

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

**ORIGINAL APPLICATION NO. 33 of 2020**

TanajiBalasahebGambhire ... **APPLICANT**

V/s

Union of India and others ... **RESPONDENTS**

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PUNE

DATE 06/03/2021


 ADVOCATE FOR RESPONDENT NO. 13

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V/s

Union of India and others ... **RESPONDENTS**

**REPLY ON BEHALF OF**  
**RESPONDENT NO.13**  
**(M/s.PRAYEJA CITY LLP)**

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

**(I) PRELIMINARY OBJECTIONS**

1. At the outset, the present Respondent No.13 states that, the statements, averments and prayers, made by the Applicant are not admitted to the present Respondents and are denied in toto, expressly so far as they are admitted herein. The Respondent No.13 submits that, the present application has been filed by the Applicant with a view to harass the present Respondent and is not maintainable before this Hon'ble Tribunal.

2. At the outset, the Respondent No.13 submits that, this Hon'ble Tribunal does not have jurisdiction to try, entertain and dispose of the present application, as the same is not within limitation. The present Respondent states that, the Hon'ble Bombay High Court and Supreme Court had on the interpretation on various Statues, held that, when a statute prescribes a shorter period of limitation and difference scheme of the limitation, the provision of Limitation Act is excluded and the Court/Tribunal must apply the period of limitation as prescribed in the specific statute while exercising the powers. In view of this, the application preferred by the Applicant is totally misconceived and liable to be dismissed.
3. The present Application filed by the Applicant upon plain reading of Section 15 of the said act is barred by law of limitation. On bare perusal of section 15 of the said Act, an Application raising substantial question relating to environment seeking restitution, remediation and compensation (including enforcement of legal right relating to environment) has to be filed within a period of 5 years from date on which the cause of action for such dispute "first arose" provided that, this Hon'ble Tribunal may, if it is satisfied that the Applicant was prevented by sufficient cause from filling the Application within the said period allow it to be filed within a further period not exceeding sixty days. In the present case the application is totally barred by Limitation, as the cause of action for filling the present Application first arose on 30<sup>th</sup> March 2007 when the plan for construction was sanctioned by the Respondent

No.9 and thereafter on 7<sup>th</sup> May 2008, when the Respondent No.13 obtained a commencement certificate, a layout sanction plan and other permissions as mandated from the Respondent No.9 and other authorities for the project known as “**Prayeja City – I**”. The present Application is filed on 29<sup>th</sup> June 2020.

4. The present application is filed after almost 12 years after accrual of cause of action. The Applicant is unnecessarily hampering the execution of construction for “**Prayeja City – II**” and denying the benefits to numerous flat buyers and their families for his vested interest. Also, the Respondent No.13 has already handed over the possession to the flat purchasers in Prayeja City – I and they have formed the Co-operative Housing Societies. Hence, on this ground the present application be rejected. It is submitted that the present application is barred by limitation u/s 15 of the NGT Act, 2010 which prescribes a period of 5 years for filing an application from the date on which the cause of action for such dispute “first” arose, extendable by a further period of 60 days thereafter, provided that the Applicant may show by a sufficient cause that the Applicant was prevented from filing such an application in time. Further, the Applicant has also sought to file an application under section 15 of the said act which also provides for the aforesaid words “the date’, “cause of action” and “first arose”.
5. The application was filed on 29<sup>th</sup> June 2020. It is submitted that the date of knowledge has absolutely no application while interpreting the provisions of Section 15 of the NGT Act. The said Act is a

special enactment and hence, there is a statutory prescription of the special period of limitation under Sections 15(3) of the said Act, which will certainly exclude general law of limitation.

6. Further, the application of the principles of recurring and/or continuing cause of action for the purposes of disputes under Section 15 of the said Act would lead to serious anomalous and undesirable consequences. That the Legislature while enacting the statute purposely used the words "first" for "cause of action" to file an action before the Tribunal. That the Hon'ble Supreme Court in the case of L.C. Hanumanthappa vs H.B. Shivakumar (2016) 1 SCC 332 has held that the word 'first' has been used between the words 'sues and 'accrued'. This would mean that if a suit is based on multiple causes of action, the period of limitation will begin to run from the date when the right to sue first accrues. To put it differently, successive violation of the right not give rise to fresh cause and the suit will be liable to be dismissed if it is beyond the period of limitation counted from the day when the right to sue first accrued.
7. That in a catena of cases, this Hon'ble Tribunal has also taken the view that limitation period begins to run from the date when the cause of action first arose including in Application No. 33 of 2016 *Jai Javan Jai Kisan and Ors. Vs Vidarbha Cricket Association and Ors.*; O.A. NO. 179 of 2016 *Graminee Environment Foundation vs. Balaji Infrastructures Ltd. and Ors*, OA No. 95 of 2014 *Mr. Suresh WamanDhavale and ors. vs MOEF and Ors*

8. The Hon'ble Supreme Court in *State of M.P. v. Centre for Environment Protection Research & Development*, (2020) 9 SCC 781, the jurisdiction of this Hon'ble Tribunal, under Sec. 14 and 15 of the NGT Act, can only be invoked, when there is a violation of one of the specified statutory environmental obligations, mentioned in Schedule I of the NGT Act, which in turn gives rise to a substantial question of law. The relevant portion of the said judgment has been reproduced below:

*“43. For exercise of power under Section 14 of the NGT Act, a substantial question of law should be involved including any legal right to environment and such question should arise out of implementation of the specified enactments.*

*44. Violation of any specific statutory environmental obligation gives rise to a substantial question of law and not just statutory obligations under the enactments specified in Schedule I. However, the question **must arise out of implementation of one or more of the enactments specified in Schedule I.**”*

[Emphasis supplied]

9. That this Hon'ble Tribunal in *Reddy Structures Private Limited v. Bruhat Bangalore MahanagaraPalike and Anr.* 2018 SCC OnLine NGT 2469 , has also similarly held that:

*“...jurisdiction under Section 14, read with Section 15, is limited to determining substantial questions relating to environment arising out of Schedule-I to the Act for relief and compensation to the victims of pollution and for restitution of damaged property or the damaged area. Beyond doing so, the Tribunal cannot go into any other question.”*

[Emphasis supplied]

10. Similarly, section 15(3) of the act contemplates that no application for grant of compensation or relief or restitution of property or environment shall be entertained unless the same has been made

within a period of five years from the date on which the for such compensation or relief first arose.

11.It is submitted that cause of action for filing an application under the provisions of the Green Tribunal Act, 2010 cannot accrue on the day when a person discovers the act of environmental damage. This Hon'ble Tribunal has rejected the proposition of 'Discovery Rule' being applicable to patent event perceptible to the public at large and therefore by no stretch of imagination can the cause of action for filing an application under the provisions of the said act could accrue on the day when such environmental damage is discovered by the party. The Applicant has thus approached this Hon'ble Tribunal with the sole intention to overcome the difficulty of limitation under the act, has approached this Hon'ble Tribunal with unclean hands. Therefore, the present Application under section 15 of the NGT Act, 2010 is clearly barred by limitation.

12.The Applicant herein has not joined the necessary parties to the present application, as the Respondent No.13 had constructed 13 buildings(A,A1,B,C1,C2,C3,C4,D,E1,E2,F1+F2,G(COMMERCIAL & CLUB HOUSE)and has created third party rights by selling flats to the intended purchasers by executing agreements with the said purchasers (OBTAINED COMPLETION CERTIFICATE IN 2012 & 2014). Not only that, the Respondent No.13 has also formed a Co-operative Housing Society of the said flat purchasers, registered with the Registrar of Co-operative Societies, Pune in 2012. There are total 617 flats in plot I plus 7 commercial offices.

In the said scheme of flats, 234 flats building A,A1 belong to the Respondent No.9, which are part of the High Density Housing (HDH) project which are used for rehabilitation. (126 flats out of the said 234 are ALREADY HANDED OVER IN 2014 & occupied). The Society has been formed in respect of 267 flats in 2012(BUILDINGS B, C1, C2, C3, C4, E1, CLUB HOUSE) and the remaining (116 flats& 7 COMMERCIAL UNITS IN D,E2,F1+F2 &G(COMMERCIAL) have been sold by the Respondent No.13.Even, the Applicant has also not been made party to the said Society. Therefore, on this count alone, the present Original Application is liable to be dismissed with cost for non-joinder of parties.

## **II) FACTS OF THE PRESENT CASE**

- 13.The Respondent No.13 submits that the Respondent No.13 submitted a plan for sanctioning with the Respondent No.9. The said plan was sanctioned by the Respondent No.9 on 30<sup>th</sup> March 2007. A copy of the said sanctioned plan is annexed hereto and marked as **ANNEXURE –R-1**.
  
- 14.The Respondent No.13 submits that on 7<sup>th</sup> May 2008, the Respondent No.13 obtained a commencement certificate, a layout sanction plan and other permissions as mandated, from the Pune Municipal Corporation and other authority, for the project known as of **Prayeja City I**.

15. Pertinently, it can be gleaned from the said documents that the structure had an FSI area of 12,828 m<sup>2</sup>, but the total built-up area of the structure was more than 20,000 m<sup>2</sup>. However, solely in view of the unclarity in the manner of calculation of the built-up area for the purpose of the notification, the Respondent No.13 did not obtain an EC from the concerned authority. A copy of the commencement certificate dated 07.05.2008 bearing ref. no DPO/11116/PLU-4/Wadegaum issued by the Pune Municipal Corporation is hereto annexed and marked as **ANNEXURE R-2.** A copy of the revised layout sanction plan bearing ref. no. DPO/1111/PLU-4/WDBK/205 dated 07.05.2008 issued by the Pune Municipal Corporation is hereto annexed and marked as **ANNEXURE R-3.**

16. That on 04.04.2011, the MoEF issued a clarification that the built-up area would be the area covered on all floors put together, including the basement and other service area i.e. FSI + Non-FSI area. A copy of the notification bearing S.O. 695(E) dated 04.04.2011 issued by the Ministry of Environment and Forests, is hereto annexed and marked as **ANNEXURE R-4.**

17. That between 2007-2012, the aforesaid permissions were renewed and revised from time to time. That on 03.08.2013, the Respondent No.13 acquired additional land, pursuant to a Development Agreement dated 08.10.2012, which was adjacent to the aforesaid on-going construction. As the Respondent No.13 sought to utilise a

portion of the said newly acquired land for the ongoing construction, it amalgated the newly acquired property, (NEWLY ACQUIRED PROPERTY WAS AMALGAMATED AND SUBDIVIDED IN THE SAME PLAN CC/1446/2013 DATED 3/8/2013) and the property where the ongoing property stood, to form two separate and independent Plots i.e.:

- a. Plot 1 having an area of 19,833 m<sup>2</sup>, and consisting of Sy . Nos. 71/5(Pt),71/6A/1 to 71/6A/13, 71/6, B/1 TO 71/6,B/6, 71/7,B, 71/9,A/1,71/3/1 to 71/3/6, Plot No. 1, Wadgaon(BK), Sinhagad Road, Taluka:-Haveli, District:- Pune, 411041;
- b. Plot 2 having an area of 14,027 m<sup>2</sup>, and consisting of Sy . Nos. 71(Pt) & 72/20A TO 27A, Plot No.2, Wadgaon(BK), Sinhagad Road, Taluka:- Haveli, District:- Pune, 411041.

18.The Respondent No.13 submits that the Respondent No.9 completed all the plinth checks and also inspected the same at times. The Respondent No.9 after completion of the said process has proceeded to issue the necessary plinth check certificates. The Respondent No.9 has also issued Commencement Certificates on the basis of the certificates. Copies of the said plinth check certificates are annexed hereto and marked as **ANNEXURE – R-5**  
**colly**

19.The Respondent No.13 thereafter went for revision of the plans and also sub-division of the plots in 2013. The Respondent No.13 thereafter received basic Commencement Certificate in 2015. The

area in respect of Plot No.II (AS PER PMC SANCTIONED FSI+NON FSI BUA) comes to around 18461 sq.mtrs. Till date the Respondent No.13 has constructed 11200.15 sq.mtrs. The Respondent No.13 submits that the EC is not required, however, considering the new (UDPCR,2021) Development Control Regulations of the Respondent No.9 and the potential area, the same goes upto 37000 sq.mtrs and hence the Respondent No.13 has applied for Environmental Clearance. Copies of the certificate issued by the Architect including the potential area are annexed hereto and marked as **ANNEXURE – R-6 colly.**

- 20.The Respondent No.13 submits that in view of the additional area, the built-up area of Plot 1 (FSI + Non-FSI) increased to 56,292 m<sup>2</sup>, as on date. The construction on this plot is known as Prayeja City-I.The Plot 2 has a total built area of 18,461 m<sup>2</sup>, as on date. The construction on this plot is known as Prayeja City-II.
- 21.That on 08.10.2015, the Respondent No.13 obtained a revised commencement certificate for construction of Prayeja City II in Plot No.2 after amalgamation/sub-division in 2013.A copy of the commencement certificate dated 8<sup>th</sup> October 2015 bearing No. CC/2107/15 issued by the Pune Municipal Corporation is hereto annexed and marked as **ANNEXURE R-7.**
- 22.That on 7<sup>th</sup> July 2017, the MoEF issued an office memorandum bearing F. No. 22-35/2017-IA.III clarifying that the notification dated 4<sup>th</sup> April 2011 would be prospective in nature. A copy of the office memorandum bearing F.No. 22-35/2017-IA.III dated 7<sup>th</sup> July 2017 is hereto annexed and marked as **ANNEXURE R-8.**

23. That on 10<sup>th</sup> July 2017, the Respondent No.13 obtained a revised commencement certificate for construction of Prayega City I in Plot No.1. This document, however, does not create any fresh cause of action, as it is a merely a fresh commencement certificate obtained in view of revision of the permissions which were previously granted. The Applicant, however, has relied upon this document, before this Hon'ble Tribunal, so as to overcome the bar of limitation. Hence, the Respondent No.13 is annexing this document. A copy of the commencement certificate dated 10<sup>th</sup> July 2017 bearing No. CC/1001/17 issued by the Pune Municipal Corporation is hereto annexed and marked as **ANNEXURE R-9.**

24. That on 10<sup>th</sup> August 2018, the Hon'ble Supreme Court in *Goel Ganga Developers India (P) Ltd. v. Union of India*, (2018) 18 SCC 257 quashed the notification dated 7<sup>th</sup> July 2017 issued by the MoEF. Pertinently, even after this judgment, the issue of whether the projects which had not obtained an EC, in view of the ambiguity in the EIA notification continues to be open and is the subject matter of a pending *lis* before the Hon'ble Supreme Court in *Builders Association of India v. Union of India* SLP (c) No. 10078/2019, wherein this Hon'ble Court, by an order dated 3<sup>rd</sup> May 2019, has directed that no coercive steps will be taken. Copy of the order dated 3<sup>rd</sup> May 2019 is annexed hereto and marked as **ANNEXURE – R-10.**

25.The Respondent No.13 submits that on 29<sup>th</sup> July 2019, the Applicant, for the first time, issued a legal notice to various State Bodies alleging *inter alia* that the Respondent No.13 construction was being carried out in violation of EIA 2006, as even though the built-up area of the constructed structure was 67,154.88 m<sup>2</sup>, the Respondent No.13 has not obtained a prior EC. On 29<sup>th</sup> August 2019, the Environment Department, Government of Maharashtra, based on the complaint filed by the Respondent Complainant, issued a show cause notice to the Respondent No.13 stating therein, *inter alia*, that it was obligatory for the Respondent No.13 to obtain a prior Environment Clearance before starting construction, as the total built up area of the proposed construction was 67,154.88 m<sup>2</sup>.

26.The said notice also records that the Respondent No.13 had completed the projects somewhere in 2013 and 2015.A copy of the show-cause notice dated 29<sup>th</sup> August 2019 issued by the Environment Department, Government of Maharashtra is hereto annexed and marked as **ANNEXURE R-11**.

27.The Respondent No.13 submits that on 5<sup>th</sup> September 2019, the Respondent No.13 made an application to the SEIAA seeking a post facto EC for Prayeja City I.A copy of the application dated 5<sup>th</sup> September 2019 made by the Respondent No.13 to the SEIAA is hereto annexed and marked as **ANNEXURE R-12**.The Maharashtra Pollution Control Board has also rejected the consent to establish to the Respondent No.13 in respect of Plot I on account

of absence of EC. However, there remained ambiguity in respect of the notification of the MoEF dated 9<sup>th</sup> December 2016 regarding non-requirement of the Consent to Establish/Operate pertaining to the projects having area below 1,50,000 SQMTRS.

28. That on 10<sup>th</sup> October 2019, the Respondent No.13 filed its response to the show-cause notice dated 19<sup>th</sup> August 2019, wherein it submitted *inter alia* that the Prayeja City I and Prayeja City II were two separate projects, and that it had not breached the threshold limit of 20,000 m<sup>2</sup>, with respect to Prayeja City II. The Respondent No.13 also stated that it had applied for the requisite EC with respect to Prayeja City I. The Respondent No.13, however, admitted that it had breached the limit with respect to Prayeja City I, and had only now applied for a post facto EC. A copy of the response dated 10<sup>th</sup> October 2019 filed by the Respondent No.13 to the Environment Department is hereto annexed and marked as **ANNEXURE R-13.**

29. That on 16<sup>th</sup> November 2019, the Environment Department, after examining the complaint and the Respondent No.13's responses, found that the projects were indeed two separate and independent projects; and though the Respondent No.13 had breached the 20,000 m<sup>2</sup>, with respect to Prayeja City I, it had not exceeded the same with respect to Prayeja City II. The Environment Department therefore directed the concerned authorities to take action against the Respondent No.13 with respect to Prayeja City I only. A copy of the directions issued by the Environment Department dated

16<sup>th</sup> November 2019 against the Respondent No.13 is hereto annexed and marked as **ANNEXURE R-14.**

30. That on 13<sup>th</sup> December 2019, the SEIAA delisted the Respondent No.13's application for EC with respect to Prayeja City I in view of the show-cause notice dated 29<sup>th</sup> August 2019. A copy of the minutes of the 183<sup>rd</sup> Meeting of the SEIAA dated 13<sup>th</sup> December 2019 is hereto annexed and marked as **ANNEXURE R-15.**

31. That on 4<sup>th</sup> January 2020, the Respondent No.13 made an application to the SEIAA for the purpose of obtaining an EC for Prayeja City II, since after the revisions of its plans in 2020, the total built up area would exceed the 20,000m<sup>2</sup> threshold. The Respondent No.13 submits that the Application of the Respondent No.13 has been considered and has been recommended for grant of Environmental Clearance for plot No.12. Copy of the minutes of meeting held by SEIAA on 3<sup>rd</sup> to 5<sup>th</sup> February 2021 is annexed hereto and marked as **ANNEXURE – R-16.** The Respondent No.13 submits that pertinently, the Applicant lists the built-up area of both the projects and states that the area is 67,154 m<sup>2</sup>, when in fact the two are independent project i.e. Prayeja City I and Prayeja City II.

32. The Respondent No.13 submits that on 21<sup>st</sup> August 2020, the Respondent No.9 after inspecting the projects, i.e., Prayeja City I and Prayeja City II found that Prayeja City I has a total built up area of 48,694 m<sup>2</sup>, and that Prayeja City II has a total built up area

of 18,461 m<sup>2</sup>.The built-up area in the report of Respondent No.9, with respect to Prayeja City I, is shown as 48,694 m<sup>2</sup>, as opposed to its actual total built up area of 56,292 m<sup>2</sup>, as the Respondent No.9 has not considered certain areas such as parking while computing the same.

33.The Respondent No.13 challenged the order of this Hon'ble Tribunal dated 17<sup>th</sup> November 2020 before the Hon'ble Supreme Court of India by preferring a Civil Appeal No.4 of 2021. The Hon'ble Supreme Court of India vide its order dated 12<sup>th</sup> January 2021 was pleased to set aside the order dated 17<sup>th</sup> November 2020 and direct the Hon'ble Tribunal to hear the Respondent No.13 prior to passing of any order. Copy of the order dated 12<sup>th</sup> January 2021 is annexed hereto and marked as **ANNEXURE – R-17**.

### **III) PARA-WISE REPLY**

34.With respect to the contents of para 1 & 2, the Respondent No.13 does not wish to offer any comments.

35.With respect to the contents of paras 3 to 6, the same are denied by this Respondent. The contents therein are neither true nor correct nor bonafide. Moreover, the same are misleading misconceived, afterthought and as such are denied. The Applicant has proceeded to file the present Original Application on mere surmises and without gathering the correct information. As regards the allegations against the authorities, this Respondent would not be able to comment on the same.

36. With respect to the contents of para 7, the contents are false and denied.
37. With respect to the contents of paras 8 to 13, the contents therein false and denied by the Respondent No.13. As regards the allegations levelled by the Applicant in the said paras, it has been dealt by the Committee extensively in its report dated 23<sup>rd</sup> August 2020 and also the same has been replied by this Respondent vide its reply dated 10<sup>th</sup> October 2019 to the SEIAA to the show cause notice. The same are not being reproduced here to avoid repetition as the same is part and parcel of the record of this Hon'ble Tribunal. However, it is submitted that the Prayēja City I and Prayēja City II are separate and distinct projects as already observed by the Committee. As regards Prayēja City II is concerned it has already been recommended for grant of Environmental Clearance as stated in the aforementioned paras. Secondly, the MPCB has also granted the Consent to Establish dated 11<sup>th</sup> February 2021, the same is annexed hereto and marked as **ANNEXURE – R-18**.
38. With respect to the contents of para 14, the contentions therein are not true and correct. The Respondent No.13 submits that the challenge to the N.A order would not lie before this Hon'ble Tribunal as the order is granted under the provisions of Maharashtra Land Revenue Code, which is not part of the Schedule – I of the NGT Act, 2010.
39. With respect to the contents of para 15, the same are denied by the Respondent No.13. As stated earlier the Applicant has proceeded to file the case merely on the basis of surmises. The Respondent

No.13 has received the No-Objection-Certificate from the Central Groundwater Authority, a copy of which is annexed hereto and marked as ANNEXURE – R-19.

40. With respect to paras 16 to 21, the contents therein are not admitted by the Respondent No.13. The Respondent No.13 has complied with all the requisitions as mandated by law and the same has been confirmed by the Committee appointed by this Hon'ble Tribunal vide its report dated 23<sup>rd</sup> August 2020.
41. With respect to the contents of para 22, the Respondent No.13 does not wish to offer any comments as the same is not attributed to them.
42. With respect to the contents of para 23, the same is denied by this Respondent. The said allegations are mere surmises and the said issue cannot be looked into by the Hon'ble Tribunal. The Applicant may put to strict proof.
43. The contents of para 24 are not admitted by the Respondent No.13 and denied. The Applicant has failed to demonstrate the nature of damage to the environment. The Committee of this Hon'ble Tribunal has also dealt with the allegations of the Applicant and has come to the conclusion that there is not substantial damage to the ecology.
44. With respect to the contents of para 25 to 31 the same is not admitted by the Respondent No.13. The Respondent No.13 has already stated in the foregoing paras pertaining to the issue of Environmental Clearance.
45. The contents of para 32 are also not correct. There is no substantial question of law made out by the Applicant. The Respondent No.13

humbly states that, the Applicant has assumed and presumed that there is violation of environmental norms, rules and notifications issued by the government from time to time. The Applicant has no legal right to assume and presume such violation.

46. The Applicant has no locus/legal right to file such Application, as the Applicant is not owner, flat purchaser, developer of the said scheme. The Applicant is a third person to the entire scheme floated by the undersigned. The Applicant has tried to obtain document relating to the scheme mentioned in the Applicant from various government/semi-government bodies under the provisions of the RTI act and misinterpreted the same to its convenience and has filed the present Application with a view to blackmail the Respondent No.13 for extorting huge amounts of money from the Respondent No.13. The Applicant has malafide intentions in filling the present complaint and hence, the act of filling of the Applicant before this Hon'ble Tribunal is abuse of process of law. The allegations of the Applicant in the complaint are wild, baseless, and reckless and moreover, the same are defamatory in nature. The Respondent No.13 denies each and every allegation mentioned in the Application. The Respondent No.13 has filed the present reply thereby reserving rights to take appropriate criminal as well as civil action against the Applicant.

47. With respect to the contents of paras 33 to 37, the same has been already dealt by the present Respondent No.13 in the preliminary objections and the same is not reproduced herein to avoid repetition.

48. The allegations made by the Applicant are not admitted by the present Respondent No.13 and are denied in toto and therefore, in view of the facts mentioned herein above, the Original Application, filed by the Applicant is liable to be rejected with heavy cost.

PUNE

DATE: 06/03/2021

  
ADVOCATE FOR THE RESPONDENT No.13

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

ORIGINAL APPLICATION NO. 33 of 2020

Tanaji Balasaheb Gambhire ... APPLICANT  
 V/s  
 Union of India and others ... RESPONDENTS

**AFFIDAVIT IN SUPPORT OF THE REPLY**

I, Mr.Sandeep Narayandas Jani, aged about 54 years, Occu.: business, having address at Prayeja City, Survey No.71, Vadgaon Budruk, Sinhagad Road, Pune – 411 041, the Partner of Respondent No.10 hereinabove, do hereby state on the solemn affirmation that: -

1. I say that I am working as Partner with the Respondent No.10. I am duly authorised to file the present Affidavit. I am aware of the facts and circumstances of the present case and hence I am able to depose the same on oath.
2. That the Respondent No.10 is filing the present reply. The facts and circumstances are well set out in the main body of the reply. The Respondent No.10 adopts, confirms, maintains, repeats and reiterates whatever has been stated in the main body of the Reply and for the sake of brevity, convenience, and in order to avoid repetition, craves leave of this Hon'ble Tribunal to treat the statements, averments and submissions in the main body of the Reply as part and parcel of this Affidavit as if the same are



reproduced herein ad-seriatim, with a view to avoid repetition and for the sake of brevity.

3. I say that whatever stated in the Reply and the present Affidavit is true and correct to the best of my knowledge, information and belief and the legal advice, which I believe to be true.

Solemnly Affirmed at Pune on this <sup>the 5th day of March</sup> 05 day of ~~February~~ <sup>March</sup>, 2021.

*Sandeep D. J.*  
Affiant



**BEFORE ME**  
*San Mhalgi*  
**SANJAY MORESHWAR MHALGI**  
ADVOCATE & NOTARY  
GOVT. OF INDIA  
REGD. No. 8148

**NOTED AND REGISTERED**  
**AT SERIAL NUMBER 45**  
**DATE 05/03/2021**



# ANNEXURE-R-1

STAMP 24 APPROVAL 1/11

## PARKING

WING	PROVIDED					
	IN BLDG.			IN LAYOUT		
	CAR	SCOOTER	CYCLE	CAR	SCOOTER	CYCLE
A1	16	40	-	3	93	453
A2	16	40	-			
A3	16	40	-			
B1	12	30	-			
B2	12	30	-			
C	-	72	-			
D	-	72	-			
E	10	36	-			
TOTAL	82	360	-	3	93	453

LAYOUT PREVIOUSLY APPROVED UNDER DPO/1111/PLU-4/WADGAON BK./205 DATE :- 29/3/2007

APPROVED SUBJECT CONDITION APPROVED UNDER COMMENCEMENT CERTIFICATE No. 487/06  
 20/03/07  
 Assistant Engineer P. M. G.



**GROUND COVERAGE**  
 BUILDING COVERAGE = 2990.92 SQM  
 PARKING SLAB = 6.0X2+6.80+7.50X1.0 = 26.30X1.0 = 26.30 SQ.M.  
 TOTAL COVERAGE = 2990.92+26.30 = 3017.22 SQ.M.

**GROUND COVERAGE STATEMENT :-**  
 GR. COV. PERMISSIBLE = 20% x A+C+D = 20% x 12827.22 = 2565.44 SQM  
 GR. COV. PROPOSED = 3017.22 SQM = (23.52 %)

**AREA UNDER 18 M. WIDE D.P. ROAD AREA CALCULATION**  
 03. 0.5(15.50+17.50)78.10 = 1288.65 SQ.M.  
 04. 0.5(17.10+16.30)57.30 = 958.91 SQ.M.  
 05. 0.5x10.55x18.15 = 095.74 SQ.M.  
 06. 0.5x15.32x57.55 = 440.83 SQ.M.  
 07. 0.5x05.40x57.55 = 155.39 SQ.M.  
 08. 0.5x10.84x55.00 = 298.10 SQ.M.  
 TOTAL = 3235.62 SQ.M.

**AREA UNDER 30 M. WIDE D.P. ROAD AREA CALCULATION**  
 13. 0.5x26.41x79.53 = 1050.19 SQ.M.  
 14. 0.5x18.45x79.53 = 733.66 SQ.M.  
 TOTAL = 1783.85 SQ.M.

**AREA CALCULATION OF OPEN SPACE NO 1**  
 C. 0.5(22.20+11.85)37.93 = 645.75 SQ.M.  
 TOTAL = 645.75 SQ.M.

**AREA CALCULATION OF OPEN SPACE NO 2**  
 D. 20.55 X 38.78 = 796.94 SQ.M.  
 TOTAL OPEN SPACE = 645.75+796.94 = 1442.69 SQ.M.

**AREA CALCULATION OF AMENITY SPACE**  
 A. 0.5(10.0+22.0)74.0 = 1184.00 SQ.M.  
 B. 0.5(24.50+17.50)66.0 = 1386.00 SQ.M.  
 TOTAL = 2570.00 SQ.M.

## F.S.I. STATEMENT.

WING	HEIGHT	FLOOR	T.N.	F.S.I.	BALCONY	STAIRCASE	PASSAGE + LIFT LOBBY	TERRACE	LIFT+L.M.R.	COVERAGE
A1	2:00	P+9	36	2168.68	353.16	152.55	174.01	714.89	40.12	398.05
A2	2:00	P+9	36	2168.68	353.16	152.55	174.01	714.89	40.12	398.05
A3	2:00	P+9	36	2168.68	353.16	152.55	174.01	714.89	40.12	398.05
B1	1:50	P+4	16	1088.48	187.01	064.80	52.86	320.78	38.56	432.50
B2	1:50	P+4	16	1088.48	187.01	064.80	52.86	320.78	38.56	432.50
C	1:00	P+5	69	1531.60	291.64	055.80	392.42	---	30.63	310.59
D	1:00	P+5	70	1552.96	295.75	055.80	392.40	---	30.63	310.59
E	1:04.5	P+3	34	0757.70	161.00	033.48	198.08	---	30.63	310.59
TOTAL	---	---	313	12,525.26	2181.89	732.33	1610.67	2786.23	289.37	2990.92

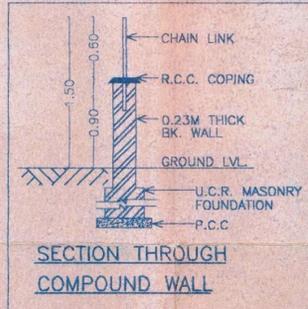
## PARKING STATEMENT

WING	T.N.	CAR	SCOOTER	CYCLE
WING A1	36	18	72	72
WING A2	36	18	72	72
WING A3	36	18	72	72
WING B1	16	08	32	32
WING B2	16	08	32	32
WING C	69	18	69	69
WING D	70	18	70	70
WING E	34	09	34	34
TOTAL	313	115	453	453
REQ. AREA/UNIT		12.5	3.0	0.70
TOTAL AREA REQ.		1437.50	1359.00	317.10
TOTAL AREA PRO.		3113.60 SQ.M		6000.00 SQ.M.

## WATER REQUIREMENT CALCULATION

WING	O.H.W.T.	U.G.W.T.
WING A1	44,300	66,450
WING A2	44,300	66,450
WING A3	44,300	66,450
WING B1	23,500	35,250
WING B2	23,500	35,250
WING C	59,275	89,000
WING D	59,275	89,000
WING E	23,000	34,500
TOTAL	3,21,450	4,82,350

**BALCONY AREA CALC.:-**  
 TOTAL PROP. AREA = 12525.26 SQM  
 BALC. PERM. = 15% x 12525.26 = 1878.79 SQM  
 TOTAL BAL. PROPOSED = 2181.89 SQM  
 EXCESS BALC. TAKEN IN F.S.I.  
 EXCESS BALC. = 2181.89 - 1878.79 = 303.10 SQ.M.  
 NET B/UP AREA = 12525.26 + 303.10 = 12828.36 SQ.M.

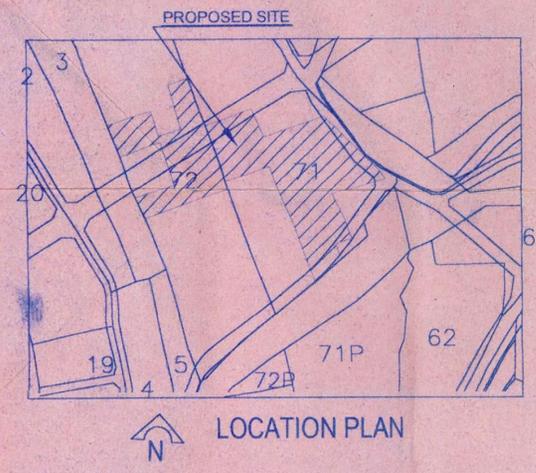
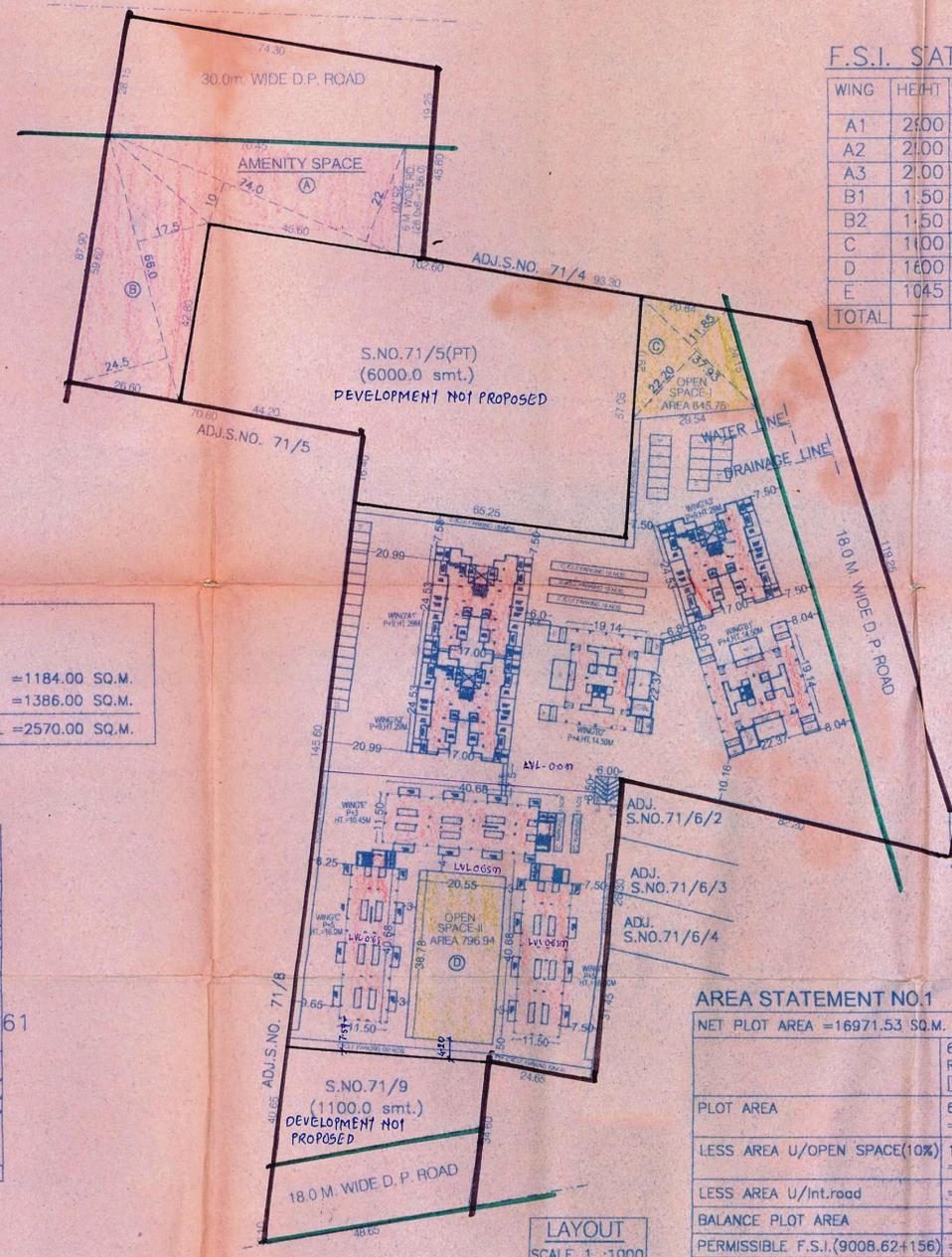


**BRIEF SPECIFICATION**  
 • FOUNDATION UP TO HARD STRATA  
 • R.C.C. FRAMED STRUCTURE  
 • 6" THICK B.B. MASONRY FOR EXT. & INT. WALLS.  
 • T W DOORS & M S WINDOWS  
 • SAND FACED CEMENT PLASTER EXTERNALLY  
 • NEERU FINISHED PLASTER INTERNALLY  
 • MARBLE MOSAIC TILES IN ALL ROOMS  
 • GLAZED TILES IN TOILET FLOORS & DADO  
 • CONCEALED PLUMBING & ELECTRIFICATION  
 • SNOCEM CEMENT PAINT EXTERNALLY  
 • OIL BOND DISTEMPER INTERNALLY

## AREA STATEMENT NO.1

NET PLOT AREA = 16971.53 SQ.M.

	60% AREA FOR RESIDENTIAL DEV. [A]	15% AREA FOR AMENITY SPACE [B]	15% AREA FOR P.M.C. [C]	10% AREA FOR DEVELOPER [D]
PLOT AREA	60% OF 16971.53 = 10182.92	15% OF 16971.53 = 2545.73	15% OF 16971.53 = 2545.73	10% OF 16971.53 = 1697.15
LESS AREA U/OPEN SPACE (10%)	10% OF 10182.92 = 1018.30	N.A.	10% OF 2545.73 = 254.57	10% OF 1697.15 = 169.71
LESS AREA U/Int.road	= 156.00	N.A.	---	---
BALANCE PLOT AREA	= 09008.62	= 2545.73	= 2291.16	= 1527.44
PERMISSIBLE F.S.I. (9008.62+156)	= 09164.62	= 2545.73	= 2291.16	= 1527.44
PROPOSED F.S.I.	= 08669.17	---	= 2310.70	= 1534.64



**AREA STATEMENT**

AREA	SQM
A AREA OF THE PLOT	21991.00
B LESS AREA UNDER 30M D.P. ROAD	1783.85
D LESS AREA UNDER 18M D.P. ROAD	3235.62
C BALANCE AREA OF PLOT	16,971.53
H LESS AMENITY AREA	02545.73
I BALANCE AREA OF PLOT	14425.80
J LESS OPEN SPACE 10% OF 14425.80	01442.58
K PERMISSIBLE F.S.I.	12983.22
L PROPOSED F.S.I.	12828.36

**BALCONY AREA STATEMENT**

NO.	DESCRIPTION	SQM
1	PERMISSIBLE BALC. (15% x 12525.26)	1878.79
2	PROPOSED BALCONY	2181.89
3	EXCESS BALC. AREA (TAKEN IN F.S.I.)	303.10

**TENEMENT STATEMENT**  
 1 TENEMENTS PERMISSIBLE ---  
 2 TENEMENTS PROPOSED ---

**GROUND COVERAGE STATEMENT**  
 1 PERMISSIBLE COVERAGE (20%) 2565.44  
 2 PROPOSED COVERAGE (23.52%) 3017.22

**PARKING STATEMENT**

	CAR	SCOOTER	CYCLE
1 PARKING REQD. BY RULES	115	453	453
2 TOTAL PARKING PROVIDED	115	453	453

**CERTIFICATE OF AREA**  
 CERTIFIED THAT THE AREA UNDER REFERENCE WAS SURVEYED BY ME AND THE DIM. OF SIDES ETC. OF THE PLOT STATED ON PLAN ARE AS MEASURED ON SITE AND THE AREA SO WORKED OUT TALLIES WITH THE AREA STATED IN THE DOCUMENT OF OWNERSHIP, T.P. SCHEME RECORDS, LAND RECORD DEPARTMENT, CITY SURVEY RECORDS.  
 AR. JAGADISH P. DESHPANDE

**LEGEND**  
 PLOT BOUNDARY SHOWN - BLACK  
 PROPOSED WORK SHOWN - RED  
 DRAINAGE LINE SHOWN - RED DOTTED  
 WATER LINE SHOWN - BLACK DOTTED  
 OPEN SPACE SHOWN - GREEN  
 PLAY GROUND RESERVATION SHOWN - WATER BODY SHOWN -

OWNER'S NAME, ADDRESS, SIGNATURE :-  
 MR. SANDEEP N. JANI [P.A.H.]  
 c/o Deshpande-Dixit Associates  
 HOUSING PROJECT:  
 PROPOSED RESIDENTIAL BLDGS.  
 ON S.NO.71/3,71/5(PT).71/6/1,71/6/6,  
 71/7,71/9,72/17,72/18,72/20,72/21,72/22,  
 VADGAON BK. PUNE  
 ARCHITECT :-  
 DESHPANDE-DIXIT ASSOCIATES  
 ARCHITECTS-TOWN PLANNERS-INTERIOR DESIGNERS  
 A-1, SUCCESS CHAMBERS, 1232 APTE ROAD,  
 DECCAN GYMKHANA, PUNE 411004.  
 PH. NO. 25532182, 25531141,  
 QJ/84/8318 FAX. NO.-020-25532325

DATE	DEALT BY	REVISED BY	CHECKED BY	SCALE
25.02.07	ashok			1:1000

server/g/data/ashok yanpure/asd/layout

LAYOUT PREVIOUSLY APPROVED UNDER  
DPO/1111/PLU-4/WADGAON BK./205  
DATE :- 29/3/2007

REVISED PLAN 1/12  
PLAN PREVIOUSLY APPROVED UNDER  
C.C. NO. 4871/06 DATED 30/3/2007

APPROVED SUBJECT TO CONDITION  
APPROVED UNDER COMMENCEMENTS  
CERTIFICATE NO. 2546/1000  
Building Inspector Assistant Engineer P.M.C.



PARKING

WING	PROVIDED					
	IN BLDG.			IN LAYOUT		
	CAR	SCOOTER	CYCLE	CAR	SCOOTER	CYCLE
A	29	110	---	20	180	402
B	28	22	---			
C1	20	34	---			
C2	20	34	---			
C3	20	34	---			
E	24	36	---			
TOTAL	141	270	---	20	180	402

TENEMENT STATEMENT

WING	BELOW 40	BETWEEN 40-80
WING A	90	---
WING B	72	---
WING C1	---	36
WING C2	---	36
WING C3	---	36
WING E	---	12
TOTAL	162	120
	282	

**GROUND COVERAGE**  
BUILDING COVERAGE = 2649.33 SQM  
PARKING SLAB  
= 20.55+12.70+12.0+6.42+4.40X1.0  
= 56.07X1.0  
= 56.07 SQ.M.  
TOTAL COVERAGE = 2649.33 + 56.07  
= 2705.40 SQ.M.

**GROUND COVERAGE STATEMENT :-**  
GR. COV. PERMISSIBLE = 20% x A+C+D  
= 20% x 12827.22  
= 2565.44 SQM  
GR. COV. PROPOSED = 2705.40 SQM  
= (21.09 %)

**AREA UNDER 18 M. WIDE D.P. ROAD  
AREA CALCULATION**  
03 0.5(15.50+17.50)/78.10 = 1286.65 SQ.M  
04 0.5(17.10+16.30)/57.30 = 956.91 SQ.M  
05 0.5x10.55x18.15 = 095.74 SQ.M  
06 0.5x15.32x7.55 = 440.83 SQ.M  
07 0.5x05.40x7.55 = 155.39 SQ.M  
08 0.5x10.84x55.00 = 298.10 SQ.M  
TOTAL = 3235.62 SQ.M

**AREA UNDER 30 M. WIDE D.P. ROAD  
AREA CALCULATION**  
13 0.5x26.41x79.53 = 1050.19 SQ.M  
14 0.5x18.45x79.53 = 733.66 SQ.M  
TOTAL = 1783.85 SQ.M

**AREA CALCULATION  
OF OPEN SPACE**  
A. 0.5(20.61+5.77)/44.57 = 587.88 SQ.M  
B. 0.5 x 12.15 x 41.36 = 251.26 SQ.M  
A. 0.5 x 4.78 x 22.06 = 052.72 SQ.M  
B. 0.5(8.75+13.61)/49.26 = 550.72 SQ.M  
TOTAL = 1442.58 SQ.M

**AREA CALCULATION  
OF AMENITY SPACE**  
A. 0.5(10.0+22.0)/74.0 = 1184.00 SQ.M  
B. 0.5(24.50+17.50)/66.0 = 1386.00 SQ.M  
TOTAL = 2570.00 SQ.M

F.S.I. STATEMENT

WING	HEIGHT	FLOOR	TN.	F.S.I.	BALCONY	STAIRCASE	PASSAGE + LIFT LOBBY	TERRACE	LIFT+L.M.R.	COVERAGE
A	14.25	P+4	90	2289.36	---	55.80	392.40	---	26.54	636.04
B	29.00	P+9	72	2267.01	1114.38	252.00	103.50	688.82	40.78	406.36
C1	29.00	P+9	36	2223.81	248.13	78.75	230.22	555.92	40.33	370.62
C2	29.00	P+9	36	2223.81	248.13	78.75	230.22	555.92	40.33	370.62
C3	29.00	P+9	36	2322.99	269.73	78.75	230.22	555.92	40.33	388.40
E	11.60	P+3	12	1014.57	162.15	35.40	67.35	221.13	39.12	477.29
TOTAL	---	---	282	12341.55	2042.52	579.45	1253.91	2577.71	227.43	2649.33

\* WING 'A' FOR P.M.C.

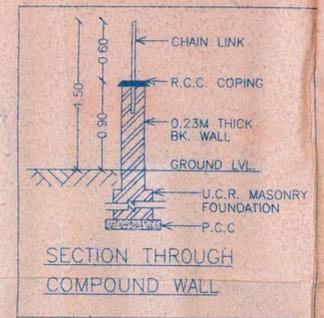
**BALCONY AREA CALC. :-**  
TOTAL PROP. AREA = 12341.55 SQM  
BALC. PERM. = 15% x 12341.55 = 1851.23 SQM  
TOTAL BAL. PROPOSED = 2042.52 SQM  
EXCESS BALC. TAKEN IN F.S.I.  
EXCESS BALC. = 2042.52 - 1851.23  
= 191.29 SQ.M.  
NET B/UP AREA = 12341.55 + 191.29  
= 12532.84 SQ.M.

WATER REQUIREMENT CALCULATION

WING	O.H.W.T.	U.G.W.T.
WING A	60,750	92,000
WING B	68,600	1,02,900
WING C1	44,300	66,450
WING C2	44,300	66,450
WING C3	44,300	66,450
WING E	18,100	27,150
TOTAL	2,80,350	4,21,400

PARKING STATEMENT

WING	TN.	CAR	SCOOTER	CYCLE
WING A	90	23	90	90
WING B	72	18	72	72
WING C1	36	36	72	72
WING C2	36	36	72	72
WING C3	36	36	72	72
WING E	12	12	24	24
	282	161	402	402
REQ. AREA/UNIT		12.5	3.0	1.40
TOTAL AREA REQ.		2012.50	1206.00	562.80
TOTAL AREA PRO.		3781.30	600.00	562.80

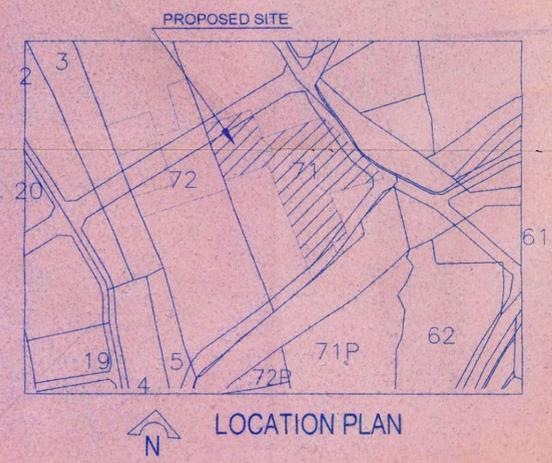
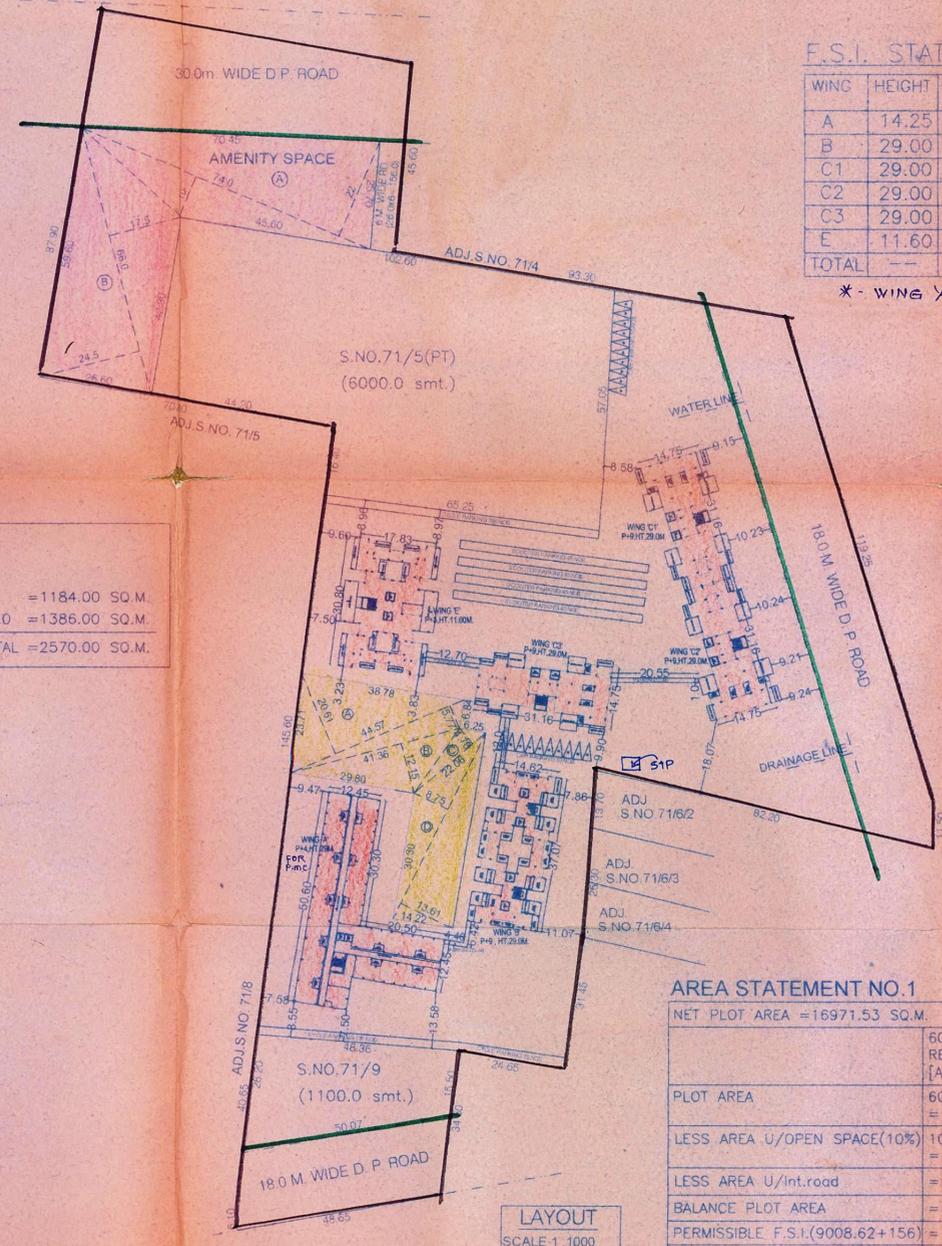


AREA STATEMENT NO.1

	60% AREA FOR RESIDENTIAL DEV. [A]	15% AREA FOR AMENITY SPACE [B]	15% AREA FOR P.M.C. [C] WING 'A'	10% AREA FOR DEVELOPER [D] WING 'B'
NET PLOT AREA	= 16971.53 SQ.M.			
PLOT AREA	60% OF 16971.53 = 10182.92	15% OF 16971.53 = 2545.73	15% OF 16971.53 = 2545.73	10% OF 16971.53 = 1697.15
LESS AREA U/OPEN SPACE(10%)	10% OF 10182.92 = 1018.30	N.A.	10% OF 2545.73 = 254.57	10% OF 1697.15 = 169.71
LESS AREA U/Int.road	= 156.00	N.A.	---	---
BALANCE PLOT AREA	= 09008.62	= 2545.73	= 2291.16	= 1527.44
PERMISSIBLE F.S.I.(9008.62+156)	= 09164.62	= 2545.73	= 2291.16	= 1527.44
PROPOSED F.S.I.	= 07976.47	---	= 2289.36	= 2267.01

BRIEF SPECIFICATION

- FOUNDATION UP TO HARD STRATA
- R.C.C. FRAMED STRUCTURE
- 6" THK. B.B. MASONRY FOR EXT. & INT. WALLS
- T.W. DOORS & M.S. WINDOWS
- SAND FACED CEMENT PLASTER EXTERNALLY
- NEERU FINISHED PLASTER INTERNALLY
- MARBLE MOSAIC TILES IN ALL ROOMS
- GLAZED TILES IN TOILET FLOORS & DADO
- CONCEALED PLUMBING & ELECTRIFICATION
- SNOCEM CEMENT PAINT EXTERNALLY
- OIL BOND DISTEMPER INTERNALLY



**AREA STATEMENT**

AREA	SQM
A AREA OF THE PLOT	21991.00
B LESS AREA UNDER 30M. D.P. ROAD	1783.85
D LESS AREA UNDER 18M. D.P. ROAD	3235.62
G BALANCE AREA OF PLOT	16,971.53
H LESS AMENITY AREA	02545.73
I BALANCE AREA OF PLOT	14425.80
J LESS OPEN SPACE 10% OF 14425.80	01442.58
K PERMISSIBLE F.S.I.	12983.22
L PROPOSED F.S.I.	12532.84

**BALCONY AREA STATEMENT**

ITEM	SQM
1 PERMISSIBLE BALC. (15% x 11931.15)	1851.23
2 PROPOSED BALCONY	2042.52
3 EXCESS BALC. AREA (TAKEN IN F.S.I.)	191.29

**TENEMENT STATEMENT**

1 TENEMENTS PERMISSIBLE	---
2 TENEMENTS PROPOSED	---

**GROUND COVERAGE STATEMENT**

1 PERMISSIBLE COVERAGE (20%)	2565.44
2 PROPOSED COVERAGE (21.09%)	2705.40

**PARKING STATEMENT**

REQD. BY RULES	CAR	SCOOTER	CYCLE
1	161	402	402
2 TOTAL PARKING PROVIDED	161	450	402

**CERTIFICATE OF AREA**  
CERTIFIED THAT THE AREA UNDER REFERENCE WAS SURVEYED BY ME AND THE DIM. OF SIDES ETC. OF THE PLOT STATED ON PLAN ARE AS MEASURED ON SITE AND THE AREA SO WORKED OUT PLAN ARE THE AREA STATED IN THE DOCUMENT OF OWNERSHIP, T.P. SCHEME RECORDS, LAND RECORD DEPARTMENT, CITY SURVEY RECORDS.

AR. JAGADISH P. DESHPANDE  
NORTH

OWNER'S NAME, ADDRESS, SIGNATURE  
MR. SANDEEP N. JANI [P.A.H.]  
c/o Deshpande-Dixit Associates  
MR. ASHOK YENPURE [P.A.H.]

**PROPOSED RESIDENTIAL BLDGS.**  
ON S.NO.71/3,71/5(PT),71/6/1,71/6/6,  
71/7,71/9,72/17,72/18,72/20,72/21,72/22,  
VADGAON BK. PUNE

**DESHPANDE-DIXIT ASSOCIATES**  
ARCHITECTS-TOWN PLANNERS-INTERIOR DESIGNERS  
A-1, SUCCESS CHAMBERS, 1232 APTE ROAD,  
DECCAN GYMKHANA, PUNE 411004.  
PH. NO. 25532182, 25531141.  
FAX. NO. 020-25532325

DATE	DEALT BY	REVISED BY	CHECKED BY	SCALE
25.02.07	ashok			1:1000

**ANNEXURE-R-2**

**Pune Municipal Corporation**  
**(In further correspondence, please mention follow reference number & date)**  
**(This consent letter is being given to the Applicant without any reference to the legal ownership of the plot or building.)**

**Commencement Certificate**

The Commencement Certificate and consent for construction is hereby granted in terms of provisions of Section 44/45/58/69 of Maharashtra Town Planning Act 1966 and Section 253 and 254 of Mumbai Regional Town Planning Act 1966 .

**Case No. VDB/0071/06 REVISED-1**  
**Proposal Type - Residential**

**No. CC/436/08**  
**Date – 07/05/2008**

**To:**

Mr./Mrs. **SANDIP N JANI & OTHERS** c/o **JAGDISH DESHPANDE**

R/At Pune 411004 is hereby informed that he has given NOTICE for proposed development work in terms of Maharashtra Urban Construction Act 1966 and it's section 44/45/58/69 and the provisions of Mumbai Regional Municipal Corporation Act, 1949 section 253 & 254 within the limits of Pune Municipal Corporation Peth, VADAGAON BUDRUK, HOUSE S. No. 3/1, 3/2, 3/3, 3 / 4, 3/5, 3/6 Final Plot No.\_\_\_\_ to Plot No.\_\_\_\_ which is received on 02/04/2008. Accordingly, consent is hereby granted to commence the work on following terms and conditions.

Terms and conditions:

- 1) The Government of Maharashtra has sanctioned the Revised Development Plan Scheme on 5/1/1987. As per the said plan if the proposed new work gets adversely affected or any damage happens to cause on account of that then you will not ask for any compensation against it and Municipal Corporation would not be liable to pay the same.
- 2) The work should be carried out as per the attached new/revised plan.
- 3) After reaching the plinth level, approval for setback, side margin, open space etc. must be obtained from Building Control Department of PMC. Do not start the work above plinth till then.
- 4) This approval letter is given on the condition that degree line of Road shall be marked with the help of Hon'ble Deputy Engineer (Land Development Dept.) and work has to be started thereafter only.
- 5) This approval letter is issued on the conditions written/pasted on the back of the attached plan.
- 6) Minimum four trees should be planted in the compound of building of the plot for which permission is asked for and these trees should be properly maintained before asking for the permission for completion. Without this no occupancy certificate shall be issued. The Applicant has to provide a protective compound for the trees on the road.
- 7) Application for the completion certificate will not be considered unless the road and the sides are properly cleaned of the debris and miscellaneous material. Demolition department will guide for the effective disposal of the debris.
- 8) Before starting the work, necessary permission for drainage from Hon'ble Assistant Engineer (Drainage Dept.) & (Water supply) PMC as marked on plan should be taken by submitting the plans for the said work.
- 9) No tree should be cut without permission of tree authority of PMC, if any trees are present in the property. Otherwise legal action will be taken of which please take a note.
- 10) Even if Building Department has given permission for the use of septic tank, do not start the construction work for septic tank or drainage without submitting the plans and seeking permission from Hon'ble Asst. City Engineer (Drainage Dept.). It is essential to submit the completion certificate of drainage work before asking for the occupancy certificate.
- 11) You will start the new work only after demolishing the structure marked for demolition in the plan.
- 12) Applicant will be responsible for any dispute if arises due to the legal rights or any other rights or boundary rights.
- 13) One bathroom and latrine should be built at site on temporary basis for the workers.
- 14) You will submit the certificate PMC taxes paid before asking for completion certificate.
- 15) All the terms and conditions pasted at the backside of the approved layout plan are binding upon.

While working as per the above approval letter, the rules and regulations of the Town Planning Department and the bye-Laws made accordingly should not be violated. In case of any doubts about the above approval letter it should conveyed to & cleared from PMC authorities before starting the work.

Sd/-  
Building Inspector  
Pune Municipal Corporation

Sd/-  
Deputy Engineer (Bldg. Control Dept.)  
Pune Municipal Corporation

**Terms and conditions continued**

### Some Important Instructions

- 1) It is necessary for the owner of construction to make an application for occupancy certificate after completion of construction to the office of Municipal Corporation in terms of Sec. 263 of Mumbai Regional Municipal Corporation Act 1949 so that the Hon'ble City Engineer or his authorized officer shall inspect the site and permission can be granted for use of the premises. Any act contrary to this by the Applicant shall attract Penalty of Rs. 500/- in terms of Section 932 of Mumbai Regional Municipal Act 1949.
- 2) During construction if for the upfront terrace of new building any electrical or mechanical wire ropes are required to be removed, the responsibility of it does not fall upon the Corporation.
- 3) The doors of residence, gates, or garages should be openable inside and the wooden plants should not kept beyond the plinth.
- 4) In a single unit house, the rain water shed should not be extended beyond 1 feet of the wall. If more than one unit it can be extended up to 1.5 feet. Necessary arrangements be made for ateral and hexagonal water ways so that the rain water shall not fall upon the drainage directly from the height and can safely reach to the drainage. This certificate does not allow stopping the natural water way flowing from the plot or reducing its size. As per the height of the building necessary arrangement to store and to lift the water and on the top be made necessarily.
- 5) The excavator required for construction of house should not be kept in the area of Municipal Corporation without necessary permission and keeping it without permission is a crime.
- 6) The place for which agricultural cess is being paid if it is to be used for purpose of construction of house, necessary NA permission be sought from the Hon'ble District Collector and construction be made. In any case construction should not be made without necessary permission.
- 7) If it is found by the Corporation that construction has been made on the public places illegally; the said shall be demolished and get vacated. In case of any damage is caused due to demolition the Corporation shall not be held responsible for it.
- 8) No nuisance or any trouble be made to the neighbors on any count due to the work. It is your responsibility only. This Commencement Certificate does not allow encroaching of anybody else's rights and for any of the work done beyond your rights, the responsibility of it lies on you solely.
- 9) In case the employees of Municipal Corporation or Police ask for inspection of this commencement certificate, and if you fail to produce the same before it, it shall be construed that the construction is being done illegally.
- 10) This certificate is valid for one year. Afterwards it shall be treated as cancelled automatically. If construction work is required to be extended beyond one year period an application along with a supervision memo needs to be submitted to get the term extended and then only construction should be commenced.
- 11) In case any special instruction is given in exceptional circumstances, it should be followed by you. It does not affect adversely due to issuance of this Commencement Certificate.
- 12) Before commencement of construction a water meter needs to be arranged for the water connection.
- 13) For water pressure this Corporation is not responsible. If due to low water pressure and in case water cannot be supplied to the upper stories, necessary arrangement for water tank as per the suggestions of the Hon'ble City Engineer or his officers be made which should at least be designed and of specification of 0.50 Meter high and by installing electric pumps and by installing overhead water tanks, necessary arrangement for supply of water be made by supply of main water line of the Corporation to the ground tank. All this arrangement will have to be made by the owner only. The size of the said tanks shall be decided by the City Engineer and in case of failure to obtain electrical power supply, the pumps can be run on diesel oil engine or petrol, the arrangement of it will have to be done by the owner only. By making all this arrangement by the owner only the Occupancy Certificate be sought and unless otherwise Occupancy Certificate (completion certificate) will not be given and building shall not be made use of or others shall not be allowed to make use of it
- 14) All plans in respect of plumbing should be got approved and the work should be got done from the approved plumber.
- 15) In case of provision of flushing toilet is to be made pull chain system should be provided to it along with closed cover.
- 16) Without necessary permission from the Municipal Corporation, new well, tank, pond, basin or fountain should be digged or erected. Gali Traps and Open chambers should made mosquito proof. In the tank no garbage should be stored and it should remain close only. It should be kept under lock and key. As also overflow pipes should be fenced by wire. On the compound walls no broken glass pieces should be placed Flushing toilets or plinth of toilets should be placed in the middle of the road or kept around two feet away from the building of the owners.
- 17) Access road, electricity drainage etc. developments should be made as per specifications of the Municipal Corporation or else no complaints in that regard shall be entertained and roads will not be taken in possession of Municipal Corporation.

True Copy

# ANNEXURE-R-3

**GROUND COVERAGE**  
 BUILDING COVERAGE = 3826.05 SQM  
 PARKING SLAB  
 = (6.32+7.50+3.99+11.87+8.85)X1.0  
 = 38.53X1.0  
 = 38.53 SQ.M.  
 TOTAL COVERAGE = 3826.05+38.53  
 = 3864.58 SQ.M.

**GROUND COVERAGE STATEMENT :-**  
 GR. COV. PERMISSIBLE = 20% x A+C+D  
 = 20% x 18567.48  
 = 3713.49 SQM  
 GR. COV. PROPOSED = 3864.58 SQM  
 = (20.81 %)



**COVERED PARKING PROVIDED**

BLDG. TYPE	CAR	SCOOTER	CYCLE
BLDG. 'A'	29	112	---
BLDG. 'B'	28	22	---
BLDG. 'C1'	20	44	---
BLDG. 'C2'	20	44	---
BLDG. 'C3'	19	38	---
BLDG. 'C4'	18	14	---
BLDG. 'D'	22	48	---
BLDG. 'E1'	23	36	---
BLDG. 'E2'	23	36	---
TOTAL	202	394	---

**OPEN PARKING PROVIDED**

	CAR	SCOOTER	CYCLE
OPEN PLOT	---	360	725

**TOTAL PARKING PROVIDED**

	CAR	SCOOTER	CYCLE
COVERED+OPEN	202	754	725

**F.S.I. STATEMENT**

WING	HEIGHT	FLOOR	TN.	F'S.I.	BALCONY	STAIRCASE	PASSAGE + LIFT LOBBY	TERRACE	LIFT+L.M.R.	COVERAGE
A	19.95	P+6	129	3268.33	---	66.96	423.67	---	26.54	633.47
B	29.00	P+9	72	2267.01	1114.38	252.00	103.50	688.82	40.78	406.36
C1	29.00	P+9	36	2223.81	248.13	78.75	230.22	555.92	40.33	370.62
C2	29.00	P+9	36	2223.81	248.13	78.75	230.22	555.92	40.33	370.62
C3	29.00	P+9	36	2208.78	328.68	136.98	181.62	590.47	40.21	376.16
C4	29.00	P+9	36	1906.56	284.76	69.75	116.10	319.30	54.01	282.60
D	14.50	P+4	16	1177.60	174.84	38.08	101.28	326.28	36.19	457.54
E1	29.00	P+9	36	3043.71	486.45	106.20	202.05	638.43	39.12	464.34
E2	2.90									464.34
TOTAL	---	---	397	18319.61	2885.37	827.47	1588.66	3675.14	317.51	3826.05

EXCESS BALCONY = 137.43 \* WING 'A' FOR P.M.C.  
 TOTAL = 18457.04 \* WING 'B' FOR DEVELOPERS

**BALCONY AREA CALC.:-**

TOTAL PROP. AREA = 18319.61 SQM  
 BALC. PERM. = 15% x 18319.61 = 2747.94 SQM  
 TOTAL BAL. PROPOSED = 2885.37 SQM  
 EXCESS BALC. TAKEN IN F.S.I.  
 = 2885.37 - 2747.94  
 = 137.43 SQ.M.  
 NET B/UP AREA = 18319.61 + 137.43  
 = 18457.04 SQ.M.

**PARKING STATEMENT**

WING	TN.	CAR	SCOOTER	CYCLE
WING A	129	33	129	129
WING B	72	18	72	72
WING C1	36	18	72	72
WING C2	36	18	72	72
WING C3	36	18	72	72
WING C4	36	18	72	72
WING D	16	08	32	32
WING E	36	36	72	72
TOTAL	397	167	593	593

**AREA STATEMENT NO. 1**

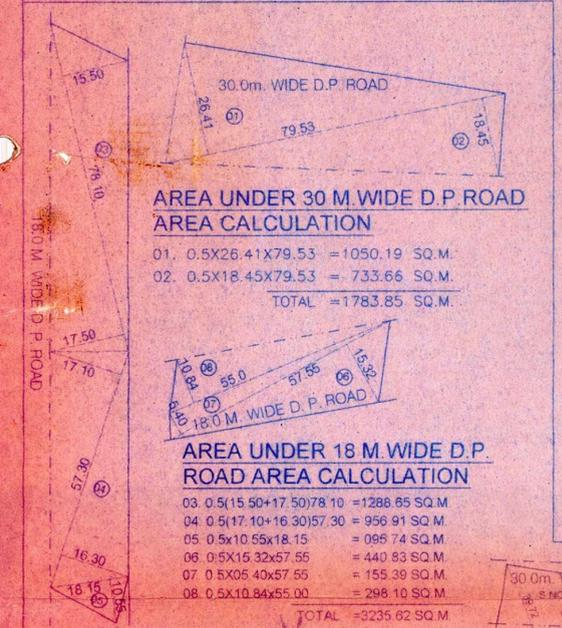
	60% AREA FOR RESIDENTIAL DEV.	15% AREA FOR AMENITY SPACE	15% AREA FOR P.M.C.	10% AREA FOR DEVELOPER
	[A]	[B]	[C] WING 'A'	[D] WING 'B'
NET PLOT AREA	24271.20	24271.20	24271.20	24271.20
LESS AREA U/OPEN SPACE(10%)	1456.27	N.A.	3640.68	242.71
BALANCE PLOT AREA	13106.45	3640.68	3276.62	2184.41
ADD D.P.ROAD FSI.	NIL	---	---	---
PERMISSIBLE F.S.I.	13106.45	---	3276.62	2184.41
PROPOSED F.S.I.	12921.70	---	3276.62	2267.01

**TENEMENT STATEMENT**

WING	BELOW 40	BETWEEN 40-80
WING A	129	---
WING B	72	---
WING C1	---	36
WING C2	---	36
WING C3	---	36
WING C4	---	36
WING D	---	16
WING E	---	36
TOTAL	201	196

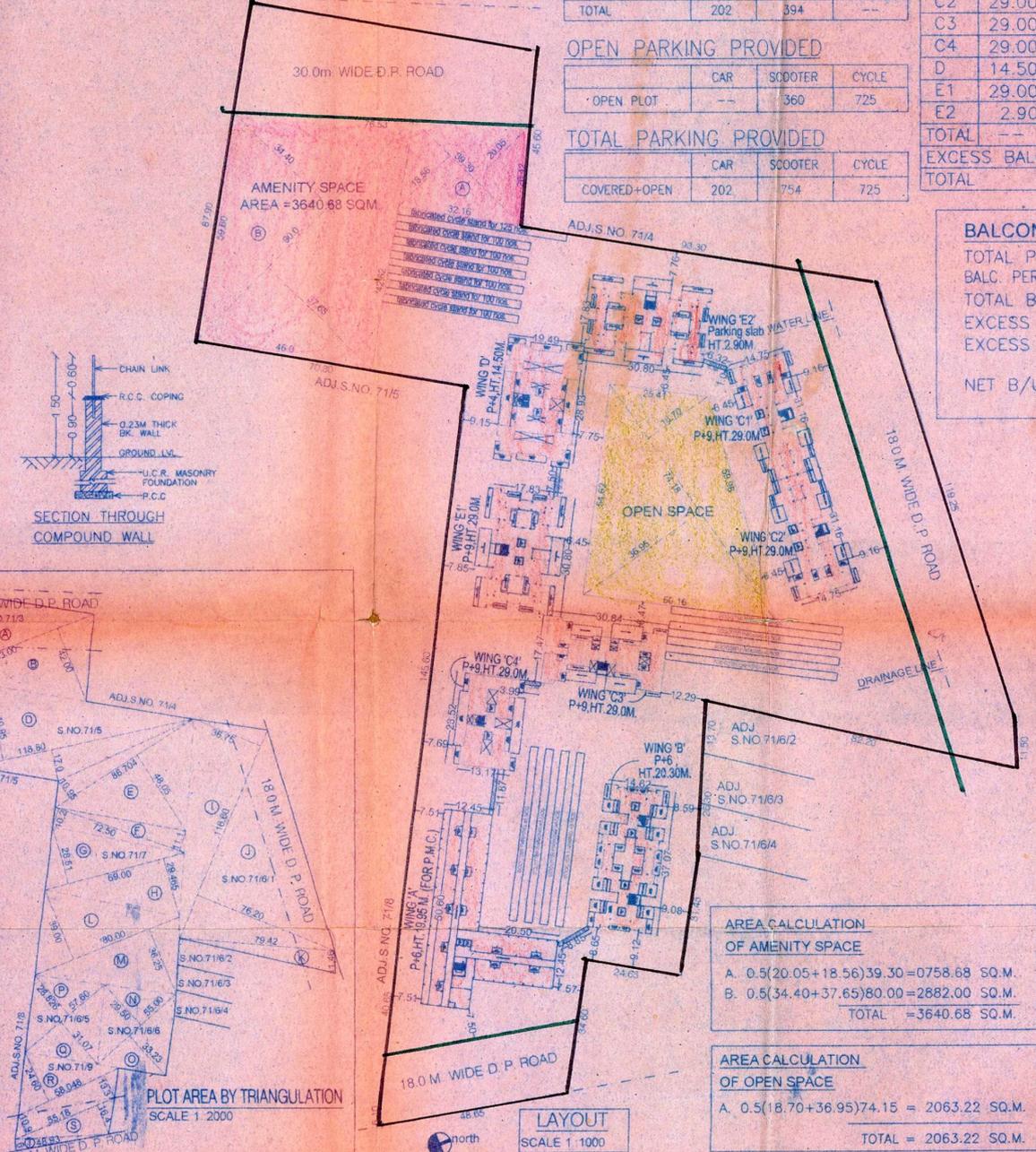
**WATER REQUIREMENT CALCULATION**

WING	O.H.W.T.	U.G.W.T.
WING A	87,075	1,30,750
WING B	68,600	1,62,900
WING C1	44,300	66,450
WING C2	44,300	66,450
WING C3	44,300	66,450
WING C4	44,300	66,450
WING D	20,800	31,200
WING E	44,300	66,450
TOTAL	3,97,975	5,97,100



**S.NO.71/3,5,6/1,6/5,6,7,9**

A. 93.00 x 39.72 x 1/2 x 1 = 1847.00 SQ.M.
B. 93.00 x 42.00 x 1/2 x 1 = 1953.00 SQ.M.
C. (23.50+23.50)X52.25x1/2 = 1227.87 SQ.M.
D. 0.5(40.95+17.00)118.80 = 3442.23 SQ.M.
E. 0.5(10.95+48.05)86.704 = 2557.77 SQ.M.
F. (10.20+11.10)X72.50x1/2 = 0772.13 SQ.M.
G. 69.00 x 28.510 x 1/2 x 1 = 983.59 SQ.M.
H. 69.00 x 29.465 x 1/2 x 1 = 1016.41 SQ.M.
I. 116.60 x 36.75 x 1/2 x 1 = 2142.52 SQ.M.
J. 116.60 x 76.20 x 1/2 x 1 = 4442.46 SQ.M.
K. 79.42 x 11.46 x 1/2 x 1 = 455.02 SQ.M.
L. 80.00 x 39.00 x 1/2 x 1 = 1560.00 SQ.M.
M. 80.00 x 36.25 x 1/2 x 1 = 1450.00 SQ.M.
N. 55.00 x 29.50 x 1/2 x 1 = 811.25 SQ.M.
O. 55.00 x 33.23 x 1/2 x 1 = 913.75 SQ.M.
P. 57.60 x 28.826 x 1/2 x 1 = 830.18 SQ.M.
Q. 57.60 x 31.07 x 1/2 x 1 = 885.49 SQ.M.
R. (24.60+13.30)x1/2 x58.048 = 1100.00 SQ.M.
S. (10.90+16.40)x55.18x1/2 = 753.21 SQ.M.
T. 06.00 x 48.93 x 1/2 x 1 = 146.79 SQ.M.
TOTAL = 29290.67 SQ.M.
AREA AS PER DEMARCATION = 29290.67 SQ.M.
AREA AS PER 7/12 = 29300.00 SQ.M.
MIN. AREA TO BE TAKEN = 29290.67 SQ.M.



**AREA CALCULATION OF AMENITY SPACE**  
 A. 0.5(20.05+18.56)39.30 = 0758.68 SQ.M.  
 B. 0.5(34.40+37.65)80.00 = 2882.00 SQ.M.  
 TOTAL = 3640.68 SQ.M.

**AREA CALCULATION OF OPEN SPACE**  
 A. 0.5(18.70+36.95)74.15 = 2063.22 SQ.M.  
 TOTAL = 2063.22 SQ.M.

**STAMP OF APPROVAL** 1/16  
 LAYOUT PREVIOUSLY APPROVED UNDER  
 DPO/11116/PLU-4/WADGAON BK./205, DATE:-29/3/2007  
 DPO/11/1038/PLU-4/WADGAON BK./227, DATE:-06/9/2007  
 Revised 21st 2008  
 APPROVED SUBJECT TO CONDITION  
 APPROVED UNDER COMMENCEMENT  
 CERTIFICATE NO. 0486/08  
 Building Inspector, Assistant Engineer P.M.C., PUNE

**AREA STATEMENT**

AREA	SQM
A AREA OF THE PLOT	29290.67
B LESS AREA UNDER 30M. D.P. ROAD	1783.85
D LESS AREA UNDER 18M. D.P. ROAD	3235.62
G BALANCE AREA OF PLOT	24271.20
H LESS AMENITY AREA	03640.68
I BALANCE AREA OF PLOT	20630.52
J LESS OPEN SPACE 10% OF 20630.52	02063.04
K PERMISSIBLE F.S.I.	18567.48
L PROPOSED F.S.I.	18457.04

**BALCONY AREA STATEMENT**

NO.	DESCRIPTION	SQM
1	PERMISSIBLE BALC. (15% x 18327.71)	2747.35
2	PROPOSED BALCONY	2885.37
3	EXCESS BALC. AREA (TAKEN IN F.S.I.)	138.02

**CERTIFICATE OF AREA**  
 CERTIFIED THAT THE AREA UNDER REFERENCE WAS SURVEYED BY ME AND THE DIM. OF SIDES ETC. OF THE PLOT STATED ON PLAN ARE AS MEASURED ON SITE AND THE AREA SO WORKED OUT TALLIES WITH THE AREA STATED IN THE DOCUMENT OF OWNERSHIP, T.P. SCHEME RECORDS, LAND RECORD DEPARTMENT, CITY SURVEY RECORDS.  
 AR. JAGADISH P. DESHPANDE

**LEGEND**  
 PLOT BOUNDARY SHOWN - BLACK  
 PROPOSED WORK SHOWN - RED  
 DRAINAGE LINE SHOWN - RED DOTTED  
 WATER LINE SHOWN - BLACK DOTTED  
 OPEN SPACE SHOWN - GREEN  
 PLAY GROUND RESERVATION SHOWN -  
 WATER BODY SHOWN -

OWNER'S NAME, ADDRESS, SIGNATURE :-  
 MR. SANDEEP N. JANI [P.A.H.]  
 c/o Deshpande-Dixit Associates  
 PROJECT :-  
**PROPOSED LAYOUT OF RESI. BLDGS.**  
 ON S.NO.71/3,71/5,71/6/1,71/6/5,71/6/6, 71/7,71/9  
 VADGAON BK. PUNE  
 ARCHITECT :-  
**DESHPANDE-DIXIT ASSOCIATES**  
 ARCHITECTS-TOWN PLANNERS-INTERIOR DESIGNERS  
 C.A. REGD. NO. - 84/8318  
 A-1, SUCCESS CHAMBERS, 1232 APTE ROAD,  
 DECCAN GYMKHANA, PUNE 411004.  
 PH. NO. 25532182, 25531141,  
 FAX. NO. -020-25532325

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99



# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 4 अप्रैल, 2011

का.आ. 695(अ).—केन्द्रीय सरकार ने, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा (3) की उपधारा (1) और उपधारा (2) के खंड (v) के अधीन जारी की गई भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का0आ0 1533(अ), तारीख 14 सितंबर, 2006, द्वारा निदेश दिया था कि उसके प्रकाशन की तारीख से ही, नई परियोजनाओं या क्रियाकलापों का अपेक्षित संनिर्माण या उक्त अधिसूचना की अनुसूची में सूचीबद्ध विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार या आधुनिकीकरण, प्रक्रिया और या प्रौद्योगिकी में परिवर्तन सहित क्षमता में परिवर्धन करते हुए भारत के किसी भाग में, यथास्थिति, केन्द्रीय सरकार से या केन्द्रीय सरकार द्वारा इसमें विनिर्दिष्ट प्रक्रिया के अनुसार उक्त अधिनियम की धारा 3 की उपधारा (3) के अधीन गठित राज्य स्तर पर्यावरण समाघात निर्धारण प्राधिकरण द्वारा केवल पूर्व पर्यावरण अनापत्ति के पश्चात् ही किया जाएगा;

और, उक्त अधिसूचना में प्रयुक्त "निर्मित क्षेत्र" पद के संबंध में स्पष्टीकरण का उपबंध करने और अधिसूचना के भिन्न-भिन्न पैराओं को पारस्परिक रूप से संगत बनाने के लिए भी तथा ऐसे अनाशयित परिवर्तनों को प्रत्यावर्तित करने के लिए जो राजमार्ग परियोजना से संबंधित पर्यावरणीय समाघात निर्धारण अधिसूचना, 2006 की अनुसूची में विशेषकर मद्र संख्या 7(च) के सामने प्रविष्टि में का.आ. 3067(अ), तारीख 1 दिसंबर, 2009 द्वारा संशोधन करते समय अधिसूचना में किए गए थे और उक्त अधिसूचना में उपयुक्त संशोधन करने के इस प्रयोजन के लिए विनिश्चय किया गया है।

और उक्त पर्यावरण (संरक्षण) नियमों का नियम 5 का उपनियम (3) का खंड (क) यह उपबंधित करता है कि जब कभी केन्द्रीय सरकार यह विचार करती है कि किसी उद्योग पर या

**MINISTRY OF ENVIRONMENT AND FORESTS**

3(ii)}

**NOTIFICATION**

New Delhi, the 4th April, 2011

**S.O. 695(E).**— Whereas by notification of the Government of India in the Ministry of Environment and Forests vide number S.O. 1533(E), dated the 14<sup>th</sup> September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government directed that on or from the dates of its publication, the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process and or technology shall be undertaken in any part of India only after prior environmental clearance from the Central Government or as the case may be, by the State level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act in accordance with the procedure specified therein;

And whereas, it has been decided to provide clarification with regard to the term "built up area" used in the said Notification and also to make various paras of the Notification mutually consistent and to restore the unintentional changes, which got into the Notification while making amendment vide S.O. 3067 (E) dated 1<sup>st</sup> December, 2009, in particular the entry against item no. 7(f) in the schedule to the EIA Notification, 2006 relating to highway projects and for this purpose to issue suitable amendments in the said Notification.

And whereas, clause (a) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules provides that, whenever the Central Government considers that

prohibition or restrictions of any industry or carrying on any processes or operation in any area should be imposed, it shall give notice of its intention to do so;

And whereas, sub-rule (4) of rule 5 of the said Environment (Protection) Rules provides that, notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3);

Now therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the said Environment (Protection) Act, read with clause (d) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules, the Central Government hereby makes the following amendments in the said Notification, namely:-

In the said notification, -

(I) In para 6, for the existing words "An application seeking prior environmental clearance in all cases shall be made", the following words shall be substituted, namely:-

"An application seeking prior environmental clearance in all cases shall be made by the project proponent".

(II) In para 7, in sub-para 7 in clause (i), sub para II, stage (2) - scoping, sub para (i), in the last sentence, for the words "activities listed as Category 'B' in item 8 of the schedule (Construction / Township / Commercial Complexes / Housing)", the following words shall be substituted, namely:-

"Activities listed as Category 'B' in item 8(a) of the schedule (building and construction projects)".

1244 4 11-2

(III) In the Schedule, -

(i) against item 1(a), -

in column (5), for the entries, the following entries shall be substituted, namely:-

"General conditions shall apply.

Note:

- (i) Prior environmental clearance is as well required at the stage of renewal of mine lease for which application should be made up to one year prior to date of renewal.
- (ii) Mineral prospecting is exempted."

(ii) against item 7(f), -

in column (4), for the entry "(i) All State Highway Projects; and" the following entry shall be substituted, namely:-

"(i) All New State Highway Projects".

(iii) against item 8(a), -

in column (5), for the entry, the following entry shall be substituted, namely:-

"The built up area for the purpose of this Notification is defined as "the built up or covered area on all the floors put together including basement(s) and other service areas, which are proposed in the building / construction projects"."

(IV) In Appendix V, for para 3, the following para shall be substituted, namely:-

"3. where a public consultation is not mandatory, the appraisal shall be made on the basis of prescribed application Form-1 and EIA report, In the case of all projects and activities other than item 8 of the schedule. In the case of item 8 of the schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise projects or activities on the basis of Form-1, Form-1A, conceptual plan and the EIA report [required only for projects listed under 8(b)] and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance".

[F. No. 3-101/2010-IA. III]

Dr. NALINI BHAT, Scientist 'G'

**Note:** The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14<sup>th</sup> September, 2006 and amended vide S.O. 1737(E), dated the 11<sup>th</sup> October, 2007 and S.O. No. 3067(E) dated 1<sup>st</sup> December, 2009.

## PUNE MUNICIPAL CORPORATION

## Building Control Department

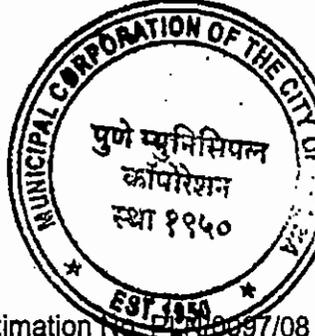
## Approval of Work upto Plinth Level

Ref. No. PLM/0007/08  
नं 07/2008

Full

To,

JAGDISH P DESHPANDE

बी-७, सक्सेस चेंबर्स  
१२३२ अपार्टे रोड,  
उज्ज्वल जिमखाना पुणे-४इमारत सी ४  
इमारत ई-१-

PROPOSAL NO. : VDB/0071/06

OUTWARD NO. : PCC/0036/08

OUTWARD DATE. : 22/10/2008

## SITE DETAILS

PETH / T.P. SCHEME	PUNE
VILLAGE	VADGAON-BUDRUK
SOCIETY	
C.T.S. NO.	-
SURVEY NO.	71
FINAL PLOT NO.	-
SUB PLOT NO.	-
LAND MARK	-

Sir,

With reference to your intimation No. PLM/0007/08 dated 4/10/2008 regarding the completion of construction work upto plinth level in the above mentioned site. I have to inform on verification at site that:-

1. The further work may be proceeded with as per sanctioned plans. Sanctioned under commencement Certificate No. CC/0436/08 Dated 7/5/2008.

2. The work shall not be proceeded with.

(a) ~~As it is not as per sanctioned plans.~~

(b) अ२:१

(c) कुल मन्.पाम. द्यावयाच्या क्षेत्राचा करारनामा डिसेंबर २००८

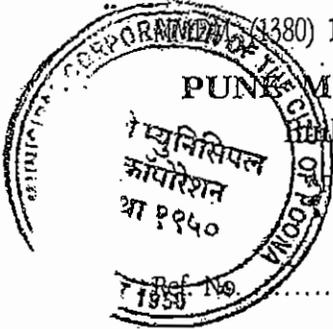
(d) अखेर दाखल करणार

3.

J. J. J.  
22-10-08  
Sub / Junior Engineer,  
Building Control,  
Pune Municipal Corporation.  
Date :

[Signature]  
Asst. Engineer,  
Building Control No.  
Pune Municipal Corporation  
Date :

Building Control Dept.



(1380) 10,000-3-07

**PUNE MUNICIPAL CORPORATION**

Building Control Department

Approval of Work upto Plinth Level

PROPOSAL NO.

PAGE-NO.  
35/37/26  
2018/05

Date : **पार्ट पहिले**  
(इमारत सी १, सी २, सी ३, बी करीता)

To :  
.....  
**श्री. जगदिश देशपांडे**  
.....  
**ए १, १२३२ सक्सेस चेंबर्स**  
.....  
**आपटे रोड, पुणे-४.**  
.....

SITE DETAILS	
PETH/T.P. SCHEME	पुणे
VILLAGE	वडगांव बु
SOCIETY	-
C.T.S. NO.	-
SURVEY NO.	७१पार्ट व ७२ पार्ट
FINAL PLOT NO.	-
SUB. PLOT NO.	-
LAND MARK	

Sir,

With reference to your intimation No. .... ४२९ ..... dated .... १.०२.०८ ..... regarding the completion of construction work upto plinth level in the above mentioned site I have to inform on verification at site that :-

- The further work may be proceeded with as per sanctioned plans. Sanctioned under Commencement Certificate No. : **सीसी/१८५७/०७** , dated : **२०.०९.०७**
- The Work shall not be proceeded with.
  - As it is not as per sanctioned plans.
  - जागेवरील बदलानुसार इमारत नकारणे. मान्य करून घेणार**
  - .....
  - .....
- .....

*[Signature]*  
Sub / Junior Engineer,  
Building Control,  
Pune Municipal Corporation.

Yours faithfully,  
*[Signature]*  
Asst. Engineer,  
Building Control No. ....  
Pune Municipal Corporation.

Date :

Date :

36  
[F-3] 356  
30



Ref. No.

To,  
Architect/ Licence Engineer Name :-  
SWAPNEEL J. DESHPANDE  
95/B PRABHAT ROAD, ERANDAVANA PUNE, 411004

Owner Name :-  
SANDEEP N. JANI :-

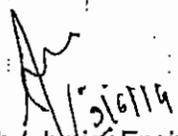
Proposal No.	VDB/0071/06
Outward No.	PCC/0312/14
Outward Date	7/6/2014.

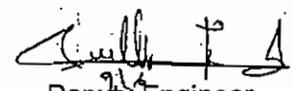
SITE DETAILS	
Peth / T.P. Scheme	PUNE
Village	VADGAON-BUDRUK
Survey No.	71/5(p)
Hissa No.	6/1,6/5,6/6,7,9,6a/8+9+11
C.T.S. No.	-
Final Plot No.	-
Sub Plot No.	-
Plot No.	1
Society	-
Land Mark	-

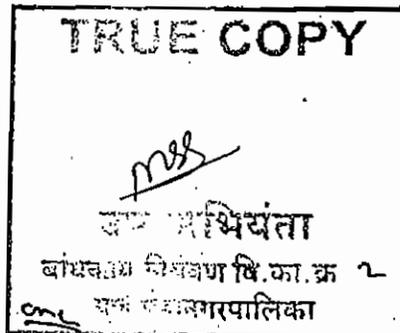
Sir,

With reference to your intimation No. PLN/0281/14 dated 3/6/2014 regarding the completion of construction work upto plinth level in the above mentioned site. I have to inform on verification at site that:

1. The further work may be proceeded with as per sanctioned plans. Sanctioned under commencement Certificate No. CC/4050/13 Dated 12/3/2014.
2. The work shall not be proceeded with.
  - (a) As it is not as per sanctioned plans.
  - (b) \_\_\_\_\_
  - (c) \_\_\_\_\_
  - (d) \_\_\_\_\_
3. \_\_\_\_\_

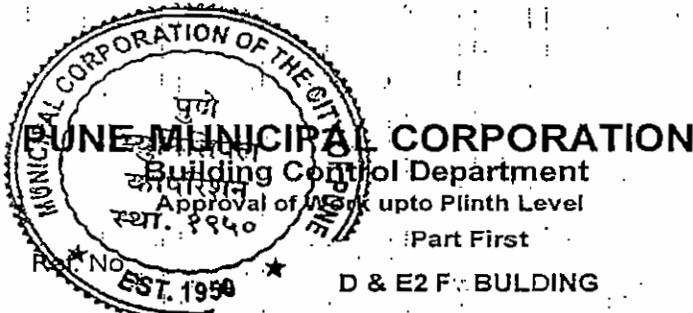
  
Sub / Junior Engineer,  
Building Control,  
Pune Municipal Corporation.  
Date :

  
Deputy Engineer  
Building Control No.  
Pune Municipal Corporation  
Date :



[F-4]

90



To,  
Architect/ Licence Engineer Name :-  
SWAPNEEL J. DESHPANDE  
95/B PRABHAT ROAD, ERANDAVANA PUNE, 411004

Owner Name :-  
SANDEEP N. JANI --

Proposal No.	: vdb/0071/06
Outward No.	: PCC/0995/14
Outward Date	: 21/10/2014

SITE DETAILS	
Peth / T.P. Scheme	PUNE
Village	VADGAON-BUDRUK
Survey No.	71/5(p)
Hissa No.	6/1,6/5,6/6,7,9,6a/8+9+11
C.T.S. No.	-
Final Plot No.	-
Sub Plot No.	-
Plot No.	1
Society	-
Land Mark	-

Sir,

With reference to your intimation No. PLN/0855/14 dated 23/9/2014 regarding the completion of construction work upto plinth level in the above mentioned site. I have to inform on verification at site the

- The further work may be proceeded with as per sanctioned plans. Sanctioned under commencement Certificate No. CC/4050/13 Dated 12/3/2014.
- The work shall not be proceeded with.
  - As it is not as per sanctioned plans.
  - 
  - 
  -
- जागेवरील बदलाप्रमाणे दुसऱ्या नकाशे देत महिन्यांच्या आत मंजूर करून घेणे आवश्यक आहे.

(Milind Karmarkar)

Sub / Junior Engineer,  
Building Control,  
Pune Municipal Corporation.  
Date :

(Sudhir Kadam)  
Deputy Engineer  
Building Control No.  
Pune Municipal Corporation  
Date :

37-  
[ F-358 ]  
72



Ref. No. \*

To,  
Architect/ Licence Engineer Name :-  
JAGDISH P DESHPANDE  
pune,411004

Owner Name :-  
SANDEEP N. JANI --

Proposal No.	: vdb/0071/06
Outward No.	: PCC/0208/15
Outward Date	: 25/5/2015

SITE DETAILS	
Peth / T.P. Scheme	PUNE
Village	VADGAON-BUDRUK
Survey No.	71/5(p)
Hissa No.	6/1,6/5,6/6,7,9,6a/8+9+11
C.T.S. No.	-
Final Plot No.	-
Sub Plot No.	-
Plot No.	1
Society	-
Land Mark	-

Sir,

With reference to your intimation No. PLN/1646/14 dated 31/3/2015 regarding the completion of construction work upto plinth level in the above mentioned site. I have to inform on verification at site that

1. The further work may be proceeded with as per sanctioned plans. Sanctioned under commencement Certificate No. CC/4050/13 Dated 12/3/2014.
2. The work shall not be proceeded with.
  - (a) As it is not as per sanctioned plans.
  - (b) \_\_\_\_\_
  - (c) \_\_\_\_\_
  - (d) \_\_\_\_\_

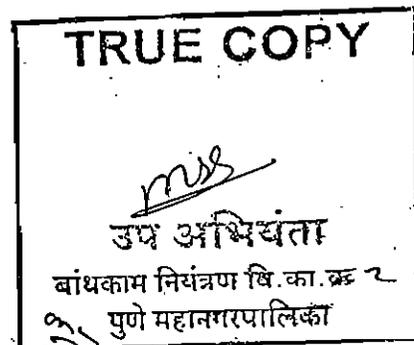
3. अह :- जागोवरील बदलासमाणे दुकस्त लेआऊर दोन महिन्यांच्या आत मान्य करून घेणार

*Milind Karmarkar*  
(Milind Karmarkar)  
Sub / Junior Engineer,  
Building Control,  
Pune Municipal Corporation.  
Date :

*Sudhir Kadam*  
(Sudhir Kadam)  
Deputy Engineer  
Building Control No..  
Pune Municipal Corporation  
Date :

True Copy

o/c.  
*Milind*





**SIDDHANT**  
architects

14

**TO WHOM SO EVER IT MAY CONCERN**

We are working as Architects for the scheme "PRAYEJA CITY PLOT-1" at At S. No. 71/5(Pt), 71/6A/1 TO 71/6A/13, 71/6B/1 to 71/6B/6, 71/7B, 71/9A/1, 71/3/1 TO 71/3/6, PLOT NO 1, Village:Vadgaon Bk, Tal. Haveli, Dist: Pune being developed by "PRAYEJA DEVELOPERS" having their office at S. NO.71, Vadgaon Bk., Pune-411051.

Following is the built-up area statement for Plot No 1 of the said scheme:

SR NO	PARTICULARS		AREA IN SQ M
1	FSI	-	(27857.30+14.33)=27871.63
2	NON-FSI	-	28420.41
3	Total Built-up Area	-	56292.04

Note- Excess balcony (14.33 sqmtrs) is treated as FSI as per sanction plan (1001/17) of 10/7/2017.

Commencement certificate wise configuration of the said Plot No1 is as below:

SR. NO	PLOT AREA	NET PLOT	LAYOUT SANCTION/ DATE/CC	BUILDG SANCTION/ DATE /CC	SANCTION FSI	SANCTION NON FSI	TOTAL BUA	WINGS	REMARKS	
1	21991.00	16971.53	DPO/1111/ PLU-4/WD BK/205 DATED 29/3/2007	30/3/2007 (HDH NEW) CC/4871/06	12828.36	7600.49	20428.85	A1,A2,AS,B1, B2,C,D,E	BASIC HDH SANCTION	
2	21991.00	16971.53	DPO/II/103 8/PLU-4/WD BK/227 DATED 6/9/2007	20/9/2007 (REV. 1) - CC/1857/07	12532.84	8521.88	21054.72	A,B,C1,C2,C3 ,E	1 REVISED SANCTIONED	
3	29290.67	24271.20	DPO/PLU4/ 0005/08/25 0 2/4/2008		18463.69	12800.63	31264.32	A (PMC),B,C1,C 2,C3, C4,E1,D,E2	PLOT AREA INCREASED BY 7299.67SQMTR	
4	29290.67	24271.20		7/5/2008 (REV. 2) CC/0436/08	18457.04	13073.02	31530.06	A (PMC),B,C1,C 2,C3,C4,E1,D ,E2	2ND REVISED	
5	29290.67	24271.20		11/8/2010 (REV. 3) CC/1515/10	18562.32	18990.66	37552.98	A(PMC),B,C1 ,C2,C3,C4,E1, D,E2	3RD REVISED	
6	29290.67	24271.20		8/11/2012 (REV. 4) - 1/17 CC/2311/12	19619.22	19141.99	38761.21	A,A1(PMC),B ,C1,C2,C3,C4 ,D,E1,E2	SR. NO	
7	40549.13	33860.45	3/8/2013 (DPO)CC/1 446/13	AMALGAMATION				SUBDIVISION AS PLOT 1 & PLOT 2		GROSS PLOT 1 AREA 19833.33 SQMTR GROSS PLOT 2 AREA 14027.12 SQMTR

Manish Agrawal  
CA/97/ 2160

Siddhant Architects



**SIDDHANT**  
architects

PLOT 1									
8	19833.33	17500		3/8/2013 (REV. 5) CC/1446/13	25781.23	24880.6	49063.56	A,A1(PMC),B ,C1,C2,C3,C4 ,E1,E2,D,F	5TH REVISED OCCUPANCY CERTIFICATE BUILDING E1 ISSUED DATED 9/1/2014, OCC NO/1506/13, TOTAL TENEMENTS 43
9	19833.33	17500		12/3/2014 (REV. 6) CC/4050/13	27871.63	24668.7	50449.93	A,A1(PMC),B ,C1,C2,C3,C4 ,E1,E2,D,F,G	6TH REVISED
10	19833.33	17500		10/7/2017 (REV. 7) CC/1001/17	27871.63	28420.41	56292.04	A,A1(PMC),B ,C1,C2,C3,C4 ,E1,E2,D,F1+ F2,G	7TH REVISED EXCESS BALCONY 14.33 SQM IS ADDED IN FSI

Wing wise configuration of the said Plot No1, is as below:

Sr. No	Name of Wing	Configuration	Height (m)	Tenements
1	Wing A	G+5	17.70	126
2	Wing A1	P+P+10	34.80	108
3	Wing B	P+9	29.00	73
4	Wing C1	P+9	29.00	36
5	Wing C2	P+9	29.00	36
6	Wing C3	P+9	29.00	36
7	Wing C4	P+11	34.80	43
8	Wing E1	P+11	34.80	43
9	Wing E2	P+6	20.30	24
10	Wing D	P+6	20.30	36
11	Wing F1+F2	P+STILT+6	23.75	56
12	Wing G	G+1	7.73	-
13	CLUB HOUSE	G+1	6.95	-
Total			617 Residential units + (7)Commercial units	

That the construction work at above mentioned site is initiated and completed as per sanctioned plan, and completed area details of the same are given as below:-  
Total Built-up area = 56292.04(FSI+NON-FSI) on site as on today.

Date: 21/08/2020  
Place: Pune


  
 Arch. Manish Agarwal  
 Siddhant Architects, Pune.  
 LIC No- CA/97/21695



**JAGADISH P. DESHPANDE**  
architect

## TO WHOM SO EVER IT MAY CONCERN

We are working as Architects for the scheme "PRAYEJA CITY PHASE - 1" at S. No. 71/5(Pt.), 71/6A/1 to 71/6A/13, 71/6B/1 to 71/6B/6, 71/7B, 71/9A/1, 71/3/1 to 71/3/6, Plot No. 1, Village: Vadgaon Bk., Tal: Haveli, Dist: Pune being developed by "PRAYEJA DEVELOPERS" having their office at S. No. 71, Vadgaon Bk., Pune - 411 051.

Revised buildings plans of the same are approved by the Pune Municipal Corporation vide C.C. No. 1001/17, dated 10/07/2017. As per sanction plan plot area is 19833.33 Sq.mtrs. and construction area of plot is as follows -

FSI	- 27871.63 Sq.mtrs.
Non FSI	- 28420.41 Sq.mtrs.
<b>Total</b>	<b>- 56292.04 Sq.mtrs.</b>

The site has future potential of area as per Unified Development Control and Promotion Regulation for Maharashtra State 2020 provision of which presently not applicable to the said scheme but it is likely that the same will be made applicable in near future. If the said notification of Government is issued then the construction area will be is as follows -

	As per Sanction Plan	As per Proposed Plan	Total
FSI	27871.63	9267.57	37139.20
NON FSI	28240.41	135.00	28555.41
<b>Total</b>	<b>56292.04</b>	<b>9402.57</b>	<b>65694.61</b>

This communication is issued in accordance to the regulation under process of application. Any changes or amendment to the rule while issuing notification by the Government will have effect in change in potential area of construction.

Date : 01/03/2021  
Place : Pune

  
(Jagadish P. Deshpande)

True Copy

## ANNEXURE-R-7

Translation of Page No. \_\_\_\_ to \_\_\_\_



**Pune Municipal Corporation**

Construction Development Department  
Pune Municipal Corporation  
Shivajinagar, Pune  
Pune-411005

(Hereinafter in correspondence kindly mention no. and date)

(This permission is issued to applicant without taking into consideration the legal ownership rights of premises or building)

**COMMENCEMENT CERTIFICATE (with Sanction Plan)**

This said commencement certificate and permission letter for construction is issued as per provisions of section 44/45/58/61 of Maharashtra Town planning Act, 1966 and Section 253 to 254 of Bombay Provincial Municipal Corporation Act, 1949 subject to following condition.

Case No. VBD/0071/06

No. CC/2107/15

Proposal Type: Residential

Date: 08/10/2015

Case Type: Revised

Project Type: Proposed Building

Shri. MR. SANDEEP N JANI through licenses architect SHRI. SWAPNEEL J. DESHPANDE (CA/2005/35074) residing at 95/B, PRABHAT ROAD ERANDAVANA PUNE has filed proposal with Municipal Corporation as per section 44/45/58/61 of Maharashtra Town planning Act, 1966 and Section 253 to 254 of Bombay Provincial Municipal Corporation Act, 1949 for doing construction at Peth VADGAON-BUDRUK having Sr. No. 71/(P), 72/20A TO 27A C.T. S. No. \_\_\_\_, Hissa No. \_\_\_\_ Final Plot No. \_\_\_\_, Plot No. 2(), society for development of the above said property you have submitted the proposal with Municipal Corporation on 11/09/2015.

**-: Conditions:-**

1. The front distances shown in the said proposal/ area upto standard road lines as per the directions of Pune M.N.C. shall remain part of public road in

## Translation of Page No. \_\_\_\_\_ to \_\_\_\_\_

receiving occupation certificate of Pune Municipal Corporation.

3. The period of this consent letter / development permission (if work not started) shall remain 1 year from the date of consent letter enclosed sanctioned plan should be considered as inseparable part of this consent letter.
4. This consent letter is required to be renewed each year after expiry of period, such renewal can be done continuously three times. If the same is not done fresh application will required to be made under section 44 of Maharashtra Regional and Town Planning Act, 1966 and permission will required to be obtained. The validity of consent letter shall be as per section 48 of M. R. T. P.
5. This consent letter shall liable to be cancelled if following conditions are violated.
  - (A) If the development / construction at site is not done as shown in the sanction plan/ sanctioned use or at the said place if unauthorized construction / unauthorized use started then it shall be considered as violation of conditions.
  - (B) If the conditions in connection with the said construction proposal if are being violated / violated, if the restrictions placed by Pune Municipal Corporation are violated, if there is violation of restrictions placed by Pune Municipal Corporation then it shall be considered as the violation of conditions.
  - (C) If it is noticed that, applicant has obtained this permission misguiding Pune Municipal Corporation by committing wrongful acts then it shall be considered as violation of conditions. As per provisions of Regulation No. 6.10 of development Control Regulation, Section 258 of Maharashtra Municipal Corporation Act, it shall be presumed that said permission has been obtained misguiding.
  - (D) If it is noticed that applicant and the person who himself or through person claiming ownership

Translation of Page No. \_\_\_\_\_ to \_\_\_\_\_

right through hi doing land development or construction violating provisions of section 42 and 45 of Maharashtra Regional and Town Planning Act, 1966 it shall be presumed that the said permission is obtained misguiding.

6. The terms and directions on the said consent letter/ adjoining are not only binding to the applicant but shall be permanently binding upon all the legal heirs, constituted attorney, manager, administrator, successors and each person who will prove ownership right through applicant and all of them.
7. Before starting work N.A. Order to be filed.
8. Terms and conditions in the Non-agricultural order (N.A. Order), ULC Order, order of Maharashtra Pollution Control Board, Industrial Directorate, Commissioner of Labour Insurance shall be biding.

While doing work as per above consent if it is noticed by the Pune Municipal Corporation that the there is violation of Maharashtra Municipal Corporation Act, Maharashtra Regional and Town Planning Act, or rule and bylaws prepared accordingly then Pune Municipal Corporation shall have right to cancel the said consent letter. If there is any doubt regarding above consent letter then accordingly should be informed to the Corporation before commencing work and get clarification.

**-: CONDITIONS:-**

1. Shall file stability certificate of structural Engineer for occupation certificate
2. It is necessary to file Indemnity Bond paper of Rs. 220/- for partial occupation certificate.
3. Before demanding occupation certificate shall pay amount and arrears of amount of tax Assessment and Tax Collection, water supply, drainage, Road Department, Encroachment etc. department of Pune Municipal Corporation.
4. For the convenience of worker minimum one WC and one toilet should be constructed on temporary basis. If

## Translation of Page No. \_\_\_\_\_ to \_\_\_\_\_

- there are old WC and bathroom then there is no need to construct WC, bathroom accordingly.
5. If any dispute arises regarding ownership rights and any other rights and boundaries then for that applicant shall be fully responsible.
  6. The construction which is shown in the plan to be demolished should be demolished by legal means and thereafter only new work to be started.
  7. Though construction development department, department has granted permission for septic tank even without filing plans with Executive Engineer (Drainage Department) and obtaining permission construction regarding septic tank or drainage should not be started and before demanding occupation certificate plans with drainage connection of drainage work and certificate should be filed.
  8. Before application for demanding occupation certificate shall file approved plans of drainage connection of Hon Executive Engineer (Drainage).
  9. While issuing occupation certificate of building without shifting unrequired goods and debris of building kept on road and inside and cleaning the place application will not be considered. With regard to where debris should be thrown guidance will be given by Construction Development Department.
  10. While starting new construction if there are tree is the concerned premises the same should not be cut without obtaining prior permission of Tree Authority Committee failing which legal action will be initiated which please note.
  11. Before demanding occupation certificate of the building upon which new building is constructed each owner should by planting trees inside boundary wall and outside as per the provisions of Garden Department should make appropriate arrangement and acre for growth of the same. Beside this occupancy certificate shall not be issued.
  12. This consent letter is issued on the conditions written overleaf/ pasted on the plan enclosed herewith.

Translation of Page No. \_\_\_\_\_ to \_\_\_\_\_

13. This consent letter is issued on the condition of demarcating at the site road winding standard line by Land Acquisition Department and / construction development department and then only construction will be started (if Required)
14. After the plinth level work is done set back, marginal open space etc. issues should be get verified from construction control office, without obtaining plinth inspection certificate work above plinth should not be started.
15. Work should be started as shown in the new/ corrected plan enclosed herewith.
16. Development Certificate. Consent letters issued earlier should be considered as cancelled.
17. The concerned revised development scheme has been approved by Maharashtra Government on 05.01.1987, 06.12.2007, 18.09.2008, 02.03.2012, 04.04.2012. In view of the same if any new prefix is added or if any loss is suffered shall not demand any compensation for that purpose and the responsibility of payment of the same is not upon Municipal Corporation.
18. Other Important Conditions:  
-----In said proposal revised layout sanction will be obtained within 1 month (1) -----
19. As stated as per order 12<sup>th</sup> December 2012 of Hon'ble Environment Department for planning proposal of total construction area of more than 20000 Sq. Meter it is mandatory to obtain no objection certificate of Environment Department of Central Government. Wherever necessary it is mandatory to file no objection certificate of Maharashtra Pollution Control Board at the time of construction permission.
20. It shall be mandatory to start use only obtaining lift license from concerned authority as per requirement.
21. Before starting use of constructed area before demanding occupancy certificate non-objection certificate of Fire Brigade department to be filed and accordingly all the machinery shall be kept

Translation of Page No. \_\_\_\_ to \_\_\_\_

active at all site. Permanently kept the said machinery regular by doing maintenance / repairing of the same.

22. Before seeking occupancy certificate in non-congested area, provision to be made for composting.

**SOME IMPORTANT AND SPECIAL INSTRUCTION: -**

1. With regard to the retaining wall outside the boundary wall of project, conditions of office circular no. ANA/MC/483 dated 5.8.2013 shall be binding.
2. In all the buildings to be used in the project urinal and WC3 Litre (half flush) and 2. For all buildings to be used water pipe (bib clock, basic top etc tap) 6 Litre (full flush) accordingly flush tank should be affixed at each place and accordingly affix the equipment of per minute less pressure. 3. For keeping pressure of water and flowing speed in the building having total height more than 24 meter from land level pressure control valves should be affixed. 4. In all the buildings in the project to be used transport door having fire resident belt should be used for lift and CCTC camera should be affixed in lift.
3. In future if any construction other than sanctioned plan (for example within all marginal distances and shade above terrace by putting partition wall or putting grill,
4. The portion of corner wall of old existing construction corner part should be kept till plinth inspection for road winding/ set back verification.
5. In front portion of commercial use building out of 6.00 m common distance 3.00 meter width visitor parking road/ access from footpath
6. The construction should be completed only after approving of proposal for safety wall.
7. The use of building in the said proposal shall be done only for the use shown in the sanctioned plan. Without prior permission of corporation change in use.

## Translation of Page No. \_\_\_\_\_ to \_\_\_\_\_

8. While demolishing existing old construction care shall be taken that there will not danger created to the adjoining property/ or building in the said property.
9. If any dispute arises for common road/ gali/ entrance applicant shall be responsible
10. Conditions for rehabilitation scheme of tenant: 1) before plinth inspection shall file registered agreement showing there is unanimous for giving and taking of premises in new building and there is no complaint, 2) Notarized no objection certificate of all tenants shall be filed before demanding occupation certificate showing that possession of premises is received / going to be received from constituted attorney or owner 3) if any dispute arises between tenant and developer, corporation shall not be responsible for the same. 4) Shall filed notarized indemnity bond as stipulated by Pune Municipal Corporation before filling revised plans.
11. It there is existing corporation water connection at site before starting work shall file no objection certificate of water supply department.
12. Before using additional area of road widening handover the road premises to corporation
13. Before calling any additional/ revised proposal for approval get revised D.P. layout sanctioned (as per requirement)
14. After receiving permission to construction plan developer/ owner shall put board at the site and show information as follows;
  - A) Names and address of owner, developer, Architect and contractor and their contact no. / Mobile no.
15. Before commencing work shall file letter appointing recognized license holder structural designer/ engineer and plinth inspection certificate as well as before demanding any occupation certificate shall file their structural stability certificate/ report. Shall complete additional construction under regular guidance and supervision of structural engineer.

Translation of Page No. \_\_\_\_ to \_\_\_\_

16. Shall make arrangement of containers in property for fry and wet garbage.
17. Within 1 (One) year from commencement certificate or before demanding any occupation certificate (whichever earlier) together or independent 7/12<sup>th</sup> extract and survey plan of city survey shall be filed.
18. All the conditions in sanctioned consolidation/ sub division/lay out of building sanctioned by development scheme shall be binding.
19. All conditions in ULC orders shall be binding upon concerned owner/ developer, for which Pune Municipal Corporation shall not be responsible.

**SPECIAL CONDITIONS: -**

1. Affix solar system machinery.
2. For water conservation in proposed building there should be water harvesting, double flush machinery, controlled force machinery
3. The doors of lifts in building should be transparent to see the position in shift.
4. It shall be mandatory to get done service of highrise building/ fire auditing each year through authorized officer and it is mandatory to make available as per demand of corporation.
5. The conditions mentioned in Additional Fire Extinguishing arrangement Special classification in Government resolution No. TPS-1807/252/C.R. 630/07/UD-13 of Hon'ble Government with regard to appointment of structural engineer, service and fire lift shall be mandatory.
6. The provisions in D.C.R. No. 21.6.6 in connection with Highrise buildings shall be mandatory.

Sd/-  
Building Inspector  
Construction Development  
Department  
Pune M. C.

Sd/-  
Dy. Engineer  
Construction Development  
Department  
Pune M. C.

--TRUE TRANSLATION--

*Bombay*

F. No. 22-35/2017-IA.III

Government of India

Ministry of Environment, Forest and Climate Change  
(Impact Assessment Division)

\*\*\*\*\*

Indira Paryavaran Bhawan  
Jor Bag Road, Aliganj  
New Delhi - 110 003

Dated: 7<sup>th</sup> July, 2017**OFFICE MEMORANDUM**

**Sub: Clarification on the date of applicability of notification S.O. (E) 695 dated 04.04.2011 issued by MoEF&CC defining 'Built Up Area' of the project.**

The Ministry is in receipt of a reference dated 03.04.2017 from Confederation of Real Estate Developers Association of India (CREDAI) seeking clarification on above mentioned subject. The CREDAI has requested that the definition of Built Up Area (BUA) given vide notification S.O. 695 (E) dated 04.04.2011 should have prospective effect.

2. The matter has been examined in the Ministry. The BUA defined in the notification S.O. 1533 (E) dated 14<sup>th</sup> September, 2006 mentions at item 8 (a) columns 4 and 5 "built up area for covered construction; in the case of facilities open to sky, it will be the activity area".
3. The Ministry has further defined BUA vide its notification S.O. 695 (E) dated 04.04.2011 which reads as, "the built up or covered area on all the floors put together including its basement and other service areas, which are proposed in the building or construction project."
4. The definition provided in the Ministry's notification will have its effect from the prospective date of the notification only. The projects which are not covered in the period of above notifications should be assessed as per the definition of built up area provided in the building bye-laws or Development Control Regulation (DCR) of the local authorities in the States.
5. This issues with the approval of Competent Authority.



(Dr. Ashish Kumar)

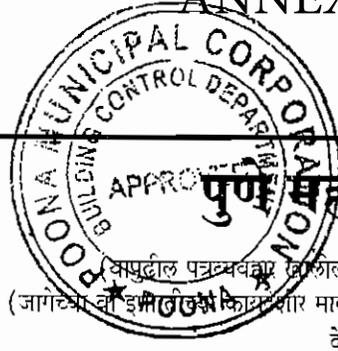
Joint Director

Ph.: 011-24695474

Email: [ashish.k@nic.in](mailto:ashish.k@nic.in)

All States/UTs/SIEAAs/MoEF&amp;CC Divisions

True Copy



## पुणे महानगरपालिका

(कपुढील पत्रव्यवहार बाबतल क्रमांक व दिनांक यांच्या उल्लेखासह करावा)  
(जागव्याची इमारतीकडल मालकी हक्कांचे संदर्भ लक्षात न घेता अर्जदारास हे संमतीपत्र देण्यात येत आहे.)

बांधकाम विकास विभाग  
पुणे महानगरपालिका,  
शिवाजीनगर,  
पुणे - ४११००५.

### बांधकाम चालू करण्याकरिता दाखला (संमती नकाशासह) कमेन्समेन्ट सर्टिफिकेट

सदरचा बांधकाम चालू करण्याचा दाखला आणि बांधकामाचे संमतीपत्र महाराष्ट्र नगर रचना अधिनियम, सन १९६६ चे कलम ४४/४५/५८/६१, यांनील आणि महाराष्ट्र म्युनिसिपल कॉर्पोरेशन अॅक्ट चे कलम २५३ व २५४ यांनील तन्तुडींप्रमाणे खालील अटींवर देण्यात येत आहे.

प्रकरण क्रमांक : VDB/0071/06

क्रमांक : CC/4050/13

Proposal Type : Residential

दिनांक : 12/3/2014

Case Type : Revised

Project Type : Proposed Building

श्री. /श्रीमती SANDEEP N. JANI व्दारा ला.स.श्री. SWAPNEEL J. DESHPANDE (CA/2005/35074) यांस राहणार पुणे, पेठ 95/B PRABHAT ROAD ERANDAVANA PUNE महाराष्ट्र नगर रचना अधिनियम, सन १९६६ चे कलमे ४४/४५/५८/६१ व मुंबई प्रांतिक महानगरपालिका अधिनियम, सन १९४९ चे कलमे २५३/२५४ प्रमाणे पुणे महानगरपालिकेच्या सीमेतील पेठ VADGAON-BUDRUK घांकां सर्व्हे नं. 71/5(p) सि.सं.न - हिस्सा नं. 6/1,6/5,6/6,7,9,6a/8+9+11 फावनल प्लॉट क्र. - प्लॉट क्र. 1 (.) (सोसायटी) येथे विकास करण्यासाठी आपण महानगरपालिकेकडे दिनांक 17/2/2014 रोजी प्रस्ताव दाखल केला आहे.

--: अटी :-

- सदर प्रस्तावातील दर्शविण्यात आलेली दर्शनी अंतरे/गस्ता प्रमाण रेपा पर्यंतचे क्षेत्र पुणे म.न.पा.च्या सुचनेनुसार भविष्यात सार्वजनिक रस्त्याचा भाग गहणार आहे.
- कोणत्याही नविन इमारतीचा अथवा वाढीव/दुरुस्त इमारतीचा वापर अथवा वापरासाठी परवानगी वा ताबा हा कोणत्याही व्यक्तिकां पुणे म.न.पा.चे भागवटापत्र प्राप्त झाल्याशिवाय करण्यात येऊ नये.
- सदर संमतीपत्राची / विकास परवानगीची मुदत (काम सुरु झालेले नसल्यास) संमतीपत्राचे दिनांकापासून १ वर्षांचा गहील. सोबतचा संमती नकाशा ह्या संमतीपत्राचा अविभाज्य भाग समजणत चावा.
- सदर संमतीपत्र हे मुदत संपल्यानंतर प्रत्येक वर्षी नुतनीकरण करण आवश्यक आहे असे नुतनीकरण सलग तीन वेळा करता येईल. नसं न झाल्यास महाराष्ट्र प्रादेशिक आणि नगररचना अधिनियम १९६६ चे कलम ४४ अन्वये नवीन अर्ज करून संमती घ्यावी लागेल. एम.आर.टी.पी. कलम ४८ अन्वये संमतीपत्राची वैधता राहिल.
- सदरचे संमतीपत्र हे पुढील अटींचा भंग झाल्यास रद्द करण्यास पात्र राहिल.
  - (अ) जागवगील विकसन/बांधकाम हे मान्य नकाशाप्रमाणे दर्शविलेल्या/संमत केलेल्या वापरानुसार होत नसल्यास अथवा सट्ट ठिकाणी अनधिकृत बांधकाम/अनधिकृत वापर चालू असल्यास अटींचा भंग समजण्यात येईल.
  - (आ) सदर बांधकाम प्रस्तावातील संदर्भातील नमुद केलेल्या अटींचे उल्लंघन होत असल्यास/झाले असल्यास. पुणे म.न.पा. ने घातलेल्या निर्वाधाचे उल्लंघन झाले असल्यास. पुणे म.न.पा.ने घातलेल्या निर्वाधाचे उल्लंघन झाले असल्यास अटींचा भंग झाला आहे असे समजण्यात येईल.
  - (इ) अर्जदाराने सदरची परवानगी ही गैर कृत्य करून पुणे म.न.पा. चे दिशाभूल करून प्राप्त केलेली आहे असे निदर्शनास आल्यास अटींचा भंग झाला आहे असे समजण्यात येईल. विकास नियंत्रण नियमावली नियम क्र. ६.१०. महाराष्ट्र म्युनिसिपल कॉर्पोरेशन अॅक्ट कलम २५८ अन्वये सदरची परवानगी दिशाभूल करून घेण्यात आली असे समजण्यात येईल.
  - (ई) अर्जदार आणि जो इसम हा म्वन: किंवा त्याच्या द्वारे मालकी हक्काचा दावा करून महाराष्ट्र प्रादेशिक आणि नगररचना अधिनियम १९६६ चे कलम ४२ व ४५ अन्वये असलेल्या तन्तुडींचे उल्लंघन करून जमीन विकसन अथवा बांधकाम करत असल्याचे निदर्शनास आल्यास. सदरची परवानगी दिशाभूल करून घेण्यात आली आहे असे समजण्यात येईल.
- सदर संमतीपत्रावरील/लगत असलेल्या अटी व सुचना या केवळ अर्जदारास नव्हे तर भविष्यातील अर्जदारांचे सर्व वालीवाग्र. मुखत्याध्यागक. व्यवस्थापक. प्रशासक. वारसदार आणि प्रत्येक इसम जो अर्जदाराच्याद्वारा मालकी हक्क मिध्ट करण त्या सर्वांस कायमस्वरूपी बंधनकारक गहील.
- काम सुरु करण्यापूर्वी एन. ए. ऑर्डर दाखल करणार.
- अकृषिक दाखला (एन. ए. ऑर्डर), यु.एल.सी. आदेश. महाराष्ट्र प्रदुपण नियामक मंडळ. औद्योगिक संचनालय, कामगार विमा आयुक्त यांचे आदेशातील अटी व शर्ती बंधनकारक राहिल.

वरील संमतीप्रमाणे काम करताना महाराष्ट्र म्युनिसिपल कॉर्पोरेशन अॅक्ट. महाराष्ट्र प्रादेशिक व नगररचना अधिनियम १९६६ अगर त्यास अनुसरून केलेले नियम व पोटनियम यांचा भंग होत आहे असे पुणे म.न.पा.चे निदर्शनास आल्यास सट्टचे संमतीपत्र रद्द करण्याचा अधिकार पुणे म.न.पा.स राहिल. वरील संमतीपत्राविषयी काही शंका येत असले तर कामास आरंभ करण्यापूर्वी महानगरपालिकेकडे तसे कळवून स्पटीकरण करून घ्यावे.

इमारत निरीक्षक  
बांधकाम विकास विभाग  
पुणे म.न.पा.

उप अभियंता  
बांधकाम विकास विभाग  
पुणे म.न.पा.

अटी पुढे चालू....



## पुणे महानगरपालिका

(यापुढील पत्रव्यवहार खालील क्रमांक व दिनांक यांच्या उद्देश्यासह करावा )  
(जागेच्या वा इमारतीच्या फायदेशीर मालकी हक्कांचे संदर्भ लक्षात न घेता अर्जदारास हे  
संमतीपत्र देण्यात येत आहे. )

बांधकाम विकास विभाग  
पुणे महानगरपालिका  
शिवाजीनगर,  
पुणे-४११ ००५

### बांधकाम चालू करण्याकरिता दाखला (संमती नकाशासह) कमेन्समेन्ट सर्टिफिकेट

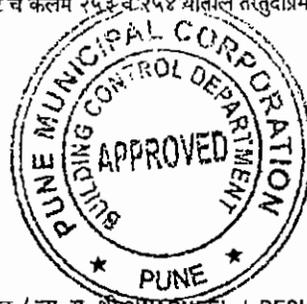
सदरचा बांधकाम चालू करण्याचा दाखला आणि बांधकामाचे संमतीपत्र महाराष्ट्र नगररचना अधिनियम, १९६६ चे कलम ४४/४५/५८/६९  
यांतील आणि महाराष्ट्र म्युनिसिपल कॉर्पोरेशन अॅक्ट चे कलम २५३ व २५४ यांतील तरतुदीप्रमाणे खालील अटीवर देण्यात येत आहे

प्रकरण दिनांक : VDB/0071/06

Proposal Type : Residential

Case Type : Revised

Project Type : Proposed Building



क्रमांक : CC/1001/17

दिनांक : 10/07/2017

श्री / श्रीमती SANDEEP N JANI व्दारा आर्किटेक्ट / ला. स. श्री SWAPNEEL J. DESHPANDE यांस राहणार पुणे, पेठ महाराष्ट्र नगररचना अधिनियम,  
१९६६ चे कलम ४४/४५/५८/६९ व मुंबई प्रांतिक महानगरपालिका, अधिनियम सन १९४९ चे कलम २५३ व २५४ प्रमाणे पुणे महानगरपालिकेच्या सीमेतील पेठ  
VADGAON-BUDRUK घरांक सर्वे न 71(PART) सी. सं. न. \_\_\_\_\_ हिस्सा नं \_\_\_\_\_ फायनल प्लॉट क्र \_\_\_\_\_ प्लॉट क्र १ सोसायटी येथे  
विकास करण्यासाठी आपण महानगरपालिकेकडे दिनांक 28/03/2016 रोजी प्रस्ताव दाखल केला आहे.

--: अटी :-

- सदर प्रस्तावातील दर्शविण्यात आलेली दर्शनी अंतरे / रस्ता प्रमाणोपा पर्यंतचे क्षेत्र पुणे म.न.पा. च्या सुचनेनुसार भविष्यात सार्वजनिक रस्त्याचा भाग राहणार आहे.
- कोणत्याही नवीन इमारतीचा अथवा वाढीव/दुरुस्त इमारतीचा वापर अथवा वापरासाठी परवानगी वा ताबा हा कोणत्याही व्यक्तीद्वारे पुणे म.न.पा.च्या भोगवटापत्र प्राप्त झाल्याशिवाय करण्यात येऊ नये.
- सदर संमतीपत्राची/विकास परवानगीची मुदत (काम सुरु झालेले नसल्यास) संमतीपत्राचे दिनांकापासून १ वर्षाची राहिल. (सोबतचा संमती नकाशा ह्या संमतीपत्राकाचा अविभाज्य भाग समजणेत येईल.)
- सदर संमतीपत्र हे मुदत संपल्यानंतर प्रत्येक वर्षी नूतनीकरण करणे आवश्यक आहे असे नूतनीकरण सलग तीन वेळा करता येईल. तसे न झाल्यास महाराष्ट्र प्रादेशिक आणि नगररचना अधिनियम, १९६६ चे कलम ४४ अन्वये नवीन अर्ज करून संमती घ्यावी लागेल. एम.आर.टी.पी. कलम ४८ अन्वये संमतीपत्राची वैधता राहिल.
- सदरचे संमतीपत्र हे पुढील अटीचा भंग झाल्यास रद्द करण्यास पात्र राहिल.
  - जागेवरील विकसन बांधकाम हे मान्य नकाशाप्रमाणे दर्शविलेल्या/संमत केलेल्या वापरानुसार होत नसल्यास अथवा सदर ठिकाणी अनधिकृत बांधकाम/अनधिकृत वापर चालू असल्यास अटीचा भंग समजण्यात येईल.
  - सदर बांधकाम प्रस्तावातील संदर्भातील नमूद केलेल्या अटीचे उल्लंघन होत असल्यास/झाले असल्यास, पुणे म.न.पा.ने घातलेल्या निर्बंधाचे उल्लंघन झाले असल्यास, अटीचा भंग झाला आहे असे समजण्यात येईल.
  - अर्जदाराने सदरची परवानगी ही गैरकृत्य करून पुणे म.न.पा.चे दिशाभूल करून प्राप्त केलेली आहे, असे निदर्शनास आल्यास अटीचा भंग झाला आहे असे समजण्यात येईल. विकास नियंत्रण नियमावली नियम क्र. ६.१० महाराष्ट्र म्युनिसिपल कॉर्पोरेशन अॅक्ट कलम २५८ अन्वये सदरची परवानगी दिशाभूल करून घेण्यात आली आहे असे समजण्यात येईल.
  - अर्जदार आणि जो इसम हा स्वतः किंवा त्याच्याद्वारे मालकी हक्काचा दावा करून महाराष्ट्र प्रादेशिक आणि नगररचना अधिनियम, १९६६ चे कलम ४२ व ४५ अन्वये असलेल्या तरतुदीचे उल्लंघन करून जमिन विकसन अथवा बांधकाम करत असल्याचे निदर्शनास आल्यास सदरची परवानगी दिशाभूल करून घेण्यात आली आहे असे समजण्यात येईल.
- सदर संमतीपत्रावरील/लागत असलेल्या अटी व सूचना या केवळ अर्जदारास नव्हे तर भविष्यातील अर्जदाराचे सर्व वालीवारस, मुखत्यारधारक, व्यवस्थापक, प्रशासक, वारसदार आणि प्रत्येक इसम जो अर्जदाराच्या द्वारा मालकी हक्क सिध्द करेल त्या सर्वांस कायमस्वरूपी बंधनकारक राहिल.
- काम सुरुकरणपूर्वी एन. ए. ऑर्डर दाखल करणार.

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ITEM NO.32

COURT NO.1

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 10078/2019

(Arising out of impugned final judgment and order dated 29-03-2019 in WPL No. 954/2019 passed by the High Court of Judicature At Bombay)

BUILDERS' ASSOCIATION OF INDIA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.65285/2019-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES )

Date : 03-05-2019 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE DEEPAK GUPTAFor Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Anshuman Srivastava, Adv.  
Mr. E. C. Agrawala, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Issue notice.

In the meantime, no coercive steps shall be taken.

(SUSHIL KUMAR RAKHEJA)  
AR CUM PS(ANAND PRAKASH)  
BRANCH OFFICER

2

## GOVERNMENT OF MAHARASHTRA

No. Comp-2019/CR-21/SEIAA  
 Environment Department  
 217(Annex), Mantralaya  
 Mumbai-400 032  
 Date: 25/08/2019

To  
 M/s. PRAYEJA CITY- A JOINT VENTURE OF  
 a. BHANDARI GELADA ASSOCIATES LLP  
 b. PRAYEJA DEVELOPERS LLP  
 1484, Mangeshri Apartments,  
 Near Renuka Swarup School, Sadashiv Peth, Pune 411000.

Subject: - Proposed Directions u/s 5 of the Environmental (P) Act, 1986 r/w EIA Notification-2006 dated 14.9.2006

Reference: - Complaint / Notice of Mr. Tanaji Balasaheb Gambhire through Advocate Nitin Lonkar dated 29.07.2019 and Email from Complainant Dated-07.08.2019

WHEREAS, it was obligatory on your part to obtain prior Environment Clearance from the Competent Authority, as per the EIA Notification dated 14.9.2006 before starting any building construction activity

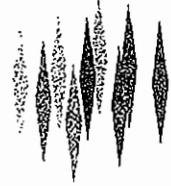
AND WHEREAS, we are in receipt of above referred, wherein following issues are raised by the complainants in respect of your building construction project "Prayaja City-I & II" situated at Survey No. 71 (P) & 72 (P) of Village-Vadgaon (Budruk), Taluka-Maveli, District Pune

- a) PP has misleaded an account of two different projects comprising of 16 buildings, 797 flats and total BUA of 67154.88 Sq. Mtrs
- b) BUA of project was more than 67154.88 Sq. Mtrs, but PP did not applied for Environment clearance from SEIAA and also not applied for consents from MPCB
- c) BUA of project was more than 20000 Sq. Mtrs, but PP did not applied for Environment clearance and consents.
- d) PP has not obtained any prior Environment Clearance from SEIAA or MoEF
- e) PP has not obtained any prior Consent to Establish from MPCB
- f) That the PP has completed part project in mid of 2013 & 2015, but did not applied for consent to operate and put the project under enjoyment without Consent to Operate.
- g) PP carried out construction activity without Environment Impact Assessment
- h) PP is extracted huge quantity of ground water from four bore wells for construction of project as well as domestic use of occupied project.
- i) PP is illegally extracting Ground water without any permission from competitive authority for operational purpose
- j) PP has constructed illegal basement damaging ground water level.

- x) PP has not made any test for ground water contamination and quality of water and there is serious ground water contamination
- B PP has not provided any solid waste management system and waste generated is dumped to PMC waste yard creating burden on public systems and solid waste is generating various greenhouse gases and there is no scientific disposal of the solid waste generated from project
- m) PP has not provided any energy conservation system for energy saving like solar system
- n) PP has not provided any rain water harvesting system for ground water recharge
- o) PP has not preserved top layer of fertile soil and there is no soil test for contamination
- p) PP has not made tree plantation as per the norms
- q) PP has provided swimming tank giving additional burden on the ground water
- r) PP has installed 5 DG sets at project site and operation of DG set is causing air pollution
- s) Huge quantity of sewage water is generated and there is no scientific treatment of sewage water as PP has not installed
- t) PP is creating huge burden on the environment due to day to day waste generation by consumption of natural resources and it is causing huge burden on the public facilities and services on account of environment damage
- u) That the PP has committed the illegal activities and given rise to the violation of environmental protection enactments and further caused degradation of environment & ecology intentionally
- v) PP has not complied the conditions of commencement certificate mandating prior environment clearance and consents from the MPCB
- w) PP has not complied the conditions of commencement certificate related with the installation of environment infrastructure to avoid the degradation.
- x) PP has made illegal tree cutting
- y) There is no approach road for fire engine
- z) PP has not provided the ramp slope in the ratio of 1:10
- aa) PP has not provided site margin as per the DC Rules
- bb) PP has not provided fire and safety system at site.
- cc) PP in connivance with PMC officer has violated the provisions of Environment enactmen and PMC officers are also equally responsible.
- dd) PP has violated the principle of sustainable development by not installing pollution contr. devices
- ee) PP has caused traffic congestion in the area due to this project and cause to air pollution on account of emission from the vehicles.
- ff) PP has not made any environment management plan
- gg) PP has caused substantial damage to environment and ecology more than Rs. 300 Crore which shall be recovered from PP.
- hh) PP is unapologetic and PP has adopted careless and reckless attitude towards environment protection

True Copy

(4)



PRAYEJA  
CITY

Hon. Chairman,  
SEIAA (Maharashtra)  
217, Mantralaya,  
Mumbai - 32

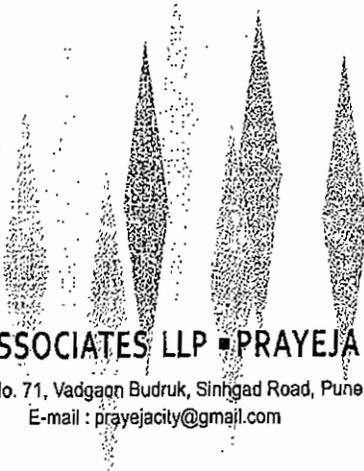
05/09/2019

Sir,

We would like to bring to notice to your esteem office that the Notification 804 (A) issued vide Gazette of India dated 14/03/2017 and concerned Office Memorandum for implementation of Notification S.O. 1030 (E) dated 08/03/2018 has provided the application window until 6 months from the date of issue i.e. up to 13/09/2018.

We in lieu of expiry of the aforesaid date seek the presentation for TOR (Terms of Reference) from the SEAC - III (Maharashtra) / directions from SEIAA to proceed and hence the application

Project Proponent



BHANDARI-GELADA ASSOCIATES LLP ■ PRAYEJA DEVELOPERS LLP

Prayeja City, S.No. 71, Vadgaon Budruk, Sinhgad Road, Pune - 411 041.

E-mail : prayejacity@gmail.com

6) Thus it is mandatory to stop the project construction permanently till the compliance / rectification of the above illegal act and removal of the defects from the construction AND WHEREAS, as per the Complaint / Notice above referred, you have not obtained mandatory prior Environment Clearance, Consent to Establish and Consent to Operate in proposed Residential Building Construction Project at Survey No. 71 (P) & 72 (P) of Village-Vadgaon (Barwad), Taluka-Haveli, District-Pune. This amounts to violation of the EIA Notification-2006 (w/ Environment (Protection) Act-1986 along with Water (Prevention and Pollution Control) Act-1971 and Air (Prevention and Pollution Control) Act-1984.

NOW THEREFORE in view of the above non-compliances, you are hereby directed to show cause as under:

- a) Why your building construction activity shall not be stopped forthwith for the violation of Environment Impact Assessment Notification dated 14.09.2006, issued by the ministry of Environment & Forest, Government Of India, for not obtaining prior Environmental Clearance from the Competent Authority / Government of Maharashtra?
- b) Why further legal action shall not be initiated against you under the provisions of the Environment (Protection) Act, 1986 and Rules made there under?

Take notice that, you are hereby directed to submit your reply within a period of 15 days from the receipt of this Proposed Directions, after receipt of your reply, you may call for personal hearing so as to take appropriate decision in the matter, failing which, this office has no option than to initiate legal action against you including stoppage of your construction activity, which pleased be noted.

(Aul Diggikar)

Principal Secretary,

Environment Department &

Member Secretary- SEIAA Maharashtra

Copy to:

Pune Municipal Corporation Through Commissioner

Shivajinagar, Pune-411 005

You are the sanctioning authority of the aforesaid project therefore you are hereby requested to take appropriate actions against project proponent and also to submit the documents related to the Project.

Enclosed: Copy of Complaint / Notice of Mr. Tanaji Balasaheb Gambhire through Advocate Lonkar dated 29.07.2019 is attached herewith.

True Copy

File Submitted to E.C. Department  
Mumbai, on 10<sup>th</sup> Oct 2019



PRAYEJA  
CITY

October 10, 2019.

To,

The Principal Secretary  
Environment Department and  
Member Secretary, SEIAA, Maharashtra,  
Environment Department  
217 (Annex), Maritalaya,  
Mumbai, 400023

*[Handwritten signature]*  
11/10/19

*[Handwritten text in Marathi]*  
प्रिय  
श्री. संजय काशीदास  
सहायक सचिव, पर्यावरण, मुंबई

Subj: Reply to your show cause notice dated 29.8.2019 bearing No  
COMP-2019/CR-23/SEIAA.

Ref: 1] Proposed direction u/r 5 of the Environment (Protection) Act,  
1986 read with EIA Notification dt. 14.9.2006.

2] Complaint/Notice of Mr. Tanaji Balapalsh Committee through  
Adv. Nitin Lonkar dated 29.7.2019 and email from Complainant  
dt. 7.8.2019.

Respected Sir,

At the outset, we express our gratitude for accepting our request for  
grant of a short adjournment for submitting our reply to your above show  
cause notice. As requested by our letter dt. 24.8.2019 to give us time to file  
our detailed reply, we are submitting this reply. However, since the notice  
relates to several complicated issues which need an in depth study of the  
provisions of the Maharashtra Regional and Town Planning Act, 1966; the  
Maharashtra Land Revenue Code, 1966; the Maharashtra Municipal  
Corporations Act, 1949, the E.P. Act, 1986 and the E.P. Rules, 1986, E.I.A.  
Notification dated 14.9.2006, the Air (Prevention and Pollution Control) Act,

*[Handwritten signature]*



BHANDARI GELADA ASSOCIATES LLP • PRAYEJA DEVELOPERS

Prayaja City, 5th Fl., Vastu Bhavan, Sanghat Nagar, Pow, Mumbai  
Email: prayejadevelopers@gmail.com



October 10, 2019.

To,

The Principal Secretary  
Environment Department and  
Member Secretary, SEIAA, Maharashtra,  
Environment Department  
217 (Annex), Mantralaya,  
Mumbai, 400023.

Sub: Reply to your show cause notice dated 29.8.2019 bearing No.  
COMP-2019/CR-23/SCIAA.

Ref: 1) Proposed direction u/s 5 of the Environment (Protection) Act,  
1986 read with EIA Notification dt. 14.9.2006.

2) Complaint/Notice of Mr. Tanaji Balasaheb Gambhire through  
Adv. Nitin Lonkar dated 29.7.2019 and email from Complainant  
dt. 7.8.2019.

Respected Sir,

At the outset, we express our gratitude for accepting our request for grant of a short adjournment for submitting our reply to your above show cause notice. As requested by our letter dt. 24.9.2019 to give us time to file our detailed reply, we are submitting this reply. However, since the notice relates to several complicated issues which need an in depth study of the provisions of the Maharashtra Regional and Town Planning Act, 1966; the Maharashtra Land Revenue Code, 1966; the Maharashtra Municipal Corporations Act, 1949, the E.P. Act, 1986 and the E.P. Rules, 1986, E.I.A. Notification dated 14.9.2006, the Air (Prevention and Pollution Control) Act,

FOR PRAYEJA CITY  
Ensoor M. J.  
Partner

1984, the Water (Prevention and Pollution Control) Act, 1971 etc., though we have made sincere efforts to deal with all the points in your notice as also the various allegations made in the notice of Advocate Nitin Lonkar after consulting the professional and experts in the relevant field; we may be required to submit a further reply after getting further information and advice. Hence, we are submitting this reply by specifically reserving our rights and liberties to submit further reply and seek your kind permission for the same.

2. At the outset we submit that the complaint of Shri Tanaji Gambhire appears to be filed at the instigation of people having vested interest in somehow maligning the image of our joint venture firm and calling the implementation of our project. To that end, many sweeping, baseless and some false allegations have been made against us. Our joint venture and its constituents are law abiding entities and while it appears that there are some irregularities during the implementation of the project, it would be incorrect to allege that we have either committed any gross environmental violations or any deliberate illegal act.

3. We now wish to narrate the **Basic Details and Information About The Source Of Our Title**: Though, apparently there is no dispute about source of our title, we wish to state the reasons as to why we were required to conceive and implement two entirely different construction projects. The particulars of the Development Agreements which are from time to time in our favour by various land owners are as indicated in the following chart.

Plot No.1

Sr.No. - Land - Name of owners - Area - Date and Registration No

S.no	Hissa No.	Name on 7/12 Extract	Area on 7/12	Development Agreement		Consideration RS.
				Date	Regi No	
1	71/3/1	Radhabai K. Wanjale & Others	4.75 Aar	14.12.2004	7351/2004	28,45,800/-
2	71/6A/2	Radhabai K. Wanjale & Others	3.37 Aar			
3	71/6B/1	Radhabai K. Wanjale & Others	8.62 Aar			
4	71/3/2	Nivrutti S. Wanjale & Others	4.75 Aar	14.12.2004	7347/2004	28,45,800/-
5	71/6A/3	Nivrutti S. Wanjale & Others	3.37 Aar			
6	71/6B/2	Nivrutti S. Wanjale & Others	8.62 Aar			

FOR PRAYEJA CITY  
*(Signature)*  
 Partner

7	71/3/3	Chandar S. Wanjale & Others	4.75 Aar	14.12.2004	7349/2004	28,45,800/-
8	71/6A/4	Chandar S. Wanjale & Others	3.370 Aar			
9	71/6B/3	Chandar S. Wanjale & Others	08.62 Aar			
10	71/3/4	Dattatrya S. Wanjale & Others	4.75 Aar	27.12.2004	7684/2004	22,72,900/-
11	71/6B/4	Dattatrya S. Wanjale & Others	08.62 Aar			
12	71/3/5	Shakuntala K. Wanjale & Others	9.50 Aar	13.12.2004	7310/2004	27,62,500/-
13	71/6A/12	Shakuntala K. Wanjale & Others	06.75 Aar			
14	71/6B/5	Shakuntala K. Wanjale & Others	17.25 Aar	30.05.2005	3886/2005	34,50,000/-
15	71/3/6	Shantaram S. Wanjale & Others	9.50 Aar	13.12.2004	7306/2004	27,62,500/-
16	71/6A/13	Shantaram S. Wanjale & Others	6.75 Aar			
17	71/6B/6	Shantaram S. Wanjale & Others	17.25 Aar	24.04.2006	2803/2006	35,11,000/-
18	71/5	Ghanshyam G Dangat & Others	1 H.63 Aar	29.03.2005	2341/2005	90,00,000/-
19	71/7B	Ghanshyam G Dangat & Others	20 Aar	22.06.2005	4533/2005	72,00,000/-
20	71/6A/1	Dashrath V. Wanjale & Others	5.50 Aar	21.03.2005	2124/2005	9,34,800/-
21	71/6A/5	Prasad L. Astputre & Others	3.37 Aar	26.05.2005	3818/2005	3,40,000/-
22	71/6A/6	Dashrath V. Wanjale & Others	11.50 Aar	13.12.2004	7314/2004	19,55,000/-
23	71/6A/7	Vasant D. Wanjale & Others	0.11 Aar	13.12.2004	7304/2004	18,70,000/-
24	71/6A/10	Kantiram D. Wanjale & Others	0.11 Aar	13.12.2004	7308/2004	18,70,000/-
25	71/9A/1	Dinesh L. Raskonda & Others	45 Aar	27.12/2004	7682/2004	14,50,000/-
26	71/6A/8	Kashinath Dashrath Wanjale	0-11 Aar	8.10.2012	8052/2012	
27	71/6A/9	Nathuram Dashrath Wanjale	0-11 Aar			
28	71/6A/11	Yashwant Dashrath Wanjale	0-11 Aar			

Prayeja City Joint venture Agreement 14.08.2006 6086/2006

Supplement to Joint Venture Agreement 29.03.2007 2471/2007

Plot No.2

Sr.No. - Land - Name of owners - Area - Date and Registration No

Sr.no	Hissa	Name on 7/12	Area on 7/12	Development Agreement		Consideration RS.
				Date	Regl. no	
1	72/20	Vilas J. Dangat & Others	00-16 Aar	24.02.2005	1431/2005	1,82,00,000/-
2	72/21		00-48 Aar			
3	72/22		00-44 Aar			
4	72/27A		00-18 Aar			
5	72/27B		00-18 Aar			
6	72/23	Popat J. Dangat & Others	00-35 Aar	30.04.2012	3361/2012	
7	72/24	Popat J. Dangat & Others	00-36 Aar			
8	72/25	Digambar G. Dangat & Others	00-34 Aar			
9	72/26	Popat J. Dangat & Others	00-34 Aar			

FOR PRAYEJA CITY

*Sandeeep*

Partner

From the above it would be apparent that the owners /vendor of Agreement, registered at Sr. No. 8052 of 2G12, had received refundable interest free security deposit of Rs. 1 Crore and we have agreed to hand over constructed area of 21,440 Sq.ft. saleable built up. In view of the said requirement, we decided to amalgamate all parcels of land and simultaneously sub divide the same into two different and distinct plots in the layout viz., Plot 1 and 2.

3. **Process of Amalgamation and Subdivision:** - In this process, various development permissions titled as Layout Permission and Commencement Certificate has been obtained, the particulars of which are as under.

- a) On 29.3.2007, an amalgamation layout of land totally admeasuring 21991 Sq.mtrs. was sanctioned by the Local Planning Authority viz., Municipal Corporation of City of Pune [hereinafterreferred to as P.M.C. for convenience]being layout sanction permission bearing No. DPO/11116/PLU-4/WadgaonBk/205.
- b) On 6.9.2007, a separate revised layout was sanctioned under Layout Permission No. DPO/11/1038/PLU-4/WadgaonBK/227 for an area admeasuring 21991 Sq.mtrs.
- c) On 2.4.2008 revised layout permission for a larger land area of 29290.67 Sq.mtrs. was granted vide Layout Permission No. DPO/PLU-4/0005/08/250. There are further revision permissions of the said Lay Out which were allowed in the years 2008, 2010 and 2012 there were revision in the same layout for total land area of 29290.67 Sq.mtrs. In respect of all these layouts, the FSI proposed to be consumed was less than the threshold area of 20,000.00 Sq.mtrs. Under clause

FOR PRAYEJA CITY

Zandor

Partner

(8)(a) of the Schedule of EIA Notification dt. 14.9.2006, the threshold for applicability of the said Notification is that the Construction should not exceed 20,000.00 Sq. Mtrs. You are aware that only after the position was clarified by subsequent Office Memorandum issued by MOEF that it is now directed that while calculating the threshold area, the sanctioned FSI + non FSI + other areas like parking, overhead tank etc. have to be calculated. You may therefore appreciate that we never intended to violate any statutory or regulatory provision.

- d) In the year 2012, after we acquired additional land pursuant to the Development Agreement dated 8/10/2012 above, for the reasons stated hereinafter; we decided to amalgamate the additional land with existing land parcel and sub divide the amalgamated land into two parts viz., Plot No.1 having an area of 19,833.33 Sq.mtrs. and plot No.2 having an area of 14,027.12 Sq.mtrs. These areas have been arrived at after excluding the area under road widening which are to be surrendered free of cost to PMC against FSI/TDR. According to the provisions of MMC Act, 1949, MRTP Act, 1966 and the Development Control Regulations of PMC, we were required to leave an area of 10% of the respective gross plot areas as Layout Open Space and 15% of the respective gross plot area as Amenity Space. However, since PMC wanted the Amenity Space to be of a larger contiguous area rather than two different amenity spaces of 2975 Sq.mtrs. for Plot No.1 and 2104 Sq.mtrs. for Plot No.2, as recommended by the concerned Planning Officers of PMC during the course of finalization of the layout of sub division, the Amenity Space from Plot No.1 and 2 was provided at one place and was separately shown in the layout though it is technically shown as part of Plot No.2. A copy of the said sanctioned Sub

FOR THE CITY  
 Partner

- Division Plan is annexed hereto landmarked as **Annexure '1'**. The Amenity Space has already been handed over to the PMC on 23/07/2016, copy of possession letter is annexed hereto and marked as **Annexure '2'**. Hence, as on today, the net plot area of Plot No. 2 is reduced to 8948.50 Square Meters. The owner of land bearing S.no. 71(pt) & 72/20a to 27a, Plot no.2, Wadgaon(bk), Sinhgad road, Taluka:-Haveli,
- e) District:- Pune, Pincode:- 411041.who has to be provided constructed tenements admeasuring 21,440.00 Sq.ft. saleable built up area was to be given the said area from the building to be constructed from Plot No.1.
- f) Under the DCR of PMC, we were also required to construct High Density Housing and hand over the same free of cost to PMC. Since the Amenity Space was provided as part of Plot No. 2, as suggested by the Planning Authority, the said High Density Housing has been provided in Plot No. 1.

4. **Various Commencement Certificates and Occupation Certificates For The Two Different And Distinct Projects.**

Both the projects on Plot Nos. 1 and 2 are entirely different and distinct as can be seen from the following facts:-

a) Different Commencement Certificates:-

**Plot No. 1. - CC/1001/17 Dated - 10/07/2017 (latest)**

**Plot No. 2. - CC/2107/15 Dated - 08/10/2015 (latest)**

Different N. A. Order's u/s 44 of M. L. R. C. 1966.

**Plot No. 1. - PRA/NA/SR/282/07 Dated - 11/05/2007**

**Plot No. 2. - PMH/NA/SR/93/2014 Dated - 09/01/2015**

b) Different Registrations under the Real Estate (Regulation and Development) Act, 2016 with different project lands with MAHARERA.

FOR PRAYEJ CITY

*Zandor*

Partner

**Plot No. 1. - P52100010668**

**Plot No. 2. - P52100011611**

c) Different Societies / Organizations of Flat Purchasers

**Plot No. 1. - Prayaja city Co.Op.Hsg.Soc.Ltd**

**(Regd.no.PNA/PNA(4)/HSG/(TC)/11870/2012-13.**

**Plot No. 2. - Construction work is in process.**

d) Different Access Roads

**Plot No. 1. - 18.00m wide D.P road**

**Plot No. 2. - 30.00m wide D.P road**

e) No common Amenities like Water Tanks, STP, Club House Etc.

**Plot No. 1. - As shown in sanction/annexure 6**

**Plot No. 2. - As shown in sanction**

f) *There is a compound wall dividing both the projects.*

g) *Occupation Certificates have been received for 70% construction made on Plot No. 1.*

5. The term (Development) has been defined in Section 2 (7) of the MRTP Act, 1966 and the same read thus -

*"development" with its grammatical variations means the carrying out of building, engineering, mining or other operations in or over or under, land or the marking of material change, in any building or land or in the use of any building or its precinct and includes (demolition of any existing building, structure or erection or part of such building, structure of erection, and) (reclamation) redevelopment and layout and sub division of any land; and 'to develop' shall be construed accordingly."*

Similarly, Sec. 44 of the MRTP Act which provides for grant of development permission reads thus -

*44. Application for permission for development:-*

FOR PRAYEJA CITY

 Partner

*(1) Except as otherwise provided by rules made in this behalf, any person not being Central or State Government or local authority intending to carry out any development on any land shall make in application writing to the Planning Authority for permission in such form and containing such particulars and accompanied by such documents, as may be prescribed:*

*Provided that, save as otherwise provided in any law, or any rules, regulations or bye-laws made under any law, for the time being in force, no such permission shall be necessary for demolition of an existing structure, erection or building or part thereof, in compliance of a statutory notice from a Planning Authority or a Housing and Area Development Board, the Bombay Repairs and Reconstruction Board or the Bombay Slum Improvement Board established under the Maharashtra Housing and Area Development Act, 1976.*

*(2) Without prejudice to the provisions of sub-section (1) or any other provisions of this Act, any person intending to execute a Special Township Project on any land, may make an application to the State Government, and on receipt of such application the State Government may, after making such inquiry as it may deem fit in that behalf, grant such permission and declare such project to be a Special Township Project by notification in the Official Gazette or, reject the application.*

You may therefore kindly note that a permission for amalgamation and sub division and sanction of layout is nothing but a Development Permission as defined in Section 2 (7) read with Section 44 of the MRTP Act, 1966. The order sanctioning the layout of sub division is thus a statutory order and is conclusive proof of the fact that the land in question have been validly sub divided. Once the

FOR PRAYEJA QTY

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Partner

sub division is sanctioned, the two parcels of land have distinct identities, distinct legal status and different planning and other provisions apply depending on the size of the plots, the location of the plot, the zone in which such plot is situated etc.

We are explaining these statutory provisions in greater details to highlight our submission that the allegation of the complainant that we have deliberately made an artificial sub division so as to avoid and evade the provisions of the EIA Notification are completely baseless and factually incorrect. If we ever intended to evade the applicability of the EIA Notification, it was easily possible for us to make a sub division and divide the land into smaller plot areas in such a manner that none of the projects in the individual plot areas would be having the total construction area of 20,000 Sq.mtrs. The very fact that we have not made such a sub division proves our bonafide and falsifies the contention of the complainant to the contrary.

6. Hence, while we accept that there is some irregularity on our part in not obtaining prior environmental clearance in respect of the construction on Plot No. 1, there is no such deviation/irregularity in respect of the construction on Plot No.2. Even the said deviation/irregularity in respect of the project on Plot No.1 arose only when the revised commencement certificate/layout permission bearing Revision No. 5 under C.C. No. 4050/13 was granted when the area of FSI + existing balconies became 25781.23 Sq.mtrs. Hence the first objection of the Complainant needs to be overruled.

7. Now we proceed to reply the other points in your Show Cause Notice as under:-

FOR PRAYEJA CITY

*[Handwritten Signature]*

Partner

1. **Point a & b of your letter** - We have initiated the project of "Prayeja City" - I & II at S. No. 71 (P) & 72 (P) respectively but as elaborately mentioned and explained above; we would like to bring to your notice that these are two independent projects with separate Commencement & Sanctions and as such we request you not to consider the two separate projects as single project as stated in the complaint made to your esteem office.

The Total BUA Constructed for these two separate projects is as under -

"Prayeja" City - I = 56292.036 sqm

"Prayeja" City - II = 11150.00 sqm

In case of **Prayeja City - II** we are already under process to obtain the Environment Clearance and have already proceeded in that direction. The application was not made earlier as the Total BUA constructed was < 20,000 sqm. Now we have applied for the IOD for the full potential and shall apply and obtain Environment Clearance following due process.

We therefore kindly request you to exclude "Prayeja City - II" from the above directions issued by your esteem office.

We are attaching herewith the 7/12 extracts, commencement and copy of sanction plans to support our pleading as Annexure 3

2. **Point c, d, e, f, g, v of your letter** - Though we had failed to apply for the Environment Clearance under the Notification S.O. 804 E dated 14/03/2017 and S.O. 1030 E dated 08/03/2018 we have applied vide Application No - SIA/MH/MIS/116410/2019 as "VIOLATION" case on 05/09/2019 since the completed BUA = 56292.036 sqm

FOR PRAYEJA CITY

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We have also not applied for Consent to Establish and/or Consent to Operate from MPCB. We accept that we had failed to apply for prior Environment Impact Assessment under EIA, 2006 But we have provided & incorporated various environmental services to subside environment impact as required by the Environment (P) Act, 1986

3. Point h, i of your letter - The water supply source to the project basically provided by Pune Municipal Corporation. The water for the construction was used by way of Tanker as well as Borewell and the same is mentioned in report of PMC while providing the water line to the site. The water from Borewell is used in case of any additional water requirement is required or in case when there is sort supply by corporation. The scheme for replenishment of ground water using rain water harvesting is also provided at the said project. The permission from Central Ground Water Authority was not obtained but we assure to proceed for the same immediately.

The copies of challan, charges paid for water connection, report of corporation etc are attached as Annexure -- 4

4. Point j of your letter- The basement is sanctioned by Pune Municipal Corporation. The copy of the same is attached as Annexure - 5. There is nothing illegal in the basement. In fact, since the plot is at a higher topography, the Basement is not below the Ground Level and in fact the Basement is at the level of 18 Meter wide PMC D P Road. Photographs of the said basement are annexed as Annexure 5.

FOR PRAYEJA CITY

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Partner

5. **Point k, s of your letter** - Though we have been given drainage completion with basic requirement of constructing Septic Tank we have provided STP with 160 KLD capacity at our site. The plant is commissioned by "Wytewater Technologies Pvt. Ltd." and the commissioning report along with the water testing report is attached as Annexure - 6. The excess treated water from the STP is well connected to the PMC drainage line and as such the subject of contamination of ground water does not arise. The copy of drainage connectivity from PMC is attached as Annexure - 7.

6. **Point l, t of your letter** - The bio-degradable solid waste is proposed to be disposed off using Bio-gas system and the same is underway of erection. The copy details of the proposed system are attached as Annexure - 8.

7. **Point m of your letter** - The solar water heaters have been provided for Building D, E2, and F1 & F2. There are 116 no of tenements for the said building and the solar water of 20 KLD is already installed. The Work Order and the photographs are attached as Annexure - 9.

8. **Point n of your letter** - There are 4 Recharge Pits provided to the scheme under development and one more is proposed for the buildings under completion.

9. **Point o of your letter** - The top soil of high organic content is already used in the plantation of the scheme. Since the connectivity is properly provided with drainage system and STP for treatment of sewer, the question of contamination of soil does not arise.

FOR PRAYEJA CITY

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Partner

10. Point p, x of your letter - The tree plantation is totally completed exceeding the requirement as per DC Rules as well as per MOEF parameters at the site and the "Tree Survival Report" is attached along with the photographs as Annexure - 10/11.

No tree cutting has been made at the site. The Garden NOC is obtained from Pune Municipal Corporation and the same is attached as Annexure - 10/11.

11. Point q of your letter - The swimming pool though constructed on the site. The swimming Pool is duly allowed by Pune Municipal Corporation and the Completion for the same is obtained from PMC. Further the same is not being used for past years since constructed and as such no additional burden of any kind is put on the ground water. The completion and photographs of the swimming pool not in use is attached as Annexure - 12.

12. Point r of your letter - there are four no of DG sets used as support system for lift and common lighting area. The DG set are installed as per the norms.

The claim of installation of 5 DG sets is thus not correct.

13. Point u, v of your letter - The construction is being carried out after properly obtaining NA order and sanction from Pune Municipal Corporation. Though we have failed to apply which has Violated the conditions of EIA Notification, 2006 and we have applied clearly mentioning the "Violation" in our recent application as stated above and shall follow the

FOR PRAYEJA CITY

 Partner

procedure as set by the Authority for the same. The consent to Establish shall be applied by following due procedure.

We would also like to bring to your notice that we have provided various services supporting environment and for controlling over the various waste generated, creating carbon sink, conserving the energy etc at the site.

14. **Point w of your letter** - we have complied with the terms and conditions of the commencement certificate w.r.t. installations of environment infrastructure to avoid degradation.

15. **Point y of your letter** - The "Fire Tender Movement" Plan is attached as Annexure - 13.

16. **Point z of your letter** - We have not provided the ramp itself as we only have ground/stilt parking and therefore we deny the claim of complainant. We assure that in case we for ramps, the same shall be according to the norms of DC Rules of PMC.

17. **Point aa of your letter** - The copy of sanctioned plan showing the margins is attached as Annexure - 15 along with the certificate of the Architect which is attached as Annexure - 14.

18. **Point bb of your letter** - The fire and safety provisions are incorporated in the scheme. The details of the same are attached as Annexure - 16. The final as well as provisional fire NOC's are attached as Annexure - 17.

FOR PRAVEJA CITY



Partner

19. **Point cc of your letter** - We deny any hand in glove behavior with any official from any department.

20. **Point w, dd of your letter** - We would like to bring to the notice of Hon. Authority that we have taken all measures such as STP, Bio-degradable waste disposal Management, Energy Saving Measures, Rain Water Harvesting and development of Green Belt to provide sustainable environment support at the project

21. **Point ee of your letter** - The project is in Residential Development Zone well supported by the infrastructure developed by Pune Municipal Corporation.

22. **Point ff of your letter** - The Environment Management Plan shall be prepared before final occupancy is obtained incorporating the various environmental services provided in the Project.

23. **Point gg of your letter** - we are unable to understand the basis adopted for calculation of Ecological Damage of Rs. 350 crore and do not accept the same.

24. **Point hh of your letter** - We have provided various Environmental Services for the Project which includes STP, Bio-degradable waste disposal Management, Energy Saving Measures, Rain Water Harvesting and development of Green Belt to provide sustainable

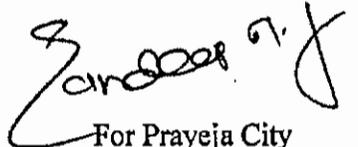
FOR PRAYEJA CITY

 Partner

environment support at the project and therefore the claim of being not careless and reckless towards Environment is false and unreasonable and we therefore deny the same.

We are attaching all the information as stated above for your perusal and humbly request you to kindly extend your cooperation.

Regards, **FOR PRAYEJA CITY**

 Partner  
For Prayeja City  
Sandeep N. Jani  
(Partner)

**Encl - AS ABOVE ANNEXURES**

1. Sub Division Plan.
2. Amenity space handing over / possession letter.
3. 7/12 extracts, demarcations and copy of sanction plans for Prayeja City I & II
- 3A. Completion certificates plot 1, NA orders both plot 1 & 2
4. The copies of challan, charges paid for water connection, report of corporation
5. The Copy of sanction plan with basement
6. The STP Commissioning Report and water testing report
7. Documents in support of drainage connectivity
8. The details of Biogas plant for bio-degradable waste
9. The Details of Solar Water system provided
10. Tree Survival Report
11. Garden NOC
12. The copy of completion mentioning swimming pool and its photographs
13. Fire Tender Movement Plan
14. Cross Section of Rams N/A
15. Copy of Sanction Plan/s
16. The details of various Fire Systems installed as per Fire NOC
17. Final fire NOCs & Provisional Fire NOCs

FOR PRAYEJA CITY  
*Zandee* Partner

True Copy

Government of Maharashtra

No. Comp-2019/CR- 23/SEIAA  
 Environment Department  
 217 (Annex), Mantralaya,  
 Mumbai- 400 032.  
 November 16, 2019.

9

To,

The Commissioner,  
 Municipal Commissioner Office,  
 Pune.

**Subject:** Proposed Directions dated 28.08.2019 issued under Section 5 of the Environment (P) Act, 1986 r.w. EIA Notification dated 14.09.2006.

**Ref. :**

- 1) Complaint Notice of Mr. Tanaji Balasaheb Gambhire through Advocate Nitin Lonkar dated 08.08.2019.
- 2) Directions u/s 5 of the Environment (P) Act, 1986 r.w. EIA Notification dated 14.09.2006 issued to you vide letter dated 29.8.2019
- 3) Representation submitted by M/s Prayaja City vide letter dated 10.11.2019
- 4) Personal hearing conducted in the chamber of the Secretary, Environment Department on 11.11.2019

We refer to the Show Cause notice/proposed directions at reference (2) dated 11.11.2019 issued to the project proponent under section 5 of the Environment (P) Act 1986 r.w. EIA Notification dtd. 14.09.2006 whereby and where under the project proponent was asked to show cause as to why its building construction activity in respect of project "Prayaja City-I & II" situated at Survey no. 71 (P) & 72 (P) of village Vadgaon (Budruk), Taluka Haveli, District Pune should not be stopped forthwith for the violation of EIA Notification dated 14.09.2006, and why further legal action should not be initiated against the project proponent under the provisions of Environment (P) Act 1986 and Rules made thereunder.

We also refer to the representation made by M/s Prayaja City under reference (3) above and also the personal hearing conducted in the chamber of the Secretary, Environment Department on 11.11.2019 in connection with our said show cause notice dated 29.8.2019.

After going through the contents of complaint raised by Adv. Nitin Lonkar on behalf of his client, Mr. Tanaji Balasaheb Gambhire, under Notice / Complaint dated 29/7/2019, for the subject project identified as "Prayaja City-I & II", situated at City Survey no. 71 (P) & 72 (P) of village Vadgaon (Budruk), Taluka Haveli, District Pune this office has issued a proposed direction notice to project proponent / promoter, Prayaja City-I & II and sought the clarification on various issues related to subject project. Accordingly the project proponent submitted its Reply/written submissions on 10/11/2019, alongwith papers of evidence. The project proponent/promoter in its reply has denied the contentions of the complaint and requested to withdraw the show cause notice and to dismiss the complaint.

After going through the Complaint by complainant, reply of the project proponent and the papers on record, it appears that the project proponent / promoters, M/s Prayaja City I & II have made total construction BUA of 67154.88 Sq. Mtrs. As per the reply of the project proponent, it is clarified that the total BUA construction of 67,154.88 Sq. Mtrs. is made on

17/11

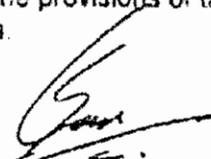
plot No.1 and Plot No.2. on Survey No. 71 (P) and 72 (P). As per the bifurcation the total BUA constructed on Prayaja City-I project is 56,292.038 Sq. Mtrs. and Prayaja City-II is 11,150.00 Sq. Mtrs. It is submitted that both these two projects are independent with separate Commencement and Sanctions and therefore requested not to consider these two separate projects as single project as stated in the complaint.

It reveals from the record that the total BUA construction for the project completed is 67,154.88 Sq. Mtrs. which exceeds limit of 20000 Sq. Mtrs. The project proponent did not apply for Environment Clearance from SEIAA or MoEF and also not applied for consents from MPCB

Taking into consideration, the contents of the complaint, reply of the project proponent, and record before me, it is clear that there is total BUA construction of 67154.88 Sq. Mtrs. It is clear that Prayaja City-I and Prayaja City -II are the two independent projects. But the BUA construction for Prayaja City-I is 56292.038, which is violation of EP Act. It is also cleared from the record that the BUA construction for Prayaja City-II is 11,150.00 Sq. Mtrs. which is liable to be excluded from getting environmental clearance as per provisions of the Environment (P) Act.

However, total BUA construction for Prayaja City-1 is 56292.038 Sq. Mtrs.. The project proponent have constructed and completed the project/buildings without obtaining Environmental Clearance. Hence it's a clear cut violation of Environment (P) Act. Therefore, legal action needs to be taken against the project proponent.

You are hereby directed to take strict legal action against the project proponent in respect of irregularities in total BUA construction for Prayaja City-I as per the provisions of the EP Act and submit report of the action taken within a period of 15 days.

  
(Anil Diggikar)  
Principal Secretary  
Environment Department

CC to: 1) Member Secretary, Maharashtra Pollution Control Board, Mumbai is hereby directed to take legal action as per section 5 of the EP Act r/w EIA Notification dtd.14 9 2006.

2) M/s Prayaja City- A Joint Ventura of  
a Bhandari Gelada Associates LLP  
b Prayaja Developers LLP  
1464, Mangeshri Apartments,  
Near Renuka Swarup School,  
Sadashiv Peth,  
Pune- 41 030

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## ANNEXURE-R-15

78

Delist of Plot I

10

Minutes of 183<sup>rd</sup> Meeting of State Environmental Impact Assessment Authority (SEIAA) (Day-2), Date: 13<sup>th</sup> December, 2019

Sr. no.33

Application No.- SIA/MH/MIS/116410/2019

Project Details - PRAYEJACITY A JV Bhandari Gelda Associates LLP and PRAYEJA Developers LLP

Type of Project - New-EC

Recommendation of SEAC-

PP informed that proposed directions under section 5 of the Environment (Protection) Act, 1986 has been issued to him on dt. 29.08.2019 for the project under consideration. The proposal is appraised in 96<sup>th</sup> meeting of SEAC-3 and referred to SEIAA.

Deliberation in SEIAA-

PP stated that they have constructed more than 20000.00 m2 without obtaining prior Environment Clearance. PP also hasn't applied as per as per the MoEF&CC Notification dated 14/03/2017 and 8/03/2018 for obtaining Environmental clearance.

After deliberation, SEIAA decided to delist the proposal.

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Chairman

  
Member Secretary

**Minutes of 114<sup>th</sup> SEAC-3 meeting held on 03<sup>rd</sup>, 04<sup>th</sup>, 05<sup>th</sup> February, 2021  
at Dalamal House, Nariman Point, Mumbai – 400 021**

The following members were present.

Dr. Deepak Mhaisekar, IAS Rtd.	Chairman	03 <sup>rd</sup> , 04 <sup>th</sup> , 05 <sup>th</sup> February, 2021
Shri Mukund Pathak	Member	03 <sup>rd</sup> , 04 <sup>th</sup> , 05 <sup>th</sup> February, 2021
Shri Dattatray Thorat	Member	03 <sup>rd</sup> , 04 <sup>th</sup> , 05 <sup>th</sup> February, 2021
Shri Kiran Acharekar	Member	03 <sup>rd</sup> , 04 <sup>th</sup> , 05 <sup>th</sup> February, 2021
Dr. Aseem Gokarn Harwansh	Member	03 <sup>rd</sup> , 04 <sup>th</sup> , 05 <sup>th</sup> February, 2021
Shri. Joy S. Thakur	Member Secretary	03 <sup>rd</sup> , 04 <sup>th</sup> , 05 <sup>th</sup> February, 2021

Chairman welcomed the members to the 114th SEAC III Meeting. Agenda Items were taken up for consideration.

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03 <sup>rd</sup> February, 2021			
1.	P-01	MIS/117936/2019	Prayeja City - Plot 2 at S.No. 71(Pt) & 72/20a To 27a, Plot No.2, Wadgaon(Bk), Sinhgad Road, Taluka:-Haveli, District:- Pune, Pincode:- 411041. by Prayejacity A Jv Bhandari Gelada Associates LLP & Prayeja Developers LLP

PP had submitted application for prior Environmental clearance for total plot area of 17063.63 m<sup>2</sup>, FSI area of 17875.09 m<sup>2</sup>, Non FSI area of 19220.00 m<sup>2</sup> and total BUA of 37095.09 m<sup>2</sup>.

Brief information of the proposal is as below:

Proposal Number	SIA/MH/MIS /117936/2019	
Name of Project	PRAYEJA CITY PLOT 2	
Project category	Schedule 8(a) Category B2	
Type of Institution	Private	
Project Proponent	Name	SANDEEP NARAYANDAS JANI
	Regd. Office address	"MANGESHREE", 1464, SADASHIV PETH, PUNE 4110030.
Applied for	New	
Details of previous EC	NA	
Location of the project	S.NO. 71(Pt) & 72/20A TO 27A, PLOT NO.2, Village:WADGAON(BK), SINHGAD ROAD, Taluka: Haveli, District: Pune	
Latitude and Longitude	18 <sup>o</sup> 28'03.46"N 73 <sup>o</sup> 48'46.74"E	
Total Plot Area (m <sup>2</sup> )	17063.63	
Deductions (m <sup>2</sup> )	3036.51	

Member Secretary, SEAC-3

Chairman, SEAC-3

Net Plot area (m2)	14027.12			
Proposed FSI area (m2)	17875.09			
Proposed non-FSI area (m2)	19220.00			
Proposed TBUA (m2)	37095.09			
TBUA (m2) approved by Planning Authority till date	37095.09			
Ground coverage (m2) & %	12			
Total Project Cost (Rs.)	480000000			
<b>Details of Building Configuration :</b>				
Previous EC / Existing Building	Proposed Configuration			
nil	Building Name	Configuration	Height (m)	
	Wing H	B1+B2+G+11	35.4	
	Wing G1 & G2	2B+St.+14	46	
Total number of tenements:	272			
Water Budget	Dry Season (CMD)		Wet Season (CMD)	
	Fresh Water	129.78	Fresh Water	129.78
	Recycled	75.1	Recycled	67.10
	Swimming Pool	0	Swimming Pool	0
	Flushing	67.10	Flushing	67.10
	Total	205.29	Total	196.88
	Waste water generation	177.19	Waste water generation	177.19
Water Storage Capacity for Firefighting / UGT (CMD)				262
Source of water	PMC			
Rainwater Harvesting (RWH)	Level of the Ground water table:		10m BGL	
	Size and no of RWH tank(s) and Quantity:		N.A.	
	Quantity and size of recharge pits:		Quantity: 6 Nos & Size: 2m X 1.5m X 2m	
	Details of UGT tanks if any:		Domestic	195
			Flushing	67
Fire			As per NOC	
Sewage and Wastewater	Sewage generation in CMD:		177.19	
	STP technology:		MBBR	
	Capacity of STP (CMD):		180	
Solid Waste Management during Construction Phase	Type	Quantity (kg/d)		Treatment / disposal
	Dry waste:	3		Through authorised agency
	Wet waste:	2		Through authorised agency
	Construction waste	5		
Solid Waste Management during Operation Phase	Type	Quantity (kg/d)		Treatment / disposal
	Dry waste:	302		Handed over to Authorized Agency
	Wet waste:	422.75		In-situ Composting
	Hazardous waste:	Negligible		Negligible

	Biomedical waste	N.A.	N.A.	
	E-Waste	975	Handed over to Authorized Dismantler/Recycler	
	STP Sludge (dry)	16.22	In-situ Composting	
Green Belt Development	Total RG area (m2):	1402.71		
	Existing trees on plot:	33		
	Number of trees to be planted:	80		
	Number of trees to be cut:	0		
	Number of trees to be transplanted:	0		
Power requirement:	Source of power supply:	MSEDCL		
	During Construction Phase (Demand Load):	71 kW		
	During Operation phase (Connected load):	1909 kW		
	During Operation phase (Demand load):	788 kW		
	Transformer:	630 kVA X 2 + 315 kVA X 1		
	DG set:	200 kVA X 1 Nos.		
	Fuel used:	HSD		
Details of Energy saving	Most of the common area & external lighting are proposed to work on high energy efficient lamps(LED) as specified in bureau of energy efficiency which again results in saving in general consumption			
	Low loss Transformers due to which 6.22% losses are saved against conventional transformer.			
	Power Capacitors are proposed for load power factor correction and to maintain a healthy power situation. This also results in less demand load factor for the project.			
	Solar PV, Hot Water, Solar Street Lights, Energy Efficient Motors are proposed			
Environmental Management plan budget during Construction phase	No.	Details	Cost	
	1	Water for Construction & labour	Rs. 3.0 Lacs	
	2	Site Sanitation & Safety	Rs. 1.0 Lacs	
	3	Environmental Monitoring	Rs. 3.0 Lacs	
	4	Disinfection	Rs. 0.5 Lacs	
	5	Health Check up	Rs. 0.5 Lacs	
Environmental Management plan Budget during Operation phase	Component	Details	Capital (Rs.)	O&M (Rs./Y)
	Sewage treatment	Waste Water Management	14.5	8.6
	RWH	RWH Pits	1.75	0.1
	Solid Waste	Organic Waste Composting	7.4	1.0
	Green belt development	Tree Plantation	14.81	1.48
	Energy saving	Energy Conservation	46.16	4.61
	Environmental Monitoring	Pollution Control	0	4
	Disaster Management	Fire & LA	88.12	4.41
Parking details	Type	Required as per DCR	Actual Provided	Area per parking (m2)

4-Wheeler	296	298	3704
2-Wheeler	617	620	1234
Bicycles	296	296	207

The case was discussed on the basis of the documents submitted and presentation made by the proponent. All issues relating to environment, including air, water, land, soil, ecology, biodiversity and social aspects were examined. The proposal is appraised as category 8(a)B2. The Committee noted the letter issued by Environment & Climate Change Department vide no. Comp-2019/CR-23/SEIAA dt. 16.11.2019, withdrawing the Proposed Directions issued under section 5 of Environment (Protection) Act, 1986 vide letter dt.29.08.2009.

**During discussion following points emerged:**

1. PP to obtain Fire NOC.
2. PP to submit IOD / Plan Approval or any other form of documents as applicable clarifying its conformity with local planning rules and provisions there under.

SEAC decided to **recommend** the proposal for prior environmental Clearance subject to outcome of the Civil Appeal no. 4/2021 pending at Hon'ble Supreme Court of India.

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ANNEXURE-R-17  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

83

CIVIL APPEAL NO.4/2021

M/S PRAYEJA CITY

Appellant(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

O R D E R

This appeal is substantially covered by an order passed by this Court in Civil Appeal No.3893 of 2020 titled M/s Sai Baba Sales Pvt. Ltd. vs. Union of India and Ors.

We record the undertaking given by Mr.Huzefa Ahmadi that the appellant shall proceed with the construction only after complying with the statutory norms. Subject to the above, the order impugned in this appeal is set aside and the matter is remitted back to the Tribunal with the direction to afford an opportunity of hearing to the appellant and pass appropriate orders.

The appeal is, accordingly, allowed. Pending application(s), if any, shall stand disposed of.

.....J  
(L.NAGESWARA RAO)

.....J  
(VINEET SARAN)

NEW DELHI;  
12<sup>th</sup> JANUARY, 2021

ITEM NO.10 Court 8 (Video Conferencing)

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).4/2021

M/S PRAYEJA CITY

Appellant(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With applns for exemption from filing c/c of impugned judgment,  
stay application)

Date : 12-01-2021 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MR. JUSTICE VINEET SARAN

For Appellant(s) Mr. Huzefa Ahmadi, Sr Adv  
Mr. Ninad Laud, Adv  
Mr. Saurabh Kulkarni, Adv  
Mr. Ivo D'Costa, Adv  
Ms. Anshula Vijay Kumar Grover, AOR

For Respondent(s) Mr. Mukesh Verma, Adv  
Mr. Yash Pal Dhingra, AOR  
  
Mr. Nitin Lonkar, Adv.  
Ms. Sonali Suryawanshi, Adv.  
Ms. Sakshi Banga, Adv.  
Mr. Shankey Agrawal, AOR

UPON hearing the counsel the Court made the following  
O R D E R

The appeal is allowed in terms of the  
signed order. Pending application(s), if any, shall  
stand disposed of.

(B.Parvathi)  
Court Master(Beena Jolly)  
Court Master

(Signed order is placed on the file)

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**MAHARASHTRA POLLUTION CONTROL BOARD**

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



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

No:- Format1.0/JD (WPC)/UAN No.0000096416/CE 2 102000752 Date: 11.02.2021

To,  
M/s. PRAYEJA CITY -2 S.NO. 71(Pt) &  
72/20A to 27A, PLOT  
NO.2,Village:WADGAON(BK),,VADGAON  
BUDRUK Tal: Haveli, Dist :Pune

**Sub: Consent to Establish for Construction of Residential Project granted Under Red Category. under L.S.I Red Category**

**Ref:** 1. Your Application vide UAN No. -0000096416 Dated: 13/08/2020.

Your application NO. UAN No. -0000096416

For: grant of Consent to Establish under Section 25 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:

- The Consent to Establish is granted for a period upto commissioning of project or up to 5 year whichever is earlier.
- The capital investment of the project is Rs.48 Crs. (As per undertaking submitted by pp).
- The Consent to Establish is valid for construction of Residential named as M/s. PRAYEJA CITY -2 S.NO. 71(Pt) & 72/20A to 27A, PLOT NO.2,Village:WADGAON(BK),,VADGAON BUDRUK Tal: Haveli, Dist :Pune on Total Plot Area of 17063.63 SqMtrs for construction BUA of 37095.09 SqMtrs including utilities and services and commencement certificate issued by local body.
- Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr No	Description	Permitted (in CMD)	Standards to	Disposal
1.	Trade effluent	Nil	0	0
2.	Domestic effluent	177.19	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

- Conditions under Air (P& CP) Act, 1981 for air emissions:

Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
S-1	DG SET 630 KVA	1	As per Schedule -II

Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
S-2	DG SET 231 KVA	1	As per Schedule -II

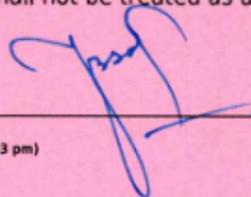
6. **Conditions under Solid Waste Rules, 2016:**

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Wet garbage	423 Kg/Day	Organics waste Converter with composting facility / Biogas digester with composting facility	used by manure
2	Dry garbage	302 Kg/Day	-	Segregate and Hand over to Local Body for recycling
3	STP sludge	45 Kg/Day	STP	used as manure

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:**

Sr No	Category No.	Quantity	UoM	Treatment	Disposal
NA					

- 8 This 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 agencies.
- 10 PP shall provide STP so as to achieve the treated domestic effluent standard for the parameter BOD-10 mg/lit.
- 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 PP shall install online monitoring system for BOD, TSS and flow at the outlet of STP with connectivity to MPCB Server.
- 13 PP shall install organic waste digester along with composting facility/biodigester (biogas) with composting facility for the treatment of wet garbage.
- 14 PP shall submit Board Resolution within 15 days stating construction prior to obtain consent to establish and EC and shall furnish BG of Rs. 2 Lakh towards compliance of this condition
- 15 This consent is issued subject to an order passed or may be passed by the Hon'ble NGT Court ordre dt 17/11/2020 vide original application No. 33/2020(wz)
- 16 Project proponent shall not use groundwater till obtain permission from Central Ground Water Authority (CGWA)
- 17 Project proponent shall not exceed construction work above 11,200.0 Sqm unless obtained Environmental Clearance from SEIAA till such time applicant should not take any effective steps for implementation of the project before obtaining Environmental Clearance as per EIA Notification 2006 and amendments thereto. As per Para 2 of EIA notification dated-14/09/2006, the effective steps include starting of any construction work or preparation of land by the project management. However as clarified by the MoEF vide office memorandum no. J-1103/41/2006-IA. II (I); Dated-19/8/2010, fencing of the site to protect it from getting encroached & construction of temporary shed(s) for the guard(s) & acquisition of land shall not be treated as an effective steps.



For and on behalf of the  
Maharashtra Pollution Control Board.

Dr. Y.B.Sontakke  
Joint Director (WPC)

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	75000.00	MPCB-DR-1442	17/08/2020	NEFT

Copy to:

1. Regional Officer, MPCB, Pune and Sub-Regional Officer, MPCB, Pune I  
- 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 proposed to provide MBBR based Sewage Treatment Plants (STPs) of combined capacity **180 CMD for treatment of domestic effluent of 177.19 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	Bio-Checimal Oxygen Demand (BOD)	10
3	Chemical Oxygen Demand (COD)	50
4	Nitrogen Total	10
5	Phosphorus-Total(For Discharge into Ponds,Lakes)	1.0
6	Fecal Coliform (FC) (Most Probable)	Desirable-100 Permissible-230

- 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	205.29
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 proposed to provide the Air pollution control (APC) system and also proposed to erect following stack (s) and to observe the following fuel pattern-

Stack No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM
S-1	DG SET 630	Acoustic enclosure	5	HSD	20 Ltr/Hr
S-2	DG SET 231	Acoustic enclosure	3.3	HSD	20 Ltr/Hr

- 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/Nm3
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- 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).
- 5) **Conditions for utilities like Kitchen, Eating Places, Canteens:-**
- The kitchen shall be provided with exhaust system chimney with oil catcher connected to chimney through ducting.
  - The toilet shall be provided with exhaust system connected to chimney through ducting.
  - The air conditioner shall be vibration proof and the noise shall not exceed 68 dB(A).
  - The exhaust hot air from A.C. shall be attached to Chimney at least 5 mtrs. higher than the nearest tallest building through ducting and shall discharge into open air in such a way that no nuisance is caused to neighbors.

**SCHEDULE-III**

**Details of Bank Guarantees:**

Sr. No.	Consent(C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Establish	10.0 lakh	15 days	Towards Compliance consent conditions and EC	Up to Commissioning of the project	Up to Commissioning of the project

Sr. No.	Consent (C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
2	Consent to establish	2.0 lakh	15 days	Towards submission of Board resolution as started construction work prior to Consnet to Establish and EC	31/03/2021	Up to Commissioning of the project

\*\* 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/C2O/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/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				

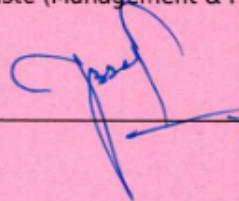
**SCHEDULE-IV**

**Conditions during construction phase**

<b>A</b>	During construction phase, applicant shall provide temporary sewage and MSW treatment and disposal facility for the staff and worker quarters.
<b>B</b>	During construction phase, the ambient air and noise quality shall be maintained and should be closely monitored through MoEF approved laboratory.
<b>C</b>	Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.

**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 obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.



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भारत सरकार  
जल शक्ति मंत्रालय  
जल संसाधन, नदी विकास  
और गंगा संरक्षण विभाग  
केन्द्रीय भूमि जल प्राधिकरण  
Government of India  
Ministry of Jal Shakti  
Department of Water Resources,  
River Development & Ganga Rejuvenation  
Central Ground Water Authority

(भूजल निकासी हेतु अनापत्ति प्रमाण पत्र)

**NO OBJECTION CERTIFICATE (NOC) FOR GROUND WATER ABSTRACTION**

Project Name:	Prayeja City Plot 1 A Jv Bhandari Gelada Associates Llp And Prayeja Developers Llp		
Project Address:	S.no. 71/5(pt),71/6a/1 To71/6a/13, 71/6b/1 To 71/6b/6, 71/7b, 71/9a/1, 71/3/1 To 71/3/6, Plot No.1., Wadgaon(bk), Sinhgad Road,taluka:-haveli, District:- Pune, Pincode:- 411041.		
Town:	Pune	Block:	Pune City
District:	Pune	State:	Maharashtra
Pin Code:			
Communication Address:	Mangeshree 1464,sadashiv Peth, Pune 4110030., Haveli, Pune, Maharashtra - 411030		
Address of CGWB Regional Office :	Central Ground Water Board Central Region, N.s. Building, Civil Lines, Nagpur, Maharashtra - 440001		

1. <b>NOC No.:</b>	CGWA/NOC/INF/ORIG/2021/9868											
2. Application No.:	21-4/4713/MH/INF/2020	3. Category: (GWRE 2017)	Safe									
4. Project Status:	New Project	5. NOC Type:	New									
6. <b>Valid from:</b>	06/01/2021	7. <b>Valid up to:</b>	05/01/2026									
8. Ground Water Abstraction Permitted:												
	Fresh Water		Saline Water	Dewatering		Total						
	m <sup>3</sup> /day	m <sup>3</sup> /year	m <sup>3</sup> /day	m <sup>3</sup> /year	m <sup>3</sup> /day	m <sup>3</sup> /year	m <sup>3</sup> /day	m <sup>3</sup> /year				
	9.00	3285.00										
9. Details of ground water abstraction /Dewatering structures												
	<b>Total Existing No.:2</b>						<b>Total Proposed No.:0</b>					
	DW	DCB	BW	TW	MP	MPu	DW	DCB	BW	TW	MP	MPu
Abstraction Structure*	0	0	2	0	0	0	0	0	0	0	0	0
*DW- Dug Well; DCB-Dug-cum-Bore Well; BW-Bore Well; TW-Tube Well; MP-Mine Pit;MPu-Mine Pumps												
10. Ground Water Abstraction/Restoration Charges paid (Rs.):							16425.00					

(Compliance Conditions given overleaf)

This is an auto generated document & need not to be signed.

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये  
SAVE WATER - SAVE LIFE

Validity of this NOC shall be subject to compliance of the following conditions:

**Mandatory conditions:**

- 1) Installation of digital water flow meter (conforming to BIS/ IS standards) having telemetry system in the abstraction structure(s) shall be mandatory for all users seeking No Objection Certificate and intimation regarding their installation shall be communicated to the CGWA within 30 days of grant of No Objection Certificate through the web-portal.
- 2) Proponents shall mandatorily get water flow meter calibrated from an authorized agency once in a year.
- 3) Construction of purpose-built observation wells (piezometers) for ground water level monitoring shall be mandatory as per Section 14 of Guidelines . Water level data shall be made available to CGWA through web portal. Detailed guidelines for construction of piezometers are given in Annexure-II.
- 4) Proponents shall monitor quality of ground water from the abstraction structure(s) once in a year. Water samples from bore wells/ tube wells / dug wells shall be collected during April/May every year and analysed in NABL accredited laboratories for basic parameters (cations and anions), heavy metals, pesticides/ organic compounds etc. Water quality data shall be made available to CGWA through the web portal.
- 5) In case of mining projects, additional key wells shall be established in consultation with the Regional Director, CGWB for ground water level monitoring four (4) times a year (January, May, August and November) in core as well as buffer zones of the mine.
- 6) In case of mining project the firm shall submit water quality report of mine discharge/ seepage from Govt. approved/ NABL accredited lab.
- 7) The firm shall report compliance of the NOC conditions online in the website (www.cgwa-noc.gov.in) within one year from the date of issue of this NOC.
- 8) The firm shall submit the water audit report in case of water requirement is in excess of 100 m3/day through certified auditors within three months of completion of the same to CGWA.
- 9) Application for renewal can be submitted online from 90 days before the expiry of NOC. Ground water withdrawal, if any, after expiry of NOC shall be illegal & liable for legal action as per provisions of Environment (Protection) Act, 1986.
- 10) This NOC is subject to prevailing Central/State Government rules/laws/norms or Court orders related to construction of tube well/ground water abstraction structure / recharge or conservation structure/discharge of effluents or any such matter as applicable.

**General conditions:**

- 11) No additional ground water abstraction and/or de-watering structures shall be constructed for this purpose without prior approval of the Central Ground Water Authority (CGWA).
- 12) The proponent shall seek prior permission from CGWA for any increase in quantum of groundwater abstraction (more than that permitted in NOC for specific period).
- 13) Proponents shall install roof top rain water harvesting in the premise as per the existing building bye laws in the premise.
- 14) The project proponent shall take all necessary measures to prevent contamination of ground water in the premises failing which the firm shall be responsible for any consequences arising thereupon.
- 15) In case of industries that are likely to contaminate the ground water, no recharge measures shall be taken up by the firm inside the plant premises. The runoff generated from the rooftop shall be stored and put to beneficial use by the firm.
- 16) Wherever feasible, requirement of water for greenbelt (horticulture) shall be met from recycled / treated waste water.
- 17) Wherever the NOC is for abstraction of saline water and the existing wells (s) is /are yielding fresh water, the same shall be sealed and new tubewell(s) tapping saline water zone shall be constructed within 3 months of the issuance of NOC. The firm shall also ensure safe disposal of saline residue, if any.
- 18) Unexpected variations in inflow of ground water into the mine pit, if any, shall be reported to the concerned Regional Director, Central Ground Water Board.
- 19) In case of violation of any NOC conditions, the applicant shall be liable to pay the penalties as per Section 16 of Guidelines.
- 20) This NOC does not absolve the proponents of their obligation / requirement to obtain other statutory and administrative clearances from appropriate authorities.
- 21) The issue of this NOC does not imply that other statutory / administrative clearances shall be granted to the project by the concerned authorities. Such authorities would consider the project on merits and take decisions independently of the NOC.
- 22) In case of change of ownership, new owner of the industry will have to apply for incorporation of necessary changes in the No Objection Certificate with documentary proof within 60 days of taking over possession of the premises.
- 23) This NOC is being issued without any prejudice to the directions of the Hon'ble NGT/court orders in cases related to ground water or any other related matters.
- 24) In case, Impact Assessment Report is required as per criteria mentioned in the guidelines , the firm shall submit it in the prescribed format before 31st December 2020 (applicable for Semi-Critical and Critical Category) failing which this NOC will be treated as cancelled/invalid and Penalty/EC shall be imposed as per the guidelines.
- 25) In case, Hydro geological report is required as per criteria mentioned in the guidelines, the firm shall submit it in the prescribed format 31st December 2020 (In case of Mining) failing which this NOC will be treated as cancelled/invalid and Penalty/EC shall be imposed as per the guidelines.

**(Non-compliance of the conditions mentioned above is likely to result in the cancellation of NOC and legal action against the proponent.)**

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