is further stated that the contention of the Appellant that SEIAA was non-functional and hence cannot grant EC is misconceived. The Respondent's proposal was approved by SEIAA on 28th December 2023, i.e., when the SEIAA was operational and was uploaded on online portal (PARIVESH) on 7th February 2024, exercising the power/authority given by MOEFCC vide its notification dated 02.08.2023 whereby, MOEFCC has categorically granted a "*window period*" of fifteen (15) days, for the Member Secretary of the SEIAA, extendable with another fifteen (15) days to upload the minutes or approval letters related for the proposals which was duly approved by SEIAA before it became non-functional.

13. The Respondent No.4 submits that the contents of Para 3 of the appeal are denied on grounds of being false and incorrect as the appeal filed by the Appellant is misconceived, without merit, and lacks any cause of action. The issues raised by the Appellant as mixed questions of law and facts are wholly untenable and do not warrant consideration by this Hon'ble Tribunal. The appeal is not maintainable and should be dismissed at the outset.

Rebuttal to Issues Raised by the Appellant:

13.1. Whether the impugned EC can be granted when SEIAA is not in operation & functioning due to its expiry of tenure since 10.01.2024?

- The Appellant's contention regarding the invalidity of the Environmental Clearance (EC) due to the alleged non-operation of SEIAA is fundamentally flawed. Even in instances where SEIAA's tenure has expired, MOEFCC vide its notification dated 2nd August 2023 has ensured the continuity of administrative functions. The impugned EC was issued by authorized officials within the authority granted to it under MOEFCC notification dated 2nd August 2023, ensuring that all necessary legal and procedural requirements were met. Therefore, this issue raised by the Appellant is misconceived and does not affect the validity of the EC.

13.2. Whether the SEIAA have followed the due process of law and also, the procedures under EIA

Notification, 2006, law laid down by Hon'ble Supreme Court and by Hon'ble NGT Rulings?

- Respondent No.4 submits that the SEIAA, through its authorized representatives, followed due process and adhered to the procedures prescribed under the EIA Notification, 2006, as well as the precedents set by the Hon'ble Supreme Court and the Hon'ble NGT. The granting of the impugned EC was conducted in strict compliance with all applicable legal requirements, leaving no room for questioning its validity. The Appellant's suggestion that due process was not followed is speculative and baseless in view of the notification of MOEFCC dated 2nd August 2023.

13.3. Whether the Conduct of Member Secretary of SEIAA, Respondent No.4 is in collusion and needs strict Legal action?

- The allegation of collusion between the Member Secretary of SEIAA and the Respondent No.4 is false, entirely unfounded and unsupported by

any credible evidence. Respondent No.4 strongly denies any collusion or wrongdoing in the process of granting the EC. The entire process was conducted with transparency and in accordance with the law. The Appellant's baseless allegations are an attempt to jeopardize the authority vested in SEIAA and SEAC.

13.4. Whether the impugned EC is tenable in the eyes of law being granted by ex-officio in absence of any powers and without authority?

- The impugned EC was granted by officials who were vested with the necessary powers and authority to act on behalf of SEIAA. The delegation of authority in such circumstances is well within the legal framework and ensures the uninterrupted functioning of administrative duties. The Appellant's challenge to the authority of these officials is without merit, and the EC remains fully tenable in the eyes of the law.

13.5. Whether there is compliance to the conditions imposed in SEAC & SEIAA minutes and who have verified the same in the absence of SEIAA?

- The compliance with the conditions imposed by SEAC and SEIAA was duly verified by competent authorities acting within their legal mandate. The Appellant's doubts regarding verification are unfounded. It is stated that Respondent No. 4 has duly replied to each, and every concern raised by both SEIAA and SEAC III.

13.6. Whether the Respondent No. 3-Shri. Pravin C. Darade has powers in personal capacity to grant impugned EC? And is there any abuse of process of law by Respondent No. 3-Shri. Pravin C. Darade?

- The said question as framed is mischievous and reeks of ulterior motives of the appellant. The appellant's personal grudges if any against Shri Pravin Darade, are leading the Appellant to file vexatious proceedings against one and all. The EC has been issued in compliance with the

applicable law and authority vested by law.

There has been no abuse of the process of law, and the EC was granted in full compliance with the applicable legal provisions.

14. The Respondent No.4 submits that the contents of Para 4.1. of the appeal is denied, on grounds of being false and incorrect. The Appellant appears to be indulging in extortive acts by abusing legal process. It is stated that the present appeal is without any merit as the EC has been granted to Respondent No.4 in absolute compliance of the provisions of EIA Rules and Regulation.
15. The Respondent No.4 submits that the contents of Para 4.2 of the appeal is a matter record and needs no response. The Respondent No. 4 denies that it is Illegally developing the said plot of land mentioned therein. The Respondent No. 4 denies that there is an of process of law by it or by Respondent No. 3.
16. The Respondent No.4 submits that the contents of Para 4.3 of the appeal are denied, on grounds of being false and incorrect. It is denied that Respondent No.4 has procured the subject EC from SEIAA with false, baseless and misleading information without following the due process. Respondent No.4 states that it has taken part in each and every meeting of both SEAC III and SEIAA and

provided all the information/documents as sought by both the authorities. The Respondent No. 4 states that the EC granted to Respondent No. 4 is valid, legal and good in the eyes of the law.

17.The Respondent No.4 submits that the contents of Para 4.4, 4.5 and 4.6 of the appeal are matter of record and needs no response.

18.The Respondent No.4 submits that the contents of Para 4.7 to the extent are a matter of record and needs no response. Rest of the contents thereof are denied on grounds of being false and incorrect. It is denied that Respondent No.4 has not complied with any condition proposed by SEAC III. Respondent No.4 after the 182nd meeting of SEAC III has submitted a point wise reply dated 25th December 2023, wherein it has addressed all the conditions recommended by SEAC III and thereby complied with all conditions for grant of EC.

19.The Respondent No.4 submits that the contents of Para 4.8 of the appeal are matter of record and needs no response.

20.The Respondent No.4 submits that the contents of Para 4.9 of the appeal are denied, on grounds of being false, incorrect and an afterthought. The present appeal is without any substantive basis and are an attempt to misconstrue the facts and the law. The appeal

itself is misconceived,lacking in any cause of action, and is therefore not maintainable.

REPLY TO GROUNDS:

- 21.Ground 5.1 of the appeal is denied, on ground of being misconceived and ill-informed. It is stated that Respondent No.3 in terms of MOEFCC notification dated 2nd August 2023 is lawfully authorized to grant EC for the proposals which was duly approved by SEIAA before it became non-functional for a period of one month after the expiry of the tenure of SEIAA Committee.
- 22.Ground 5.2 of the appeal is denied, on grounds of being false, incorrect and misconceived. It is denied that the EC granted to Respondent No.4 has been approved in an illegal manner and in abuse of process of law.
- 23.Ground 5.3 of the appeal is denied, on grounds of being false and incorrect. It is stated that subject EC has been granted to Respondent No.4 after following due process and procedure by both Respondent Nos.2 & 3.
- 24.Ground 5.4 and 5.5 of the appeal is categorically denied being false and incorrect. Respondent No.4 at no point of time submitted

any false and baseless information before SEIAA. Respondent No.4 has time and again provided the required documents and information as sought by SEAC III and SEIAA in its meetings. The Appellant's allegation that false, baseless, or misleading information was submitted to the SEIAA during the process of obtaining EC is utterly wrong and suffers from malice. It is stated that all information provided by Respondent No. 4 was accurate, truthful, and in compliance with the applicable regulations and guidelines. The accusation of "*Suppressio Veri Suggestio Falsi*" is without any basis in fact or law. The process of obtaining the EC involved a thorough scrutiny by SEIAA, which included multiple levels of review and in-depth verification of the information provided by Respondent No.4. The SEIAA, being a diligent and competent authority, would not have granted the EC if any discrepancies or falsehoods had been detected in the application submitted by Respondent No. 4.

25. Ground 5.6 of the appeal is denied, on grounds of being false, incorrect and untenable in the eye of law. The Respondent No.4 states that EC granted to Respondent No.4 by SEIAA is valid, correct, legally sacrosanct and issued in due compliance of the relevant rules and regulations.

26. Ground 5.7 of the appeal is denied on grounds of being false, incorrect and untenable in the eye of law. It is denied that the EC granted is illegal or that it warrants quashing along with any legal action or costs. The EC was granted following all due processes under the law, including proper evaluation at every stage and compliance with all applicable norms and guidelines. The Appellant's demand for quashing the EC is baseless and devoid of merit, and the prayer for legal action against Respondent No.4 is entirely unwarranted.

27. Ground 6(a) of the appeal is denied on grounds of being false and incorrect. It is stated that there is no basis to the claim that there was a lack of coordination between MOEFCC and SEIAA during the grant of the EC. The entire process of grant of EC to Respondent No.4 was conducted in accordance with the law, with due regard to environmental protection and MOEFCC notification dated 2nd August 2023. Respondent No. 4 has strictly followed all required environmental regulations, and the EC was granted only after careful consideration of all relevant factors.

28. Ground 6(b) of the appeal is denied on grounds of being false and incorrect. clearly, the Appellant has failed to establish any prima-facie case that justifies the quashing of the EC or the imposition

of a stay on its operation. The EC was granted in compliance with all legal requirements, and Respondent No. 4 is not engaged in any illegal construction activity. The demand for a stay is entirely without merit and would unjustly halt a legally approved project, causing irreparable harm to Respondent No.4 and other stakeholders. There is no basis for any prohibition or stay, and the Hon'ble Tribunal is urged to dismiss this request.

29. Ground 6(c) of the appeal is denied on grounds of being false and incorrect. Respondent No. 4 firmly denies the baseless and defamatory characterization as a "*white-collar defaulter*" or "*violator*". The EC was obtained through a lawful and transparent process, with all due diligence exercised. The insinuation of corruption or impropriety is wholly unfounded and intended to malign Respondent No. 4 without any supporting evidence. Respondent No. 4 maintains that the EC process was conducted with full integrity and in accordance with the law.

30. Ground 6(d) of the appeal is denied on grounds of being false and incorrect. Respondent No. 4 states that the Appellant's allegations of "*intentional violations of laws*" are entirely unfounded and such malicious insinuations are meant to prejudice the mind of this Tribunal in a calculated manner. The Appellant has not made out

any specific legal violation by Respondent No.4. The Respondent No.4 reiterates as that the EC was granted following the due legal procedures established under the NGT Act, 2010, and related rules. The Appellant's invocation of this Hon'ble Tribunal's jurisdiction is an attempt to obstruct a legally compliant project, with a view to extort money from the Respondent No.4 and the appeal clearly lacks merit.

31.Ground 6(e) of the appeal is denied by the Respondent No. 4 and appellant is hereby put to strict proof in support of his averments as the same are within his knowledge alone.

32.Ground 6(f) is denied on grounds of being false and incorrect. It is stated that the Appellant's actions are not based on any genuine public interest concern. Instead, the appeal appears to be driven by a malicious desire to obstruct a legally compliant project without any legal grounds for fulfilling his own ulterior motives.

33.Contents of Para 6(g) and 6(h)of the appeal is not maintainable and is illegal without prejudice thereto the Respondent No. 4 reserves the right to respond to any such additional grounds or documents as per the directions of this Hon'ble Tribunal.

34.Contents of Para 6(i) of the appeal calls for no reply.

35. Contents of Para 6(j) of the appeal denied, on grounds of being incorrect. It is stated that there is no prima facie case in favour of the appellant and the present appeal does not call for any relief as sought by appellant. As the appeal lacks in making out a prima facie case there is no balance of convenience in favour of Appellant and no loss will be caused to the Appellant.

36. Contents of para 7 of the appeal are denied, on grounds of being false and incorrect. It is specifically denied that the present appeals consist of a question of public importance. Appellant is not an aggrieved person and most definitely not a vigilant citizen. The appellant is merely an abuser of the process of law. The Respondent No.4 states that the present appeal smacks of mala fide and ulterior motives of the appellant.

37. Contents of para 8 of the appeal are denied, on grounds of being false and incorrect. It is, however, submitted that the present appeal is not maintainable and without jurisdiction as the same is without any cause of action.

38. Contents of para 9 of the appeal are denied, on grounds of being false and incorrect. It is stated that there is no cause of action in favour of the Appellant and against the Respondent No.4. The

Appellant has attempted to create an illusory cause of action to create a base for his false case.

39. Contents of para 10 of the appeal are denied, on grounds of being false and incorrect. Respondent No.4 asserts that the Appellant has deliberately attempted to mislead this Hon'ble Tribunal by inaccurately presenting the delay as 56 days. The period of delay is non-condonable.

40. Contents of para 11 of the appeal, i.e., Prayer clause is incorrect and vehemently denied and should not be granted. The Appellant is by instituting this appeal only trying to harass the Respondent No.4 and waste the precious time of this Hon'ble Tribunal.

41. The Appellant has not provided any concrete evidence to support the allegations of misrepresentation, non-compliance, or submission of a defective application by Respondent No. 4 and has simply attempted to mislead this Tribunal by way of his prejudiced wordings. The claims made by the Appellant are speculative, unsupported by facts, and appear to be an attempt to obstruct question the lawful grant of EC. It is stated that in the absence of any substantive evidence, the appeal lacks merit in its entirety and deserves to be dismissed with costs.

42. It is stated that Respondent No. 4 has followed the due process prescribed for seeking EC in respect of projects categorized under Category B. The EC has been validly granted to Respondent No.4 in absolute compliance of the provisions of EIA Rules and Regulation.

43. The Appellant has failed to demonstrate any actual harm or prejudice to environmental safeguards resulting from the grant of EC to Respondent No.4. On the contrary, Respondent No.4 has complied with all environmental conditions and requirements imposed by SEAC III and SEIAA, thereby ensuring that the environmental integrity of the project is maintained. The appellant's appeal is thus not only baseless but also an abuse of the legal process.

44. The present appeal is a vexatious attempt to delay and hinder the lawful operations of Respondent No.4, despite the latter's compliance with all legal and procedural requirements. The appellant's continued pursuit of this appeal, despite the lack of any substantive grounds, constitutes an abuse of process.

45. Given the baseless nature of the Appellant's claims, it is evident that the appeal is an abuse of the judicial process, aimed at causing undue delay, harassment and prejudice to Respondent No.4. The

Appellant's conduct warrants the imposition of heavy costs to deter such frivolous and malicious litigation in the future.

PRAYER

In the aforesaid premise, it is most humbly prayed that this Hon'ble Tribunal may graciously be pleased to:

A. Dismiss the appeal filed by the appellant with exemplary costs;

And/or

B. Pass any such other further orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case and in the interests of justice.

Pune

Date : 29/11/2024



Advocate for Respondent No.4

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

APPEAL NO.82/2024 WZ

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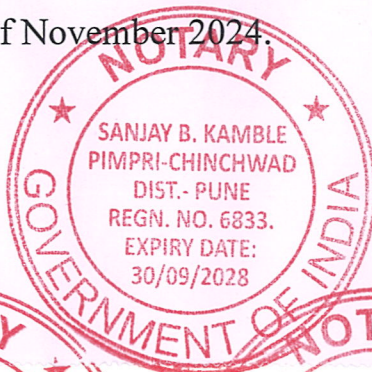
A F F I D A V I T

MAY IT PLEASE THE HON'BLE TRIBUNAL:

I, Sunil N Chawla, Adult, Occu: Business, having office at 601,6th Floor, Vascon Eco Tower, Baner – Pashan Link Road, Baner, Pune - 411045, do hereby state on solemn affirmation as under: -

I am the Partner of the Respondent No.4 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 Pune on 29th day of November 2024.



Sanjay B. Kamble

DEPONENT
BEFORE ME

SANJAY B KAMBLE
Advocate & Notary (Govt. of India)
Shastri Nagar, Behind Deluxe
Pimpri Camp, Pimpri
Pune - 411 017

29 NOV 2024

Noted & Registered
at Serial Number 628/2024

F.No. IA3-22/10/2022-IA.III [E 177258]
Government of India
Ministry of Environment, Forest and Climate Change
Impact Assessment Division

Indira Paryavaran Bhawan
3rd Floor, Vayu Wing, Jor Bagh Road
Ali Ganj, New Delhi-3

Dated: 2nd August, 2023

OFFICE MEMORANDUM

Subject: Procedure for consideration of Category 'B' proposals at Central level due to the non-functionality or delay in constitution of SEIAA/SEAC - reg.

The State Environmental Impact Assessment Authorities (SEIAAs)/State Expert Appraisal Committees (SEACs) have been constituted in exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for decentralisation of the Environment Clearance (EC) process and grant of Environment Clearances at the State level. All projects or activities under Category 'B' in the Schedule of the EIA Notification, 2006 are appraised by the respective SEACs/SEIAAs of the States/UTs.

2. As per the extant provisions of EIA, 2006, in the absence of a duly constituted SEIAA/SEAC, a Category 'B' project shall be considered at the Central Level as a Category 'B' project. However, instances have been brought to the notice of this Ministry that in the event of non-functionality or delay in constitution of SEIAA/SEAC, many proposals submitted to SEIAA are held up at different stages of EC process at the State level. The matter has been examined in the Ministry and it is observed that there could be different situations arising out of non-functionality or delay in constitution of SEIAA/SEAC as enumerated below:

- i. Proposals submitted to SEIAA and not accepted by SEIAA.
- ii. Proposals received by SEAC/SEIAA and have been processed or are under processing.
- iii. Proposals considered and/or deferred by SEAC for various reasons.
- iv. Proposals recommended by SEAC but not forwarded to/not approved by SEIAA.
- v. Proposals (which do not require examination of SEAC) accepted by SEIAA but not processed and/or deferred for various reasons.
- vi. Proposals approved by SEIAA but minutes/letter not uploaded on PARIVESH.

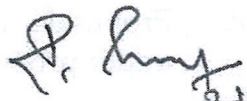
3. In this regard, the Ministry deems it necessary to clarify the process for handling such proposals. For the scenarios mentioned at sub para (i) to (v) of para 2 above, the following procedures shall be followed:

- i. Consequent upon the non-functioning/discontinuation of SEIAA/SEACs, the Member Secretary of SEIAA/State Government shall submit the details of the pending proposals to the PARIVESH of MoEF&CC with a request to transfer such proposals to the Central level.
- ii. PARIVESH shall examine the aforesaid request and seek the approval of the Competent Authority for the transfer of proposals from SEIAA/SEAC to the Central level.
- iii. Thereafter, the proposals from the SEIAA/SEAC shall be transferred through PARIVESH to the concerned Member Secretary of the EAC at Central level.
- iv. The concerned Member Secretary of the EAC at Central level shall carry out the due diligence to ascertain the level of examination/appraisal needed to be carried out by the Central level EAC based on the stage at which the proposal was pending for appraisal at the concerned SEIAA/SEAC.

4. For the scenario mentioned at sub para (vi) of para 2 above, based on the request from the Member Secretary of SEIAA/State Government, a window period of 15 days shall be provided to the Member Secretary SEIAA, extendable by a further period of 15 days, to only upload the minutes/letters for the proposals which were duly approved by SEIAA before it became non-functional.

5. Further, in case of only SEIAA becoming non-functional / discontinued due to various reasons, the proposals pending with SEAC for (re)consideration up to the day of such discontinuation shall be (re)considered by the respective SEAC and forwarded to the Ministry along with recommendation as per the procedure prescribed at Para 3 above.

6. This is issued with the approval of Competent Authority.


 (Sundar Ramanathan)
 2/18/2023
 Scientist E

To

1. Chairman, Central Pollution Control Board (CPCB).
2. Chairman of all the Expert Appraisal Committees
3. Chairperson/Member Secretaries of all the SEIAAs/SEACs

4. Chairpersons/Member Secretaries of all SPCBs/UTPCCs
5. All the Officers of IA Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. Sr.PPS to Secretary (EF&CC)
4. Sr.PPS to AS(TK) / AS (NPG)
5. Sr.PPS to JS (SKB)
6. Website, MoEF&CC
7. Guard file.



PRASUN ASSOCIATES
PROMOTERS AND BUILDERS

Date:29.06.2022

To,
 The Member Secretary,
 State Level Expert Appraisal Committee-III,
 Department of Environment,
 Government of Maharashtra
 15th floor, New Administration Building,
 Mantralaya, Mumbai 400032

Subject: Application for Prior Environmental Clearance for proposed residential and commercial project at Plot no D+Da+Db, Survey No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, & 10/2A/3, KHARADI, TALUKA HAVELI, DIST. PUNE by M/s. PRASUN ASSOCIATES.

Respected Sir,

With reference to above mentioned subject, we are submitting herewith the application Form 1 and Form 1A, along with all necessary plans, drawings, and annexures as per your requirement.

We request you to acknowledge the same and oblige.

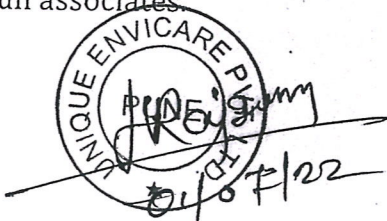
Thanking You,

[Handwritten Signature]



Yours Faithfully,

M/s. Prasun associates



04/07/2022

To,
The Chairman,
SEAC-III & SEIAA
Department of Environment
Government of Maharashtra
New Administration Building,
15th Floor, Mantralaya,
Mumbai – 400032

To whom so ever it may concern

We M/s. Prasun Associates through its partner Mr. Sunil Chawla hereby agrees and undertake to implement / provide facilities in our project indicated in the schedule attached hereto, along with supporting calculations annexed.

1. We shall not only comply with ECBC norms laid down for generation of energy but also try to maximize utilization of the available terrace area to the maximum extent for renewable energy generation as well as water heating.
2. We shall also install latest available gadgets to make optimum use of power and mitigate all power losses.
3. We shall provide DG (with automatic switching on/off) backup which shall be equal to or more than 10 % of maximum demand or equal to all emergency requirements like Fire Fighting Pumps, Fire Lifts, emergency lighting, water Pumps, STP, solid waste Treatment Plant, Water Treatment Plant etc. whichever is higher.
4. Clear road approach of required width for transformer and DG set to facilitate maintenance of this equipment's shall be provided.

Thanking You,

Yours Sincerely,

M/s. Prasun Associates



(Partner)
(Sunil Chawla)



PRASUN ASSOCIATES
PROMOTERS AND BUILDERS

Date: 04/07/2022

To,
 The Chairman,
 SEAC and SEIAA
 Department of Environment,
 Government of Maharashtra,
 New Administrative Bhavan,
 15th Floor, Madam Cama Road,
 Mantralaya Mumbai 4000032

Subject: Regarding provision of charging stations for Electrical vehicles for our proposed Residential & Commercial construction project at Plot D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune, Maharashtra by M/s. Prasun Associates with proposal number SIA/MH/MIS/281194/2022.

Respected Sir,

We have applied for Environmental Clearance for the proposed Residential & Commercial construction project at Plot D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune, Maharashtra.


As per suggestions made by SEAC -III Committee we have proposed 30 % of total parking arrangement with electric charging stations for our project at Plot D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune, Maharashtra. We have also submitted revised parking plan regarding the same.

This is our humble request to consider our project for your further appraisal.

Thanking You,

Yours Truly

M/s. Prasun Associates


 (Partner)
 (Sunil Chavita)



PRASUN ASSOCIATES
PROMOTERS AND BUILDERS

ANNEXURE-R-4

Date: 16.09.2022

To,
The Chairman ,
SEAC – III & SEIAA,
Environment Department,
New Administration Building,
15th Floor, Mantralaya,
Mumbai – 400032

Subject – Debris disposal plan for the Proposed Residential & Commercial construction project at Plot No-D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka – Haveli, Pune, Maharashtra by M/s. Prasun Associates

Respected Sir,

We are hereby mentioning that if excavated material (debris) will remain at the site, it will further disposed 9779.47 Cum to plot Gat No 34/2/12, 34/2/13, 34/2/14, 34/2/15, 34/2/16, 34/2/17, 34/2/18, 34/2/19, 34/2/20, 34/2/21, Village Mundhwa, Tal.- Pune city, Dist.- Pune. (7/12 abstract) & Total Plot area- 10,000 sq. m for leveling of site and other work. Map for the same in enclosed herewith.

Requisite Charges will be paid as and when required.

Thanking You,

Your Truly,

(Prasun Associates)



Date: 21/10/2022

To,
The Chairman,
SEAC-III & SEIAA
Department of Environment,
Government of Maharashtra,
New Administrative Bhavan,
15th Floor, Madam Kama Road,
Mantralaya Mumbai 400032

Subject: Regarding potable water supply through water tanker for our Project at Plot no. D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune, Maharashtra by M/s. Prasun Associates.

Ref. - Proposal No- SIA/MH/MIS/281194/2022

Respected Sir,

We have applied for Environmental Clearance for the residential & commercial construction project, Pune. We here by commit that,

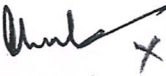
1. Our project is getting water through water tanker till sustainable water supply from Municipal Corporation (PMC). For that we are prepared Water tanker agreement.
2. We have added this information in all our documents like RERA and Advertisement for our project at Plot no. D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune, Maharashtra by M/s. Prasun Associates.
3. We here undertaking that, the water proposed to use for construction phase should not be drinking water. They can use recycled water or tanker water for proposed construction.
4. No occupancy will be given till sustainable water supply is obtained to the project sharing the undertaking for the same.

5. Now we request that in view of above, EC maybe processed in the interest of Govt, of India Policy of EoDB (Ease of Doing Business).

This is our humble request to consider our project for your further appraisal.

Yours Truly

M/s. Prasun Associates



(Partner)

Mr. Sunil Chawla



PRASUN ASSOCIATES
PROMOTERS AND BUILDERS

Date:
21/10/2022

To,
The Chairmen,
SEAC-III & SEIAA
Department of Environment, Government of Maharashtra
New Administrative Bhavan, 15th floor, Madam Kama road,
Mantralaya, Mumbai 400032

Subject: Submission of clarification on compliance raised by SEAC-III during 152nd meeting dated on 21st Sept, 2022 for Proposed Residential & Commercial construction project at Plot No-D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune, Maharashtra by M/s. Prasun Associates.

Proposal No.: - SIA/MH/MIS/281194/2022

Respected Sir,

We have represented our project for Environmental Clearance in 152nd SEAC-III meeting dated on 21st Sept, for Proposed Residential & Commercial construction project at Plot No-D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune, Maharashtra by M/s. Prasun Associates Undertake That We Will Abidē All Condition Laid In Fire NOC

Yours Truly

M/s. Prasun Associates



(Partner)

Mr. Sunil Chawla



PRASUN ASSOCIATES
PROMOTERS AND BUILDERS

Date: 21/10/2022

To,
 The Chairman,
 SEAC-3
 Environment Department,
 Government of Maharashtra
 2nd floor, block no, 217(Annex)
 Mantralaya Mumbai
 Maharashtra.

Subject : Submission of details raised by SEAC during 152nd SEAC meeting dated on 21st Sept, 2022 for proposed Residential & Commercial construction project by M/s. Prasun Associates having proposal no. SIA/MH/MIS/281194/2022

Respected Sir,

We have represented our case for Environmental Clearance for the proposed Residential & Commercial construction project in SEAC-III 152nd dated 21st Sept, 2022. We are here by submitting details as below,

Sr. No.	Compliance	Clarification
1.	PP to submit the tree cutting NoC.	Annexure 1
2.	It is noted that, the project will have the potable water through tankers; PP to add this information in his all documents like RERA, Advertisement of the project, agreement etc. Also PP to submit the water tanker agreement. Local body to ensure that, No Occupation Certificate should be issued unless project have sustainable water supply & sewer line.	Annexure 2
3.	PP to submit the revised rain water harvesting calculations.	Annexure 3
4.	It is noted that some trees will be planted outside the project site, PP to submit the undertaking for maintenance of the same for the period of 7 years or project completion whichever is later.	Annexure 4
5.	PP to abide all the conditions of fire NoC.	Annexure 5

6.	PP to provide minimum 30% of total parking arrangement with electric charging facility by providing charging points at suitable places. PP to ensure that this should be provided in AC/DC combination.	Annexure 6
7.	PP to ensure that, the water proposed to use for construction phase should not be drinking water. They can use recycled water or tanker water for proposed construction.	Annexure 7

Thanking You,

Yours Truly

M/s. Prasun Associates

(Partner)

Mr. Sunil Chawla

PRASUN ASSOCIATES
PROMOTERS AND BUILDERS

Date: 21/10/2022

To,
The Chairman,
SEAC
Department of Environment,
Government of Maharashtra,
New Administrative Bhavan,
15th Floor, Madam Cama Road,
Mantralaya Mumbai 400032

Subject: Regarding provision of charging stations for Electrical vehicles for our
Proposed Residential & Commercial construction project by M/s. Prasun
Associates having proposal no. SIA/MH/MIS/281194/2022

Respected Sir,

We have applied for Environmental Clearance for the proposed Residential & Commercial construction project at Plot No-D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune. As per suggestions, we have proposed 30% of total parking arrangement with electric charging stations and ensured that it provided in AC/DC combination.

This is our humble request to consider our project for your further appraisal.

Thanking You,

Yours Truly

M/s. Prasun Associates



(Partner) ✕
Mr. Sunil Chawla



PRASUN ASSOCIATES
PROMOTERS AND BUILDERS

ANNEXURE-R-6

Date:
 26/12/2022

To,
 Maharashtra Pollution Control Board
 Jog Center, 3rd floor,
 Mumbai Pune Road,
 Wakdewadi, Pune - 411003

Reference: -MPCB-CONSENT-0000152158

Subject: Reply on Scrutiny letter Reply generated on 15th Dec 2022.

Respected Sir/Madam,

We are hereby submitting the clarification on (Consent to Establish application having UAN No. MPCB-CONSENT-0000152158) the issues raised by Maharashtra Pollution Control Board, Pune.

No.	Query	Clarification
1.	NOC from local body for proposed industry/Residential	We are in process of sanction for your reference we herewith attaching a challan.
2.	Detail layout plan of factory premises.	The proposed project is residential building project, hence the factory layout is not applicable to us.
3.	Compliance report about EIA notification 2006	As we are in establish phase we will be submitting six monthly compliance report after getting consent to operate.

Thanking You,

Yours Truly,

M/s. Prasun Associates.




(Partner)

Mr. Sunil N. Chawla

PRASUN ASSOCIATES
PROMOTERS AND BUILDERS

Date:15/01/2023

To,
The Additional Director(s),
Ministry of Environment and Forest and Climate Change
Regional Office (WCZ), Ground Floor,
East Wing, New Secretariat Building,
Civil Line, Nagpur, Maharashtra- 440001

Sub: Submission of Environmental Clearance compliance Report (July 2022 to December 2022) for construction of Residential Project at S. No. 10/2A/23 to 26, Plot No. S1 + S2, Near Acolade Soc., Kharadi, Pune 411014 by M/s. Prasun Associates through Mr. Sunil Chawla.

Ref: SEIAA-EC-0000001453 dated 05.04.2019

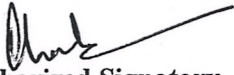
Respected Sir,

With reference to the above subject, we are submitting the current Status of our construction work, monitoring reports, data sheet and point wise compliance status to various stipulation laid down by the Ministry of Environment and Forest in its clearance letter No. SEIAA-EC-0000001453 dated 05.04.2019 along with the necessary enclosure and annexures.

Thanking you,

Yours Sincerely,

For by M/s. Prasun Associates,



Authorized Signatory



Encl.:

- Part A: Current Status of Construction Work
- Part B: Point wise compliance status
- Part C: Date Sheet
- Part D: Annexures



Date: 07.07.2023

To,
The Chairman,
SEAC- III & SEIAA
Government of Maharashtra
15th floor, Environment Department,
New Administration Building,
Mantralaya, Mumbai 400032

Subject: Regarding withdrawal of Environment Clearance Application Proposed Residential & Commercial construction project at Plot No-D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka – Haveli, Pune, Maharashtra by M/s. Prasun Associates having Proposal EC :- SIA/MH/MIS/281194/2022.

Respected Sir/Madam,

We would hereby like to clarify that we submitted EC application for the Proposed Residential & Commercial construction project at at Plot No-D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka – Haveli, Pune, Maharashtra by M/s. Prasun Associates having EC proposal No. SIA/MH/MIS/281194/2022 on 2nd Jul 2022. As there are changes in the area submitted, we are withdrawing this application.

Thanking You,

Yours Truly,
M/s. Prasun Associates


Mr. Sunil Chawla
Partner



Date: -02.08.2023

To,
The Chairman,
SEAC- III & SEIAA
Government of Maharashtra
15th floor, Environment Department,
New Administration Building,
Mantralaya, Mumbai 400032

Subject: Regarding withdrawal of Environment Clearance Application Proposed Residential & Commercial construction project at Plot No-D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka – Haveli, Pune, Maharashtra by M/s. Prasun Associates. having Proposal EC: - **SIA/MH/INFRA2/438764/2023**

Respected Sir/Madam,

We would hereby like to clarify that we submitted EC application for the Proposed Residential & Commercial construction project at at Plot No-D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka – Haveli, Pune, Maharashtra by M/s. Prasun Associates having EC proposal No. **SIA/MH/INFRA2/438764/2023** on 1st August 2023. As there are changes in the area submitted, we are withdrawing this application.

Thanking You,

Yours Truly,



Mr. Sunil Chawla



Date - 28/08/2023

To,
The Member Secretary,
SEAC III & SEIAA,
Department of Environment,
Government of Maharashtra
15th floor, New Administration Building,
Mantralaya, Mumbai 400032

Subject: Regarding to Reopen the Proposed Residential & Commercial construction project at Plot No-D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune, Maharashtra by M/s. Prasun Associates.

Respected Sir,

We wish to reopen the Proposed Residential & Commercial construction project at Plot No-D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune, Maharashtra by M/s. Prasun Associates. We have prepared ADS reply and Kindly request you consider this proposal for future Process.

We request you to acknowledge the same and oblige.

Thanking You,

Yours Faithfully,

M/s. Prasun Associates



Mr. Sunil Chawla

(Partner)



Date: 25.12.2023

To,
The Chairman,
SEAC-3 & SEIAA
Department of Environment,
Government of Maharashtra,
New Administrative Bhavan,
15th floor, Madam Cama Road,
Mantralaya, Mumbai 400032

Subject- Regarding water used in construction phase will not be drinking water for Proposed Residential & Commercial construction project

We are in the process of Proposed Residential & Commercial construction project at Plot D+Da+Db. S.no.10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka – Haveli, Pune by M/s. Prasun Associates. We hereby undertake that the proposed water used in construction phase will not be drinking water. The source of water for Construction phase will be recycled water or tanker water.

Thanking You,

Yours Truly,

M/S Prasun Associates



Mr. Sunil Chawla
(Partner)



Date: 25/12/2023

To,
The Chairmen,
SEAC-3 & SEIAA
Department of Environment,
Government of Maharashtra
New Administrative Bhavan,
15th floor, Madam Cama Road,
Mantralaya, Mumbai 400032

Subject: Submission of details raised by SEIAA during 182nd SEIAA meeting dated 11th October 2023 Proposed Residential & Commercial Construction Project at Plot D+Da+Db. S.no 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune by M/s. Prasun Associates.

Proposal No. SIA/MH/INFRA2/439350/2023

Respected Sir,

We have represented our project for Environmental Clearance in the 182nd SEAC meeting dated 11th October 2023 for the said project, Committee decided to recommend the proposal to carry out in Environment Clearance to SEIAA, subject to compliance of below point.

Sr. No.	Compliance No.	Clarification
1	PP to submit Details of existing structure to be demolished and plan for disposal of construction and demolition waste	Annexure 1
2	PP to submit the details of mitigation measures in case of emergency wherever fire tender is unable to reach.	Annexure 2
3	PP to provide electric charging facility by providing charging points at suitable places as per Maharashtra Electric Vehicle Policy, 2021.	Annexure 3
4	PP to ensure that, the water proposed to be used for construction phase should not be drinking water. They can use recycled water or tanker water for proposed construction.	Annexure 4

Thanking You,

Yours Truly

M/s. Prasun Associates.



Mr. Sunil Chawla
(Partner)



Date:29.06.2022

To,
The Member Secretary,
State Level Expert Appraisal Committee-III,
Department of Environment,
Government of Maharashtra
15th floor, New Administration Building,
Mantralaya, Mumbai 400032

Subject: Application for Prior Environmental Clearance for proposed residential and commercial project at Plot no D+Da+Db, Survey No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, & 10/2A/3, KHARADI, TALUKA HAVELI, DIST. PUNE by M/s. PRASUN ASSOCIATES.

Respected Sir,

With reference to above mentioned subject, we are submitting herewith the application Form 1 and Form 1A, along with all necessary plans, drawings, and annexures as per your requirement.

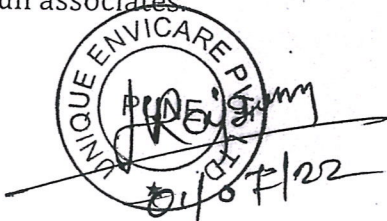
We request you to acknowledge the same and oblige.

Thanking You,



Yours Faithfully,

M/s. Prasun associates



Payment Voucher

Project Name :-	Proposed Residential & Commercial construction project	
Project Add :-	Plot D+Da+Db. S.No 10/2A/20, 10/2A/21, 10/2A/22, 27/10/10, 27/10/11, 27/10/14, 10/2A/8, 10/2A/3, Village- Kharadi, Taluka - Haveli, Pune, Maharashtra	
Project Proponant	M/S. Prasun Associates through its partner Mr. Sunil Chawla	
Total Plot Area	6,407.20 sq m	
FSI	23,649.28 sq m	
Non FSI	19,405.32 sq m	
Total BUA	43,054.60 sq m	
Project Cost	Rs. 121 Cr	
Proposal No	SIA/MH/MIS/281194/2022	
Bank Transaction Details :		
Beneficiary Name:SEIAA /SEAC SECRETARIAT Beneficiary Account:33876812558		
Current Account No -9881145601 Through: Kotak Mahindra Bank (M/S. Prasun Associates)		7,00,000.00
Unique Transaction Reference Number (UTR): KKBKR52022070200991132 Transaction Date: 02/07/2022		
On Account Of: Being Amount Transfer To SEIAA/ SEAC SECRETARIAT		
Amount In Word: Seven Lakh Rupees Only.		7,00,000.00

Authorized signatory

M/S. Prasun Associates



(Mr. Sunil N. Chawla)

