

BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN
ZONE BENCH AT PUNE

ORIGINAL APPLICATION NO. 82 OF 2023 (WZ)

Abdul Samad Ismail Maknoja & 60 Ors. ..Applicants

V/s.

The State of Maharashtra & 9 Ors. ... Respondents

I, **Mr.Hayat Ahmed Asir Ahmed Ansari**, an adult, (erstwhile partner of M/s. Mass Enclave), Director of M/s. Baacha Mass Enclave Pvt. Ltd., the Respondent No. 9 abovenamed and the authorised signatory of M/s. Nirman Realtors & Developers Ltd., the Respondent No.8 abovenamed, having my address at Shop No.4 & 5 Ezzi Building, Shiv Shankar CHS, Barrister Nath Pai Marg, Mazagaon, Mumbai-400 010, do hereby on solemn affirmation state and declare as under:-

- 1) I have filed my Affidavit dated 10th January 2024 opposing the very admission of the above-captioned misconceived Application pointing out the ulterior motive on the part of the Applicants.



2) I repeat, reiterate and confirm all and singular statements and averments made in the said Affidavit dated 10/1/2021 as if the same have been incorporated herein and formed part of this Affidavit.

3) In continuation of what is stated in the said Affidavit, I repeat the entire project which started in the year 2009 or thereabouts and in respect of which Environment Clearance was granted in the year 2022 is only partly completed to the extent of Rehab Building only. I say that the Commence Certificate in respect of the Rehab Building was issued in the year 2009 by SRA in pursuance of the first LOI dated 10th August 2009. It is pertinent to note that the revised LOI was issued from time to time in the wake of the eligibility of more and more slum dwellers in due course but the total built-up area approved for the Slum scheme remained 13542.42. sq. mtrs. Accordingly, at the time when the Rehab Building was completed and Occupation Certificate was granted on 16th June 2021, no Environment Clearance NOC was issued in respect of the project. Subsequently, however, as per the Architect's advice to include the areas relating to podium, lobby, staircase etc.



which was not taken into consideration at the time of arriving at the total built-up area as mentioned in the LOI, the area of the project was treated as more than 20000 sq. mtrs. and thus we were advised to obtain Environment Clearance. Accordingly, we obtained Environment Clearance NOC on 10th Aug 2022. Hereto annexed and marked **Exhibit- '1' Colly.** is a copy of the Introduction, Brief information of the project and Area statement filed by the Committee as a part of the presentation for the purpose of obtaining Environment Clearance to the Committee.

4) In the circumstances, I submit that the Applicants' building was thus complete admittedly prior to the issuance of the Environment Clearance Order dated 27th July 2022. The Applicants were handed over their respective tenements in their building in respect of which Occupation Certificate was granted on 16th June 2021 i.e. more than one year before the Environment Clearance. Therefore, the Applicants have no locus to file any Application based on the alleged non-compliance of any conditions which are admittedly not applicable to their building.



5) I repeat that in any event all compliances in respect of the Rehab Building have been duly complied with and the inspection by Respondent No.4 confirms the same. The Sale Building is yet to be completed and all environment clearance requirements in respect of the Sale Building are being observed and complied with during the construction of the same. In further continuation of what is stated in the earlier Affidavits, I wish to file the present Affidavit for the purpose of placing on record certain facts which have transpired subsequent to the filing of my Affidavit and which points to the due compliance with the terms and conditions of Environment Clearance by Respondent Nos. 8 & 9.

6) I say that on or about 19th December 2024, the officer of Respondent no.4 once again visited the subject property for the purpose of carrying out inspection of the property and gave his report inter-alia stating that during the visit it is noted that Project Proponent (P.P) has provided STP of 100.0 CMD capacity for treatment of sewage generating from Rehab Building and the same is found operational.



- 6.1 Inspection Report further mentions that PP has also proposed to provide a separate STP for Sale Building.
- 6.2 That PP provided OWC for composting of wet waste generating from Rehab Building and dry waste is being handed over to local body for further necessary disposal.
- 6.3 That PP has also proposed to provided OWC of adequate capacity for composting and wet waste generating from sale building in future.
- 6.4 That PP has not provided DG Set, however, obtained alternate electric connection, power back-up. Hereto annexed and marked **Exhibit-'2'** is a copy of the said Inspection Report which is self-explanatory.
- 7) The Respondent No.8 in furtherance of their earlier requests and reminders to the Applicants to ensure proper upkeep, maintenance and functioning of STP and OWC installed at their building, by and under their repeat letter dated 7th February 2024, once again placed on record the neglect of equipment by them, installed in compliance



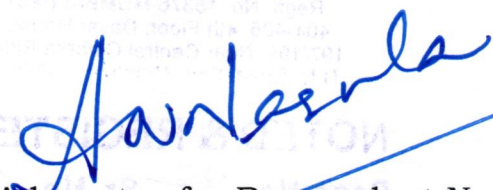
with the Environment Clearance permissions. The Respondent No.8 inter-alia placed on record that STP which had become non-functional on account of non-use was once again got repaired in November 2023 by the Respondent Nos. 8 & 9 by spending more than Rs.2,60,000/- and similarly the organic waste collection machine was got repaired by spending to the tune of Rs.40,000/-. The Respondent No. 8 accordingly called upon the Applicants to keep the said machines functional and in regular use. Similar request was made in respect of the fire-fighting equipment which was suffering from the neglect of the Applicants. Hereto annexed and marked **Exhibit-3** is a copy of the letter dated 7th February 2024 alongwith its annexure.

8) I say that Respondent No. 8 has also obtained renewal of consent/permission from Maharashtra Pollution Control Board which is granted by the Board under their letter dated 28th February 2024. The said renewal is self-explanatory. I shall crave leave to refer to and rely upon the observations made therein at the time of hearing of the Application. Hereto annexed and marked **Exhibit-4** is a



copy of Maharashtra Pollution Control Board's letter dated 28th February 2024.

9) In the circumstances, it is apparent that the Application made by the Applicants lacks any substance and is merely an attempt on the part of the Applicants to abuse the process of law by making false and baseless allegations of the alleged violations by Respondent Nos. 8. I therefore submit that the Application be therefore dismissed with compensatory costs.


For self and on behalf
Advocates for Respondent No. 8 & 9 of Respondent No.8

VERIFICATION

I, **Mr. Hayat Ahmed Asir Ahmed Ansari**, an adult, (erstwhile partner of M/s. Mass Enclave), Director of M/s. Baacha Mass Enclave Pvt. Ltd., the Respondent No. 9 abovenamed and the authorised signatory of M/s. Nirman Realtors & Developers Ltd., the Respondent No.8 abovenamed, having my address at Shop No.4 & 5, Ezzi Building, Shiv Shankar CHS, Barrister Nath Pai Marg, Mazagaon,



108

721

Mumbai-400 010, do hereby solemnly affirm that whatever stated in the Affidavit is true to my own knowledge and I believe and believe the same to be true.

Solemnly affirmed at Mumbai]

Dated this 18 MAR 2024 day of March 2024]

Andersula

Advocates for Respondent Nos.8 & 9

Before me,

BEFORE ME

Dhananjay

Adv. S. N. Dhanage
Notary Govt Of India
Regd. No. 15376 MUMBAI (MS)
404-405, 4th Floor, Davar House,
197/199, Near Central Camera Bldg
D.N. Road, Fort, Mumbai - 400014

NOTED & REGISTERED

Page No... 82 ... Sr. No... 608 ...

Date... 18 MAR 2024 ...



INTRODUCTION



Ex-1
1095

- The Proposed Project is a Slum Rehabilitation Scheme Project on plot bearing C.T.S. No.738/B/1/A at Rani Sati Marg, Azad Link Road, Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai 400097, Maharashtra for "Shree Azad Co. Op. HSG Society".
- This proposal is fresh proposal for application to Environmental Clearance.
- The site is brown field project coming under Residential zone with School Reservation as per D.P. Remarks of MCGM.
- The total plot area is 4220 sq mt, total proposed FSI area is 12493.20 sq mt, NON-FSI area is 13892.88 sq mt.
- **The total construction area is 26,386,080 sq mt.**
 - **Building Configuration 1 composite bldg :** Rehab Bldg (C wing) - Ground+1st to 15th (pt.) floor
Sale Bldg (A & B wing) - Stilt+1st to 2nd podium+ 3rd to 20th upper floor
 - Earlier the site was occupied by slum units. 1st LOI was granted by SRA dated 10.08.2009. Subsequently Revised LOI was granted in the year 2011,2018,2020,2021.
 - 1st IOA was Received Dated 30.12.2011 and work of rehab Building (wing C) was initiated.
 - Rehab (wing C) has been constructed on site and OC has been granted dated 16.06.2021.
 - All slum dwellers as per the eligibility have been rehabilitated on the same plot in the rehab building. Plinth Work for sale wing A and B has been initiated. No further construction taken up on site.
 - Being SRA Scheme, Work is started and Total Construction done till date is 12931.83 sqm.
 - The site is accessible through the 18.30 mt wide Pimpri Pada D.P road on the North west side and 18.30 m wide Pathan Wadi D.P on the South side.
 - The project site falls under ESZ area of SGNP. The application was already made to NBWL for the NOC dated 19.8.2021

BRIEF INFORMATION OF THE PROJECT

SR. NO.	PARTICULARS	DETAILS															
1.	Project Name	Proposed S.R. Scheme project under Reg. 33 (10) of DCR 1991 for "Shree Azad Co.Op. HSG Society"															
2.	Location of Site	Plot bearing C.T.S. No. 738/B/1/A at Rani Sati Marg, Azad Link Road, Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai 400097, Maharashtra															
3.	Project Cost	Rs. 62 crores															
4.	Area Details	Total plot area: 4220 m ² Deduction: 617.47 sq.m Net plot area: 3602.53 sq.m FSI area: 12493.20 m ² Non FSI area: 13892.88 m ² Total construction area: 26,386.080 m²															
5.	Building Configuration & Height of the buildings	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">1 composite Building/Wing</th> <th style="text-align: center;">Configuration</th> <th style="text-align: center;">Tenements</th> <th style="text-align: center;">Height</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Rehab Bldg (C wing) (OC Received)</td> <td style="text-align: center;">Ground+1st to 15th (pt.) Upper floor</td> <td style="text-align: center;">Residential - 168 nos Shops - 30 no. School & Balwadi - 10 & 2 No.</td> <td style="text-align: center;">50.30 m</td> </tr> <tr> <td style="text-align: center;">Sale Bldg (A & B wing)</td> <td style="text-align: center;">Stilt+1st to 2nd podium+ 3rd to 20th upper floor</td> <td style="text-align: center;">Residential - 178 nos Shops - 4 no. Offices - 2 No.</td> <td style="text-align: center;">65.80 m</td> </tr> </tbody> </table>				1 composite Building/Wing	Configuration	Tenements	Height	Rehab Bldg (C wing) (OC Received)	Ground+1st to 15th (pt.) Upper floor	Residential - 168 nos Shops - 30 no. School & Balwadi - 10 & 2 No.	50.30 m	Sale Bldg (A & B wing)	Stilt+1st to 2nd podium+ 3rd to 20th upper floor	Residential - 178 nos Shops - 4 no. Offices - 2 No.	65.80 m
1 composite Building/Wing	Configuration	Tenements	Height														
Rehab Bldg (C wing) (OC Received)	Ground+1st to 15th (pt.) Upper floor	Residential - 168 nos Shops - 30 no. School & Balwadi - 10 & 2 No.	50.30 m														
Sale Bldg (A & B wing)	Stilt+1st to 2nd podium+ 3rd to 20th upper floor	Residential - 178 nos Shops - 4 no. Offices - 2 No.	65.80 m														
6.	Occupancy	Residential: 1402 nos School & Balwadi: 578 no. Shops & offices: 133 no. Total Population is expected to be 2112 No's.															

BRIEF INFORMATION OF THE PROJECT

Sr. No.	Particulars	Details
7.	Total water requirement	223 KLD
8.	Sewage generation STP Proposed	192 KLD 3 STP of capacity 100, 95 & 25 KLD with MBBR Technology
9.	Total solid waste generated	Bio-degradable waste: 505 Kg/day Non-degradable waste: 408 Kg/day Total: 913 Kg/day
10.	Total Power requirement	Source: TATA/Adani Connected load: 1220 kW Demand load : 976 kW
11.	D. G. Set	1x 150 KVA.
12.	Parking provided	4W: 70 Nos. 2W : 20 Nos.
13.	RG Area	Required - 288.20 sq. m Proposed -443 sq. m
14.	No. of trees	50 no.
15.	RWH Tank	Rehab- 32 cum/day Sale-26 cum/day

AREA STATEMENT

Sr. No.	Area	Details Sq.Mtr.
1	Area of plot	4220
2	Deductions :	
	Area of road set back	236.56
	Proposed DP Road	--
	SAS Reservation	380.91
3	Balance Plot Area (1-2)	3602.53
4	Addition for FSI calculation	
	2(a) 100%Set back Area	236.56
	2(b) 100% DP Road	--
	2(c) 100% SAS Reservation	380.91
5	Total Plot Area (3 + 4)	4220
6	Max FSI permissible on plot	3.00
7	Max. Permissible BUA	12660
8	Proposed Rehab BUA	5419.57
9	Permissible Sale BUA	7240.43
10	Proposed Sale BUA	7073.63
11	Total BUA Proposed	12493.20
12	FSI Consumed	2.96
13	Total RG area provided	288.20
14	Total construction area	26,386.08

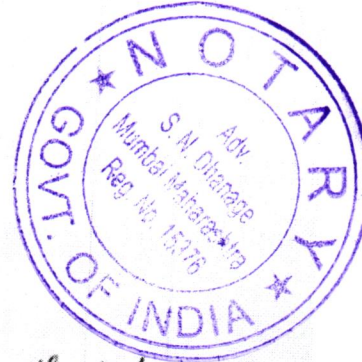
COMBINED FSI AND NON-FSI BREAKUP

No.	Description	Area in Sq. Mt
1	Total building BUA counted in FSI	12493.20
2	Total fungible BUA counted in F.S.I	0.00
3	Total FSI	12493.20
4	BUA not counted in FSI	8736.40
a	Stilt inclusive of entrance lobby	926.29
b	Staircase & Lift Lobby	3298.64
c	Refuge Area	406.94
d	Electric. Meter Room	48.25
e	Entrance Lobby	137.81
f	Electric. Substation	44.19
g	Society Office	79.49
h	Fitness Centre	134.13
i	Driver Toilet	23.07
j	Rehab fungible area in composite building	57.67
5	TOTAL NON FSI	13892.88
6	CONSTRUCTION BUA (FSI + NON FSI)(3+5)	26386.08

- Industry = M/s. Mirman Constructions,
(Alias M/s. Mirman Realtors and Developers Ltd.)
"Shree Azad Co. Op. Housing Society" CTS No. 738/11A
at Kari Sati Marg, Azad Link Road, Sanjay Nagar,
Pathanwadi, Malad (E), Mumbai.

- Date of visit :- 19/12/2023.

- Industry Rep - Mr. Hayat Ahmed Asari



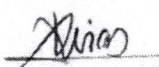
Observations :-

- ① The site is visited w.r.t. online application, filed by PP for renewal of consent for part-area.
- ② It is a residential cum commercial project under slum rehabilitation scheme on plot area of 4220 Sq. mtrs. & proposed TBVA - 26386.08 Sq. mtrs.
- ③ During visit it is noted that, PP has completed construction of rehab building and same is handed over to occupants in the year 2021.
- ④ During visit it is noted that, PP has provided STP of 110.0 cum capacity for treatment of sewage generating from rehab building and same is found operational.
- ⑤ During visit it is also noted that, PP has completed construction up to 7th floor of sale building.
- ⑥ PP has provided basiscading of 25 feet and green shed net to the building under construction.

- ⑦ PP has also prepared to provide separate STP for sale building.
- ⑧ PP has provided ovc for composting of wet waste generating from sales building and dry waste is being handed over to local body for further necessary disposal.
- ⑨ PP has also prepared to provide ovc of adequate capacity for composting of ~~wet~~ wet waste generating from sales building in future.
- ⑩ PP has not provided DG set. However obtained alternative electric connection for power back up.
- ⑪ During visit no fugitive emissions observed within ~~perif.~~ periphery of the project.
- ⑫ Instructed to submit latest compliance report of Environmental Clearance obtained from GOM.
- ⑬ Instructed to submit copies of BG's submitted as per the consent-conditions.
- ⑭ Instructed to carryout perioding wetting of the premises to limit dust emissions.



(Hayat Ahmed Ansari)


 (K.G. Malhotra)
 F.O. Mumbai-IV



February 7, 2024

To
The Chairman/Secretary & Committee Members,
Shree Azad SRA CHS Ltd.,
Rani Sati Marg, Azad Link Road,
Sanjay Nagar, Pathan Wadi,
Malad (E), Mumbai.

Sub: Neglect of equipment installed in compliance with Environment Clearance Permissions and violation of the NOC conditions by Society.

And

Neglect of Fire-fighting equipment installed at the Rehab Building and exposing the building and its residents to the perils of fire.

Sirs,

In continuation of our earlier letters on the subject, we may once again place on record that despite being called upon repeatedly, the Sewerage Treatment Plant (STP) installed by us at the ground floor of your building is totally ignored and neglected by you. You have failed and/or neglected to take any steps for its use for proper treatment of sewerage as required by you and to ensure its proper upkeep and maintenance till date. As the equipment installed since the year Sep-2022 was suffering from neglect and non-use and had become non-functional, we had once again got the same repaired on or about July, Nov-2023 at our expense by spending more than Rs. 2.60 lacs. A copy of the bill for the repairs/replacement of parts is enclosed herewith for your ready reference. We



reserve our right to recover the said amount from the society and for which we will address you separately.

Similarly, the Organic Waste Collection Machine (OWC) has suffered a similar fate at your hands and the same was found broken by kids playing in the compound, in the absence of any security guards posted by you to ensure the safety and upkeep of all such equipment's. On or about Dec-2023, we similarly undertook its repairs by spending to the tune of Rs.40,000/-. We are enclosing herewith a copy of the bill supporting the said expense and reserve our right to recover the said amount from the society separately.

It will not be out of place to mention that due to your neglect and total apathy towards these equipment's compulsorily installed at your building, in compliance with the Environment Clearance Permissions, you are in clear violation of your duty to keep the same functional and in regular use. You as a society and particularly the Managing Committee who is liable to manage the affairs of the building has rendered yourself liable for the consequences arising out of such neglect under the provisions of Environment Protection Act or otherwise under the common civil law.

As regards the Fire-Fighting Equipment, you are similarly neglecting its upkeep. Your neglect of the same and in the absence of any security deployed at your building, there is a repeated theft of various parts of the said equipment on the

ground as well as of other floors including nozzles which are copper/metal nozzles having considerable resale value in the market.

You must appreciate that the Fire-fighting equipment has been installed at your building to meet with any unforeseen eventuality of fire in your building which is a 15-floor tower.

It is therefore in your interest that you all as a Managing Committee Members keep the Fire-fighting equipment functional at all times lest it may lead to any untoward incident in the event of any unfortunate eventuality of fire in the building.

We have obtained Annual Maintenance Contract (AMC) for firefighting and STP, OWC but, the same does not cover any replacement of parts which get repeatedly stolen from your building. You need to deploy a watchman to guard the equipment.

Needless to mention that we have on or about Dec-2023, once again got all the missing parts of Fire Fighting Equipment replaced by spending an exorbitant amount to the tune of Rs.1,87,770 and have made the equipment functional. It is, therefore, your duty to keep the same in proper upkeep and maintenance and ensure that the same remains functional and available for use at all times.

Shockingly, we find that despite our repeated warnings to keep the paved RG free of any encroachment, your society members continue to illegally park their 2 wheelers on the paved RG area. The said illegal parking also blocks the free passage and therefore movement of any fire engine or emergency vehicle like ambulance etc. will be impossible in the event of any unfortunate eventuality in the building.

It will not be out of place to mention that 12 trees planted in the compound of your building, are also suffering neglect at the hands of your Committee and other members. This neglect is even shameful when all over the city and in the country, there is outcry and regular campaign by the Environmentalists exhorting the citizens to plant more trees so that the residents can benefit from the oxygen. We may, therefore, also suggest that you start a similar campaign in your building to make all the members and the children participate in protecting the trees and make your portion of the compound green and more beautiful.

Please note that we are repeatedly bringing these safety measures/safety issues to your notice so that you all as the Managing Committee Members who are responsible for due compliance of such safety measures take all such precautions to prevent any untoward incident in your building.

We may forewarn you that in spite of our warnings which you have been ignoring till date, if you do not take corrective

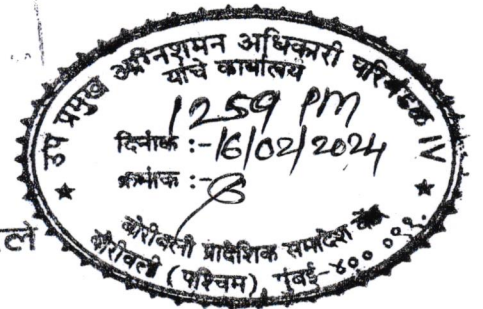
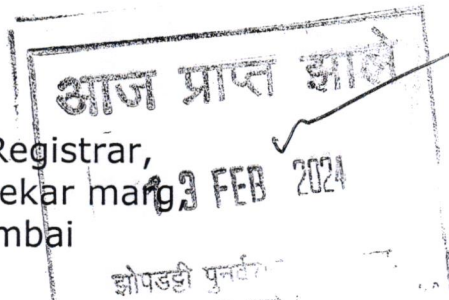
measures, you alone be held responsible for any unfortunate happening/incident in your building including the Criminal consequences of negligence and dereliction of duty as the Managing Committee Members.

Amey Desai
Yours faithfully,

Encl.: As above

CC To,

- 1] The Assistant Registrar,
SRA Anant kanekar marg,
Bandra (E) Mumbai
- 2] The Fire Officer,
Mumbai Fire Brigade,
Dindoshi-Goregaon (E),
Mumbai.
- 3] The Police Inspector,
Kurar police station,
Malad (E) Mumbai
- 4] The Regional Officer,
Maharashtra Pollution Control Board,
Mumbai.

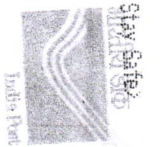


Al
बारनिशी लेखनिक,
कुरार पोलीस ठाणे, मुंबई.
दिनांक 13/02/24 वेळ

M. Kanekar
13/02/2024

Maharashtra Pollution Control Board
Regional Office, Mumbai
Kalpataru Point, 1st Floor,
Sion Circle, In Front of Cine Planet Theater,
Shiv (East), Mumbai - 400 022.

0121 1002666880 <Dear Haris> Shiv Bafar
09433193178 198497704319334
SP RAIL SAIL MARG SO <000977>
Counter No.116/02/2024.14133
TOSHARIMAN / SE. SHREE AZAD SRA C
PIN-400097, Raiti Saiti Marg SO
FRONTIERAL REAL. 14 VVAH SRAAK AP
Dist:SONE
Mkt:29 SA/Cash/Tax:4.50
Track on www.indiapost.gov.in



734

121

CHANDRAKANT ELECTRICAL & CONTRACTOR

(Govt. Licence Recognised)

Shop No 3, A1 Guru Teg Bahadur CHS, Bindra Complex, Mahakaali Road, Andheri (E),
Mumbai - 400 093 Email.: chandrakantele@gmail.com

Mob.: +91 98677 80611 / 70214 94650

To,
M/s,
M/S BAACHA MASS ENCLAVE PVT.LTD.
Site :- AZAD SRA CHS MALAD MUMBAI.

Date :- 22/12/2021

SUB :- Qoutation for STP & OWC electrical work AMC labor charge

[A] Rate LumSum Per Year maintenance STP&OWC (AMC) Rate OF
Electrical Work.


1) STP Pums,panel and blower service.	28000
2) OWC machine service.	10000
3) STP & OWC testing,serviceing maintenance work.	
	TOTAL 38000

Work Description

- 1 STP pumps working testing.
- 2 STP pumps serviceing.
- 3 STP wiring & panel testing,checking.
- 4 OWC machine service.
- 5 OWC Main DB connection checking.
- 6 Main Line testing
- 7 Electricien visit monthly & Emergency.

For Chandrakant Electrical and Contractor

For Chandrakant Electrical And Contractor


Proprietor

BAACHA MASS ENCLAVE Pvt. Ltd.

Shop no 5 Ezzi bldg,shiv shankar CHS,barrister nath pai marg,Dockyard road,
Mazagaon Mumbai-400010 Tel:- +91 22 23752335

Work Order

To,
Chandrakant electrical & contractor
A1/8, Guru teg bahadur chs,
Bindra complex J.B. Nagar,
Andheri (E), Mumbai-400 059.
GST No:
PAN No.:

Contact Person: Mr. Prabhakar
Contact Number: 9867780611
Email Id: chandrakantele@gmail.com

Name of Company: - BAACHA MASS ENCLAVE Pvt. Ltd

Name of Agency: - Chandrakant electrical & contractor

Name of Project; - Wing C Shree Azad SRA CHS, Malad

Work Order Date 25/2/2022

Category; - Labour Service Charges (Exclusive spare parts)

Contract Value; - 3,80,000/-

Work Order For;- Maintenance (AMC), Testing & Servicing of STP
Pump,Panel,blower and OWC machine Electrical work of Wing C Shree Azad SRA
CHS, Malad for M/s.BAACHA MASS ENCLAVE Pvt. Ltd.

We are pleased to award you work order for providing AMC services for Electrical
works on labour basis for STP Pumps, Panel, blower and OWC machine Electrical
work of Wing C Shree Azad SRA CHS, Malad for M/s.BAACHA MASS ENCLAVE
Pvt. Ltd.

SCOPE OF WORK:

1. Providing AMC services for Electrical works with labour Exclusive spare parts and machinery on labour basis for Wing C Shree Azad SRA CHS, Malad as stated

above and all the terms, conditions and all other specifications mentioned in this work order shall be applied.

2. Providing Maintenance (AMC), Testing & Servicing of STP Pumps/Panel, blower and OWC machine Electrical work.
3. The STP Pumps, panel, blower and OWC machine has undertaken Maintenance Contract for the period of 10 (Ten) years at the charges of Rs.38,000/ (Rupees Fifty eight Thousand Only) annually.
4. The STP Pumps, panel, blower and OWC machine services for the maintenance of Wing "C" Shree Azad SRA CHS, Malad commencing from 01.03.2022 to 31.03.2032.
5. The AMC shall Quotation/bill of the spare part if required for maintenance and service.

TAXES & DUTIES

6. Please note that the rates mentioned above is exclusive of all taxes levied by State Government and Central Government. You shall submit the GST Registration Number, VAT/TIN Number with certificate, PAN number of the company with a photocopy of the same.

FIRM PRICE CONTRACT

7. The agreed rates are firm for the contract duration. The total cost of work order mentioned above shall remain firm until the job is completed to our satisfaction and no adjustment for escalation on price will be allowed for any reason whatsoever it may be.
8. The firm price contract shall be applicable even in case STP OR OWC system change like STP pumps quantity changes (increase or decrease) for reasons like any Govt. approvals or client benefit and it is a part of contractor's scope to execute the project in accordance to the said changes. The contractor cannot opt out/omit to execute such changes at any stage.

BAACHA MASS ENCLAVE PVT. LTD.
BAACHA MASS ENCLAVE PVT. LTD.
Shop No.4, E221 Landing, Shivshankar C.H.S;
Br. Nath Pal Marg, Mazgaon, Mumbai - 400 010.

Prabhakar C Dudhbhate.
Chandrakant electrical & contractor
For Chandrakant Electrical And Contractor


Proprietor

CHADRAKANT ELECTRICAL & CONTRACTOR**[Govt.Licence Recognised]**

SHOP NO. 03, BLDG. A1 GURU TEG BAHADUR CHS., BINDRA COMPLEX, MAHAKALI ROAD, ANDHERI EAST
Mumbai - 4000 93. Email :- chandrakantele@gmail.com Mob:- 9867780611

To,
M/s,
Baacha Mass Enclave PVT. LTD.
Site :- Mass enclave, Pathanwadi Malad.

Date :- 07/11/2023

Bill no. - 027

Bill

sr.no.	particulars	qnty.	unit	rate	amount
1	Supply & Laying of New Armoured Cables			LUMSUM	75,000.00
2	Supply & Installation of Flexible Pipes				
3	Supply & Installation of Dosing Tank				
4	Supply of New Butterfly Valves				
5	Servicing of Pumps, Servicing of Air Blower (scope of AMC)				
					-
					-
				TOTAL	75,000.00
				1% TDS	1,625.00
				BALANCE	73,375.00
Amount in word				ADVANCE	
INR Seventy three thousand three hundred seventy five only				T. BALANCE	73,375.00

Prabhakar c. dudhbhate


Proprietor

Chandrakant Electrical & Contractor
28, A-1 Guru Tegh-Bahadur Hsg. Spc.
Bindra Complex, M. C. Road,
Andheri (E), Mumbai - 400 093.

CHADRAKANT ELECTRICAL & CONTRACTOR**[Govt.Licence Recognised]**

SHOP NO. 03, BLDG. A1 GURU TEG BAHADUR CHS., BINDRA COMPLEX, MAHAKALI ROAD, ANDHERI EAST
Mumbai - 4000 93. Email :- chandrakantele@gmail.com Mob:- 9867780611

To,
M/s,
Baacha Mass Enclave PVT. LTD.
Site :- Mass enclave, Pathanwadi Malad.

Date :- 13/12/2023

Bill no. - 029

Bill

sr.no.	particulars	qnty.	unit	rate	amount
1	Supply & Laying of New Cables			LUMSUM	40,000.00
2	Supply & Installation of top Lid locks				
3	Supply & Installation of over flow holding strips				
4	Supply of New overflow lid & Graphic card (switch plat)				
5	Servicing of machine (scope of AMC)				
					-
					-
				TOTAL	40,000.00
				1% TDS	1,625.00
				BALANCE	38,375.00
Amount in word				ADVANCE	
INR thirty eight thousand three hundred seventy five only				T. BALANCE	38,375.00

Prabhakar c. dudhbhate



Proprietor

Chandrakant Electrical & Contractor
23, A-1 Guru Tegh-Bahadur Hsg. Soc
Bindra Complex, M. C. Road,
Andheri (E), Mumbai - 400 093.

CHADRAKANT ELECTRICAL & CONTRACTOR**[Govt.Licence Recognised]**

SHOP NO. 03, BLDG. A1 GURU TEG BAHADUR CHS., BINDRA COMPLEX, MAHAKALI ROAD, ANDHERI EAST
Mumbai - 4000 93. Email :- chandrakantele@gmail.com Mob:- 9867780611

To,
M/s,
Baacha Mass Enclave PVT. LTD.
Site :- Mass enclave, Pathanwadi Malad.

Date :- 20/7/2023

Bill no. - 017

Bill

sr.no.	particulars	qnty.	unit	rate	amount
1	Supply & Laying of New Armoured Cables			LUMSUM	1,85,000.00
2	Supply & Installation of pump motor 3nos				
3	Supply & Installation of panel wiring and main supply cable.				
4	Supply & Installation of one new Blower with Butterfly Valves				
5	Servicing of Pumps, Servicing of Air Blower (scope of AMC)				
					-
					-
				TOTAL	1,85,000.00
				1% TDS	1,625.00
				BALANCE	1,83,375.00
Amount in word				ADVANCE	
INR one lakh eighty three thousand three hundred seventy five only				T. BALANCE	1,83,375.00

Prabhakar c. dudhbhate



Proprietor

Chandrakant Electrical & Contractor
28, A-1 Guru Tegh-Bahadur Hsg. Soc.,
Bindra Complex, M. C. Road,
Andheri (E), Mumbai - 400 093.



Fire Services

**FIRE PROTECTION & MAINTENANCE SERVICING CONTRACTORS
and Also Mfg. Suppliers of all types of Safety Equipments**

REGD. OFFICE :- 11, Aminabai Shaikh Hussain Compound, Khotwadi, Phirozshah Mehta Road, Santacruz (W), Mumbai - 54.

OFFICE :- 104, Auto Commerce House, Opp. Jyoti Studio, Kennedy Bridge, Nana Chowk, Mumbai - 400 007.

Tel. : 2614 85 00 / 2613 9556 / Mobile : 98212 71344 / 7498052793

Ref. No. 786/587/2023

09/10/2023

To,

Mass Enclave

Shop No.04, Ezzi Bulding, Shiv Shankar,

CHS, Barrister pai Nath Rd, Dockyard Rd,

Mazagaon, Mumbai- 400010

Dear Sir,

We would like to submit before you our lowest quotation for Fire Alarm system are as under:

Item	Description Work	Unit	Quantity	Rate	Amount
1	Hydrant Wheel	Nos.	25	999	24975
2	Fire Lugs	Nos.	15	1053	15795
3	Starter	Nos.	2	7000	14000
4	Football	Nos.	1	9000	9000
5	Glass For Alarm	Nos.	20	300	6000
6	Refilling For ABC Type Fire Extinguisher Capacity 06Kg.	Nos.	18	625	11250
7	Refilling For ABC Type Fire Extinguisher Capacity 09kg	Nos.	6	925	5550
8	Sprinkler	Nos.	30	990	29700
9	Hydrant Valve	Nos.	10	4800	48000
10	Hose Reel Drum	Nos.	3	4500	13500
11	Branch Pipe for Hose Box		4	2500	10000
	Total				187770

1. Payment Against Delivery

2. If any additional spare parts required will be charged extra

3. 18% GST Will be charged Extra

Looking forward to receive your valuable order as early as possible.

Thanking you and assuring you our best services remains at all times.

From Firebrake Fire Service
S.I.Pash



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
 Fax: 24044532/4024068/4023516
 Website: <http://mpcb.gov.in>
 Email: jdwater@mpcb.gov.in



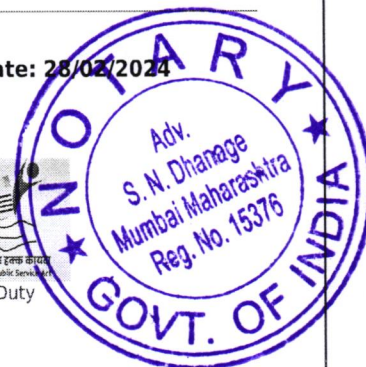
Kalpataru Point, 2nd and
 4th floor, Opp. Cine Planet
 Cinema, Near Sion Circle,
 Sion (E), Mumbai-400022

Infrastructure/RED/L.S.I

No:- Format1.0/JD (WPC)/UAN No.0000189960/CR/2402002243

Date: 28/02/2024

To,
 M/s. Nirman Constructions (Alias M/s
 Nirman Realtors and Developers LTD),
 "Shree Azad Co.Op. HSG Society"
 ,C.T.S.No.738/B/1/A at Rani Sati Marg,
 Azad Link Road, Sanjay Nagar, Pathan
 Wadi, Malad
 (E), Mumbai.



Sub: Consent to Renewal to Operate (Part-I) for Residential Building Construction Project under SRA

Ref: Application Submitted by SRO-Mumbai-IV

Your application NO. MPCB-CONSENT-0000189960

For: grant of Consent to Renewal under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I,II,III & IV annexed to this order:

- Renewal of Consent to Operate (Part-I) is valid upto-31.12.2026.**
- The capital investment of the project is Rs.35.6 Cr. (As per C.A Certificate submitted by industry).**
- The Consent to Renewal is valid for Residential Building Construction Project under SRA named as M/s. Nirman Constructions (Alias M/s Nirman Realtors and Developers LTD), "Shree Azad Co.Op. HSG Society" ,C.T.S.No.738/B/1/A at Rani Sati Marg, Azad Link Road, Sanjay Nagar, Pathan Wadi, Malad (E), Mumbai. on Total Plot Area of 4220.0 Sq.Mtrs for construction BUA of 11942.23 Sq.Mtrs out of Total Construction UA of 26386.08 Sq.Mtrs as per EC granted dated-10.08.2022 including utilities and services.**

Sr.No	Permission Obtained	Plot Area (SqMtr)	BUA (SqMtr)
1	Environmental Clearance issued dtd-10.08.2022	4220.00	26386.08
2	Consent to Establish dtd-20.01.2023	4220.00	26386.08
3	Consent to 1st Operate (Part-I)-dtd-29.03.2023	4220.00	11942.23

4. **Conditions under Water (P&CP), 1974 Act for discharge of effluent:**

Sr No	Description	Permitted (in CMD)	Standards to	Disposal
1.	Trade effluent	Nil	NA	NA
2.	Domestic effluent	85	As per Schedule - I	The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be connected to the sewerage system provided by local body

5. **Conditions under Air (P & CP) Act, 1981 for air emissions:**

Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
NA	NA	0	As per Schedule -II

6. **Conditions under Solid Waste Rules, 2016:**

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Biodegradable waste	208 Kg/Day	OWC	use as manure
2	Non-Biodegradable waste	150 Kg/Day	Sagregate	sent to recycling to authorized agency.
3	STP Sludge	10 Kg/Day	Drying	Will be used as Manure For Gardening

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for Collection, Segregation, Storage, Transportation, Treatment and Disposal of hazardous waste:**

Sr No	Category No.	Quantity	UoM	Treatment	Disposal
NA					

8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.
10. PP shall submit/extend the BG of Rs. 10 lakhs towards O&M of STP, OWC and compliance of conditions stipulated in EC and Consent to Operate.
11. The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening.
12. Project Proponent shall operate the Organic waste digester with composting facility or biodigester with composting facility effectively
13. The project proponent shall make provision of charging of electric vehicles in atleast 30 % of total available parking area.

14. The Project Proponent shall comply with the Environmental Clearance obtained dtd- dtd. 10.08.2022 for construction project having total plot area 4220.00 Sq.mtr, & construction BUA 26386.08 Sq.mtr as per specific condition of EC.
15. This consent is issued without prejudice to NGT Original application No. 82/2023 (WZ).



Sangewar

Generated by eSignBlock
b7ccd3e7
27967752
f6f23265
63976749
3b842bc1
3ea2f815
a8d7e5da
79055d4d

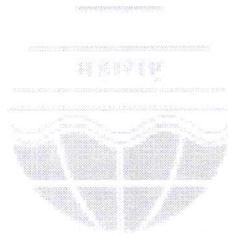
Signed by: Dr J. B. Sangewar
Joint Director (WPC)
For and on behalf of,
Maharashtra Pollution Control Board
jdwater@mpcb.gov.in
2024-02-28 15:49:42 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	150000.00	MPCB-DR-23086	10/12/2023	NEFT
2	75000.00	MPCB-DR-22555	10/12/2023	NEFT

Copy to:

1. Regional Officer, MPCB, Mumbai and Sub-Regional Officer, MPCB, Mumbai IV
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai



SCHEDULE-I**Terms & conditions for compliance of Water Pollution Control:**

- 1) A] As per your application, you have provided MBBR Technology based Sewage Treatment Plants (STPs) of combined capacity **100 CMD for treatment of domestic effluent of 85 CMD.**
- B] The Applicant shall operate the sewage treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

Sr.No	Parameters	Limiting concentration not to exceed in mg/l, except for pH
1	pH	5.5-9.0
2	BOD	10
3	COD	50
4	TSS	20
5	NH4 N	5
6	N-total	10
7	Fecal Coliform	less than 100

- C] The treated domestic effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening and connected to the sewerage system provided by local body.
- 2) The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or and extension or addition thereto.
- 3) The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
- 4) **The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act,1974 and as amended, and other provisions as contained in the said act.**

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	95.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00

- 5) The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time.

SCHEDULE-II**Terms & conditions for compliance of Air Pollution Control:**

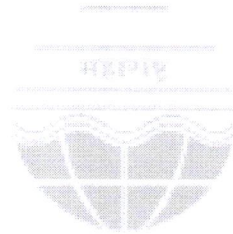
- 1) As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) and to observe the following fuel pattern-

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant Standard
NA	NA		0.00	-	-	NA

- 2) The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards.

Total Particular matter	Not to exceed	150 mg/Nm ³
-------------------------	---------------	------------------------

- 3) The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement well before its life come to an end or erection of new pollution control equipment.
- 4) The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).



SCHEDULE-III
Details of Bank Guarantees:

Sr. No.	Consent(C2E/C20/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Operate	10 Lakhs	Submit/extend	Towards compliance of consent condition	31.12.2026	31.03.2027

** The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days of the date of issue of Consent.
Existing BG obtained for above purpose if any may be extended for period of validity as above.

BG Forfeiture History

Srno.	Consent (C2E/C20/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

BG Return details

Srno.	Consent (C2E/C20/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				



SCHEDULE-IV**General Conditions:**

- 1 The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2 The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act 1986 and Solid Waste Management Rule 2016, Noise (Pollution and Control) Rules, 2000 and E-Waste (Management & Handling Rule 2011.
- 3 Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.
- 4 Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 5 Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f) D.G. Set shall be operated only in case of power failure.
 - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
- 6 Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rule 2016 & E-Waste (M & H) Rule 2011.
- 7 Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8 Applicant shall submit official e-mail address and any change will be duly informed to the MPCB.

- 9 The treated sewage shall be disinfected using suitable disinfection method.
- 10 The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 11 The applicant shall make an application for renewal of the consent at least 60 days before date of the expiry of the consent.

This certificate is digitally & electronically signed.



BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH AT PUNE

ORIGINAL APPLICATION NO. 82 OF 2023 (WZ)

Abdul Samad Ismail Maknojia &
60 Ors.

..Applicants

V/s.

The State of Maharashtra &
9 Ors.

..Respondents

=====
ADDITIONAL AFFIAVIT IN REPLY
=====

Dated this 18th day of March 2024

M/s. Jhangiani, Narula & Associates,
Advocates for Respondent Nos. 8 & 9,
"Raj Mahal", Rear Entrance,
5th floor, 84- Veer Nariman Road,
Churchgate, Mumbai-400 020
Phone:6635690/01/02/03