

**REPORT OF THE JOINT COMMITTEE IN COMPLIANCE WITH ORDER DATED
14.08.2020 OF THE HON'BLE NATIONAL GREEN TRIBUNAL (NGT) IN THE
MATTER OF O. A. NO. 31 of 2020 (SHASHIKANT VITHAL KAMBLE VS STATE
OF MAHARASHTRA & ORS)**

1. BACKGROUND

Applicant Shashikant Kambale filed the application against illegal construction carried out by Respondent No. 1 i.e. M/s. Embassy Property Development Pvt. Ltd. Said application has been filed vide Original Application No. 31/2020(WZ), titled Shashikant Vithal Kamble Vs State of Maharashtra & Ors.

Respondent No. 8 (MIDC) has allotted Plot No. 3, Hinjewadi MIDC, Phase - II to Respondent No. 1 vide Order dated 05.08.2004, admeasuring plot area : 2,85,535 sqm. Plot is allotted in the name "M/s. Dynasty Developers Pvt. Ltd., (Copy Attached as Annexure-I). Following this, Respondent No. 1 obtained a Possession Receipt from Respondent No.8 (MIDC), dated 23.06.2005 for Plot No. PL-3, Hinjewadi MIDC, Phase-II for the plot area: 2,76,874 sqm (Copy Attached as Annexure-II).

Respondent No. 1 has submitted to MIDC (Respondent No. 8) building plans and drawings for 46,914.72 sqm with a ground coverage over plot area of 2,76,878.00 sqm. MIDC has approved the building plans. MIDC has approved only 16 numbers of drawings vide Commencement Letter, dated 13.12.2005 (Copy Attached as Annexure-III). As this approval was prior to EIA Notification 2006, the Respondent may not have come under its ambit. Following this, Respondent no. 1 has submitted to MIDC (Respondent No. 8) building plans and drawings for 48,576.75 sqm with a ground coverage over plot area of 2,76,874 sqm, and MIDC has approved building plans

for 48,576.75 sqm vide Commencement Certificate, dated 23.03.2007 (**Copy Attached as Annexure-IV**). As Respondent No. 1 was aware about the project potential, they could have applied for prior Environmental Clearance before carrying out further construction. However, Respondent No. 1 has continued construction activities from the year 2006 until 2011 without obtaining prior environmental clearance from the concerned authority. Respondent No. 1 has obtained Commencement Certificate from MIDC, dated 16.09.2008, wherein the area under construction has been mentioned as 27,763.769 sqm. (**Copy Attached as Annexure-V**).

The Applicant has filed an Application before the Hon'ble National Green Tribunal, Western Zone Bench, Pune vide Original Application No. 31/2020, titled Shashikant Vithal Kamble Vs State of Maharashtra & Ors. The Hon'ble Tribunal has issued an Order, dated 14.08.2020, and directed vide para 6 of the Order that "... In the meantime, we deem it just and proper to constitute a Committee consisting (i) District Collector, Pune, (ii) State Environment Impact Assessment Authority (SEIAA) and (iii) Maharashtra Pollution Control Board (MPCB) and to direct to visit and submit a factual and action taken report within six weeks. MPCB will be the nodal agency for compliance. ..."

Copy of the Hon'ble NGT Order, dated 14.08.2020, in the matter under reference i.e. Original Application No. 31 of 2020 is given at **Annexure-VI**.

In compliance with aforesaid Order, dated 14.08.2020, of the Hon'ble NGT, the Committee was constituted, comprising the following members:

- 1) Pankaj Joshi, Member – SEIAA
- 2) Nitin Shinde, Regional Officer, MPCB Pune

3) Sandesh Shirke, S.D.O. Maval-Mulshi - representing the District Collector, Pune

The above-mentioned Committee has carried out a site visit of the IT Park construction project- "Embassy Office Parks Pvt. Ltd., Plot No. 3, Rajiv Gandhi Infotech Park, Phase-II, MIDC Hinjewadi, Tal. Mulshi, District Pune, on 10.08.2021, after the second wave of the Covid – 19 pandemic. Shri Hrishikesh Arvind Rajhans, (Head – Operations, Pune), representative from M/s Embassy Office Parks Pvt. Ltd., and concerned MIDC officials were also present during the site visit. During the site visit, the Committee has perused the following documents with Respondent No. 1 and MIDC:

Sr. No.	Date	Documents details	Particulars
1	05/08/2004	Allotment Order	
2	23/06/2005	Possession Receipt	Plot No. PL-3, Total Plot Area: 2,76,874 sqm
3	13/12/2005	Commencement Certificate issued by MIDC	A. Total built-up area approved now on all floors: 46,914.72 sqm B. Total built-up area (to date), approved on all floors: 46,914.72 sqm C. Total FAR consumed (to date): 0.169
4	23/5/2006	Execution of Lease	Not Available
5	23/3/2007	Commencement Certificate	A. Total built-up area approved now on all floors: 48,576.75 sqm B. Total built-up area (to date) approved on all floors: 48,576.75 sqm C. Total FAR consumed (to date): 0.175
6	22/2/2008	Commencement Certificate	A. Built-up area approved on all floors (under construction): 31,489.753 sqm B. Total built-up area approved now on all floors: 50,106.821 sqm C. Total built-up area approved on all floors (to date): 81,596.574 sqm D. Total FAR consumed (to date): 0.295

7	18/3/2008	Plinth Completion Certificate	Construction works up to plinth level for Block No. 11 and Training Centre
8	23/5/2008	Commencement Certificate	A. Built-up area approved on all floors (Under Construction): 31,489.753 sqm B. Total built-up area approved now on all floors: 50,106.821 sqm C. Total built-up area (to date) approved on all floors: 81,596.574 sqm D. Total FAR consumed (to date): 0.295
9	05/8/2008	Commencement Certificate	A. Existing built-up area approved on all floors: 50,106.821 sqm B. Total built-up area approved now on all floors: 27,763.769 sqm C. Total built-up area (to date) approved on all floors: 77,870.59 sqm D. Total FAR consumed (to date): 0.285
10	16/9/2008	Commencement Certificate	A. Existing built-up area approved on all floors: 50,106.821 sqm B. Total built-up area approved (Under Construction): 27,763.769 sqm C. Total built-up area approved now on all floors: 3728.969 sqm D. Total built-up area (to date) approved on all floors: 81,599.559 sqm E. Total FAR consumed (to date): 0.298
11	28/11/2008	Sub-Division & transfer of Plot No. PL-3	Not Available
12	22/12/2008	Sub-Division & transfer of Plot No. PL-3	Not Available
13	7/1/2009	Part Occupancy Certificate	For Block No. 11 (Ground, First and Second Floor)
14	16/4/2009	Part Occupancy Certificate	For Block No. 11 (3 rd and 4 th floor)
15	12/10/2009	Commencement Certificate	A. Existing built-up area approved on all floors: 50,106.821 sqm

			<p>B. Total built-up area approved now on all floors 46,657.65 sqm</p> <p>C. Total built-up area (to date) approved on all floors: 96,764.47 sqm</p> <p>D. Total FAR consumed (to date): 0.468</p>
16	23/10/2009	Commencement Certificate	<p>A. Existing built-up area approved on all floors: 50,106.82 Sq. Mtr</p> <p>B Total built-up area approved (Under Construction): 46,657.65 sqm</p> <p>C. Total built-up area approved now on all floors: 72,990.81 sqm</p> <p>D. Total built-up area (to date) approved on all floors : 1,69,755.28 sqm</p> <p>E. Total FAR consumed (to date): 0.82</p>
17	28/1/2010	Plinth Completion Certificate	Construction work up to plinth level for Block No. 3
18	28/1/2010	Plinth Completion Certificate	Construction work up to plinth level for Block No. 5
19	12/10/2010	Plinth Completion Certificate	Construction work up to plinth level for Block No. 6
20	4/3/2011	Part Occupancy Certificate	Development work of part building of block No. 11 (6 th Floor)
21	22/3/2011	Commencement Certificate	<p>A. Previously approved built-up area (Under Construction): 3728.989 sqm</p> <p>B. Total built-up area approved now on all floors: 27,763.769 sqm</p> <p>C. Total built-up area (to date), approved on all floors: 31,492.738 sqm</p> <p>D. Total FAR consumed (to date): 0.52</p>
22	29/03/2011	Environmental Clearance	EC No.: SEAC-2010/CR-297/TC-2
23	25/4/2011	Part Occupancy Certificate	Development work of part building of Block No. 5 (Ground, 1 st , 2 nd and 3 rd floors only)
24	3/1/2012	Letter of Intent to Private Information Technology Park	Not Available

25	7/1/2012	Part Occupancy Certificate	Development work of part building of block No. 6 (1 st to 9 th floors only)
26	15/6/2012	Part Occupancy Certificate	Partial development work of block no. 5 i.e. A-Wing of 4 th and 5 th floors
27	10/10/2012	Consent to Establish from MPCB for Plot No. 3B	Respondent No. 1 has obtained Consent to Establish, dated 10.10.2012, for Plot No. 3B in the name "M/s. Pune Dynasty Projects Pvt. Ltd.," for total plot area: 66,619 sqm and TC built-up area: 1,33,683.753 sqm
28	19/10/2012	Consent to Establish from MPCB for Plot No. 3A	Respondent No. 1 has obtained Consent to Establish, dated 19.10.2012, for Plot No. 3A in the name "M/s. Pune Embassy Projects Pvt. Ltd., (Embassy Techpark)" for total plot area: 2,06,360 sqm and TC built-up area: 3,56,131.65 sqm.
29	6/9/2013	Commencement Certificate	A. Existing built-up area approved now on all floors block No. 1 & 2: 50,106.82 sqm B. Built-up area under construction now on all floors block no 5 and MLCP: 46,657.65 sqm C. Total built-up area approved now on all floors block no 3 and MLCP: 42,978.35 sqm D. Total built-up area approved on all floors: 1,39,742.82 Sq. Mtr D. Total FAR consumed (to date) (Built-up area/ net plot area): 0.75
30	11/10/2013	Commencement Certificate	A. Existing Built Up area approved now on all floors block No. 1 & 2: 50,106.82 sqm B. Built-up area under construction now on all floors Block No. 5 & MLCP Block No. 3 & MLCP: 89,636.00 sqm C. Total built-up area approved now on all floors Food Court: 3,355.13 sqm D. Total built-up area approved on all floors (to date): 1,43,097.95 sqm D. Total FAR consumed (to date) (BUA/ Net Plot area): 0.77
31	4/12/2013	Commencement Certificate	A. Existing built-up area approved now on all floors block No. 1 & 2: 50,106.82 sqm B. Built-up area under construction now on all floors block no 5 & MLCP: 46,567.65 sqm

			<p>C. Built-up area approved on all floors Block No. 3 & MLCP: 42,978.35 sqm</p> <p>D. Built-up area approved on all floors (Food Court): 3355.13 sqm</p> <p>E. Total built-up area approved now on all floors (Block No. 6): 24,629.03 sqm</p> <p>F. Total built-up area approved on all floors: 1,67,726.98 sqm</p> <p>G. Total FAR consumed (to date) (BUA/Net Plot area): 0.90</p>
32	6/5/2014	Plinth Completion Certificate	Construction works up to plinth level of Food Court on plot No. 3A.
33	19/3/2015	Letter of Intent - Extension - I	Not Available
34	23/7/2015	Part Occupancy Certificate	Development work of Block No. 3 (5 th , 6 th , 8 th and 9 th floors of B-Wing) having built-up area : 7,392.40 sqm has been completed.
35	21/7/2016	Part Occupancy Certificate	Development work of Block No. 3 (4 th , 7 th & 10 th floor of B-Wing) having built-up area : 5469.075 sqm has been completed.
36	22/7/2016	Part Occupancy Certificate	Development work of Block No. 5 (2 nd , 3 rd , 6 th , 7 th Floor of A-Wing) and (4 th , 5 th , 6 th , 8 th floor of B-Wing) having built-up area: 11,530.16 sqm has been completed.
37	26/8/2016	Part Occupancy Certificate	Development work of Block No. 5 (Lower Ground Floor, Ground Floor, 1 st & 8 th Floors of A-Wing) and (Lower Ground Floor, Ground Floor, 1 st , 2 nd 3 rd & 4 th Floor of MLCP Building) having built up area : 11,692.735 sqm has been completed.
38	04/01/2019	Revalidation of Consent to Establish from MPCB	Respondent No. 1 has obtained Revalidation of Consent to Establish, dated 04.01.2019 for Plot No. 3 on the name "M/s. Embassy Property Development Pvt. Ltd.," for total plot area: 2,72,979 sqm and construction remaining BUA of: 2,90,595 sqm out of total construction built-up area : 4,89,815.46 sqm

39	04/01/2019	1 st Consent to Operate (Part) from MPCB	Respondent No. 1 has obtained first Consent to Operate (Part-I), dated 04.01.2019, for Plot No. 3, on the name "M/s. Embassy Property Development Pvt. Ltd.," for Total Plot area: 2,72,979 sqm and construction BUA of: 1,99,220 sqm out of total construction built-up area: 4,89,815.46 sqm. Consent was valid up to 30.01.2020.
40	29/3/2019	Part Occupancy Certificate	Partial development work of Block No. 6 (i.e. Ground Floor) with built-up area, 404.44 sqm has been completed.
41	29/3/2019	Part Occupancy Certificate	Partial development work of Block No. 6 of 1 st , 2 nd , 3 rd , 4 th , 6 th , 7 th , 8 th and 9 th floors with built-up area : 24,224.59 sqm completed.
42	10/4/2019	Part Occupancy Certificate	Development work of Part of Block No. 3 of Ninth Floor of A-Wing with built-up area, 1,847.63 sqm has been completed.
43	3/6/2019	Revalidation of Environmental Clearance	No. SEIAA-2019/CR-121/SEIAA
44	13/6/2019	Approval to Revised Building Plans for Block No. 7A & 7B structures	<ol style="list-style-type: none"> 1. Area under demolition : 0.0 sqm 2. Plot area : 2,06,360 sqm 3. Upto date ground coverage : 37,993.20 sqm 4. Existing built-up area approved on all floors : 1,67,726.98 sqm 5. Total built-up area approved on all floors : 15,189.44 sqm 6. Total built-up area approved (to date) on all floors : 1,82,916.42 sqm 7. Total FAR Consumed (to date): 0.9844
45	28/6/2019	Part Occupancy Certificate	Development work of food court, gas bank and garbage room building having built-up area: 3,355.13 sqm completed.
46	28/6/2019	Part Occupancy Certificate	Partial development work of Block No. 5, Terrace Floor Area: 48 sqm, Fifth Floor: 196.34 sqm & Terrace Floor : 148.71 sqm, MLCP Building having built-up area : 393.05 sqm completed

47	31/7/2019	Part Occupancy Certificate	Development work of Block No. 6 (1 st , 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th & 9 th floors) having built-up area : 24,224.59 sqm completed.
48	22/8/2019	Part Occupancy Certificate	Partial development work of Block No. 3 of Ground, First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth and Ninth Floor of Office Building having built-up area : 27,258.21 sqm completed.
49	3/1/2020	Provisional No-Objection Certificate (FIRE NOC)	For Building No. B (Block 7A & 7B) and Building A (MLCP-04)
50	20/1/2020	Approval to Revised Building Plans for Block No. 7A, 7B & MLCP-4 and other ancillary structures	<ol style="list-style-type: none"> 1. Area under demolition : 0.0 sqm 2. Plot area : 2,06,360 sqm 3. Explosive / High Speed Diesel Storage Area : 382.35 sqm 4. Balance plot area : 2,05,977.65 sqm 5. Deduct Recreational Ground Area: 20,597.76 sqm 6. Balance net plot area: 1,85,379.88 sqm 7. Previous approved built up area of building : 1,67,726.98 sqm 8. Total built-up area approved now on all floors : 71,958.48 sqm 9. Total built-up area under construction on all floors : --- sqm 10. Total built-up area approved (to date) now on all floors : 2,39,685.46 sqm 11. Total FAR Consumed (to date) : 1.2929
51	22/07/2020	Renewal of 1st Consent to Operate (Part-I) with change in name, from MPCB;	Respondent No. 1 has obtained renewal of 1st Consent to Operate (Part-I) with change in name, dated 22.07.2020, for the plot No. 3, on the name "M/s. Embassy Office Parks Pvt. Ltd.," for total plot area : 2,72,979 sqm and construction built-up area of : 1,99,220 sqm out of total construction built-up area : 2,90,595 Sqm Consent is valid up to 31.03.2023.
52	11/8/2020	Transfer of* share holding order	Not Available
53	21/10/2020	Plinth Completion Certificate	Construction work up to plinth level for Block No. 7A and 7B on Plot No. 3A completed.

54	11/12/2020	Part Occupancy Certificate	Partial development work of Block No. 3 MLCP Ground Floor, 1 st , 2 nd , 3 rd , 4 th , 5 th & 6 th floors of MLCP building having total area : 1,011.03 sqm completed on plot no. 03/A.
55	23/12/2020	Part Occupancy Certificate	Partial development work of Block No. 11 Basement, 5 th , 7 th & terrace floors with total area: 8,808.386 sqm completed on plot no. 03/B.

2. OBSERVATIONS AND FINDINGS

A. Observations w.r.t Environmental Clearance (EC) and violations thereto, if any

- I. MIDC has sanctioned the first plan of Project Proponent, Respondent No. 1, dated 13.12.2005, for total built-up area : 46,914.72 Sqm. As this approval was prior to EIA Notification 2006, the Respondent may not have come under its ambit.
- II. Thereafter, Respondent No. 1, had obtained another Sanction Plan from MIDC, dated 23.03.2007, for total built-up area of 48,576.75 sqm.
- III. As the Respondent No. 1 was aware about the project potential, they could have applied for prior Environmental Clearance before carrying out further construction.
- IV. However, Respondent No. 1 had exceeded the construction activity as confirmed in the approved plan of MIDC which was violating EIA Notification 2006.
- V. Respondent No. 1 had obtained Commencement Certificate from MIDC, dated 16.09.2008, wherein it has been mentioned that area under construction, 27,763.769 sqm.
- VI. Environment Dept, Govt of Maharashtra has issued Show Cause Notice, dated 10.01.2011, under Environment (Protection) Act, 1986 read with Environment Impact Assessment Notification dated 14.09.2006 (Copy Attached as Annexure-VII).

- VII. As per the prevailing procedure followed at that time, pending the punitory process, Respondent No. 1 was given Environmental Clearance in the name, "M/s. Embassy Property Development Pvt. Ltd.," at Plot No. 3, Rajiv Gandhi Infotech Park, Phase-II, MIDC, Hinjewadi, Tal. Mulshi, Dist. Pune, dated 11.07.2011, for total plot area : 2,76,874 sqm, and total construction built-up area 4,89,815.41 sqm which includes the following structures : Office Buildings (11 Nos), Multi-level Car Parking (6 Nos), Food Court (1 No), Training Center (1 No) and Utility & Service (2 Nos). **(Copy Attached as Annexure-VIII).**
- VIII. Environment Dept, Govt of Maharashtra has issued "Final Directions under Section 5 of the Environment (Protection) Act, 1986 read with Environment Impact Assessment Notification, dated 14.09.2006." on 30.11.2011 **(Copy Attached as Annexure-IX).**
- IX. Criminal Case was filed by MPCB in the Court of Chief Judicial Magistrate at Pune, vide Case No. 3636/2012, 08.12.2011 **(Copy Attached as Annexure-X).** "Status of Case : Matter is fixed on 24.12.2021 for evidence before charge in Hon'ble CJM Court, Pune"
- X. Show Cause Notice was issued by MPCB, dated 21.12.2011 **(Copy Attached as Annexure-XI).**
- XI. Chief Judicial Magistrate at Pune after going through MPCB's complaint and argument had issued process against Embassy Property Developers Pvt. Ltd. for certain offences, dated 04.10.2012.
- XII. Writ petition was filed by Respondent No. 1 in the Mumbai High Court vide Writ Petition No. 3574/2013, 04.10.2013 **(Copy Attached as Annexure-XII).** "Status of

Case: Put for quashing of petition.” In the meanwhile, the case is being heard and scheduled for 24.12.2021, for evidence before charge in Hon’ble CJM Court, Pune.”

- XIII.** Subsequently, Respondent No. 1 has obtained re-validation of EC in the name “M/s. Embassy Office Parks Pvt. Ltd.,” vide letter, dated 03.06.2019. **(Copy Attached as Annexure-XIII).**
- XIV.** Respondent No. 1 has obtained Consent to Establish, dated 10.10.2012, for Plot No. 3B on the name “M/s. Pune Dynasty Projects Pvt. Ltd.,” for total plot area : 66,619 sqm and total construction built-up area : 1,33,683.753 sqm **(Copy Attached as Annexure-XIV).**
- XV.** Respondent No. 1 has obtained Consent to Establish, dated 19.10.2012, for plot No. 3A in the name “M/s. Pune Embassy Projects Pvt. Ltd., (Embassy Techpark)” for total plot area: 2,06,360 sqm and total construction built-up area : 3,56,131.65 Sqm **(Copy Attached as Annexure-XV).**
- XVI.** The Respondent No. 1 has obtained revalidation of Consent to Establish, dated 04.01.2019, for Plot No. 3 on the name “M/s. Embassy Property Development Pvt. Ltd.,” for total plot area: 2,72,979 sqm and construction remaining built-up area of : 2,90,595 sqm out of total construction built-up area : 4,89,815.46 sqm. **(Copy Attached as Annexure-XVI).**
- XVII.** The Respondent No. 1 has obtained the first Consent to Operate (Part-I), dated 04.01.2019, for Plot No. 3, on the name “M/s. Embassy Property Development Pvt. Ltd.,” for total plot area : 2,72,979 sqm and construction built-up area of: 1,99,220 sqm out of total construction built-up are : 4,89,815.46 sqm Consent was valid up to 30.01.2020. **(Copy Attached as Annexure-XVII).**

XVIII. The Respondent No. 1 has obtained Renewal of 1st Consent to Operate (Part-I), dated 22.07.2020, for the plot No. 3, on the name "M/s. Embassy Office Parks Pvt. Ltd.," for the total plot area : 2,72,979 sqm and construction built-up area of : 1,99,220 sqm out of total construction built-up area : 2,90,595 sqm Consent is valid up to 31.03.2023. (Copy Attached as Annexure-XVIII).

B. Compliance of Consent required under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981

I) Domestic effluent generation: Consented quantity: 1403 CMD, Actual Generation: 800 CMD). Respondent No. 1 has installed total 5 nos. of STPs with capacities - 220 CMD (03 Numbers), 350 CMD and 440 CMD. The STPs are based on MBBR technology. Respondent No. 1 has installed online monitoring systems and UV system for the disinfection of the STPs. Treated effluent is partially recycled and the balance used for gardening purposes.

II) DG Sets: Respondent No. 1 has installed 18 nos of DG sets of capacities - 1110 KVA (1 no.), 1500 KVA (8 nos.), 1010 KVA (9 nos). All DG sets have been provided with an acoustic arrangement and provided with stack heights of 9m each above the roof.

III) Bio-degradable waste generation: 800 Kg/Day. Respondent No. 1 has installed OWC of 500 Kg/Day capacity (2 numbers).

C. Previous Legal Actions :

1. Environment Dept, Govt of Maharashtra has issued Show Cause Notice, dated 10.01.2011, under Environment (Protection) Act, 1986 read with Environment Impact Assessment Notification dated 14.09.2006.
2. Environment Dept, Govt of Maharashtra has issued "Final Directions under Section 5 of the Environment (Protection) Act, 1986 read with Environment Impact Assessment Notification, dated 14.09.2006." on 30.11.2011.
3. Criminal Case Filed by MPCB in the court of Chief Judicial Magistrate at Pune, vide Case No. 3636/2012, 08.12.2011 "Status of Case : Matter is fixed on 24.12.2021 for evidence before charge in Hon'ble CJM Court, Pune"
4. Show Cause Notice issued by MPCB, dated 21.12.2011
5. Chief Judicial Magistrate at Pune after going through MPCB's complaint and argument issued process against Embassy Property Developers Pvt. Ltd. for certain offences, dated 04.10.2012.
6. Writ petition filed by Respondent No. 1 in the Mumbai High Court vide Writ Petition No. 3574/2013, 04.10.2013. "Status of Case : Put for Quashing of petition."

3. CONCLUSIONS

The observations as given at para 2(A) above, reveal that Respondent No. 1 has carried out construction activities without obtaining prior Environmental Clearance and without obtaining Consent to Establish from MPCB and thus it shows the violations of EIA Notification 2006 and Environmental Enactments.

4. RECOMMENDATIONS

In view of the aforesaid violations of carrying out construction activities, from the year 2006 to 2011, without obtaining prior Environmental Clearance, and without obtaining Consent to establish from MPCB, required under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, the Environment Dept, Govt of Maharashtra has issued, on 20.10.2011, "Final Directions under Section 5 of the Environment (Protection) Act, 1986 read in conjunction with Environment Impact Assessment Notification, dated 14.09.2006." It also directed MPCB to file criminal case at Hon'ble CJM Court, Pune.

Accordingly, MPCB filed a criminal case at Hon'ble CJM Pune, vide Case No. 3636/2012. Thereafter, in this context Respondent No. 1 has filed Writ Petition at Hon'ble Mumbai High Court vide Writ Petition No. 3574/2013.

Upon perusal of the above-mentioned documents, it is evident that due process has been followed with regards to construction activities carried out without prior EC and the said violations are being heard under two court cases at Hon'ble CJM, Pune and Hon'ble High Court Mumbai, respectively.

As the due process and action has been followed, and the matter is pending for hearing at the respective courts, Hon'ble NGT may issue directions for further necessary action.

Submitted.



(Pankaj Joshi)

Member, SEIAA


02/12/21

(Nitin Shinde)

I/c Regional Officer, MPCB Pune



(Shri Sandesh Shirke)
Representative, Collector, Pune

Dated: 06/12/2021

Alotted by order



MIDC/ROPP/PIV/1220



Dated:

5 AUG 2004

Subj: RAJIV GANDHI INFOTECH PARK HINJAWADI

Ref: Application dated 05/08/2004.
Received from M/s. Dynasty Developers Pvt. Ltd.,

ORDER:

Sanction is hereby accorded to the allotment of land admeasuring 285535 Sq Mtrs comprising of Plot No. P1 - 3 from Rajiv Gandhi Infotech Park Hinjawadi to M/s. Dynasty Developers Pvt. Ltd., a company incorporated under the Companies Act, 1956 & having its register office at Embassy Point, 150 Infantry Road, Bangalore-Sattoli.

Subject to the payment of the premium of Rs.15,20,44,300/- calculated at the rate of Rs. 550/- per Sq. Mtr. and subject to the following conditions:-

1. The amount of earnest money received with the application will be appropriated towards the amount of premium. The allottee shall pay the sum of Rs.8,00,44,000/- being the balance amount of the premium within a period of 30 days from the date of this order, by D.D. drawn in favour of 'THE DY. CHIEF ACCOUNTS OFFICER, MIDC', and payable at Pune.
2. In case of the allottee fails to pay the balance amount of premium within the period mentioned above, the allotment shall be liable to be cancelled without further notice.
3. In the event of the allotment being cancelled as aforesaid the Corporation will be entitled to forfeit the whole of the earnest money received with application.
4. The terms and conditions of the allotment of land will be those as contained in the standard form of Agreement to Lease and the Lease annexed thereto and in substance are as follows:-
 - a) The allottee shall enter into an Agreement to Lease in the form prescribed by the Corporation and on performance of the conditions will be entitled to a Lease for the terms and ninety five (95) years to be compute from the date of handing over of possession and renewable for one further term of 95 years on payment of premium and on such terms and conditions as may be determined by the Corporation at the time of renewal.
 - b) The annual ground rent of Rs.1000/- is payable in respect of plot of land allotted.

5 Aug 2004
Land possession

Ex. Engr. P
Dy. Engr.
Sr. Assl.
Section

Allotted by order

MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION

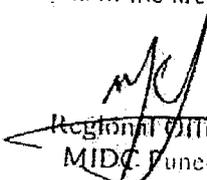
(A Government of Maharashtra Undertaking)

Regional Office : Jog Centre, 2nd Floor, Wakdevwadi, Pune-3. Tel.: 25819444/5, Fax : 25819446
E-mail : ro pune@midcindia.org Visit us at : www.midcindia.org www.maharashtrairtparks.com

- c) The allottee shall get the plans and specifications of the proposed Software Development Building duly approved by the Executive Engineer of the said Industrial Area and complete the said building in accordance with the approved plans and shall obtain a completion certificate from the Executive Engineer of the said Industrial Area within prescribed period.
- d) The allottee shall not directly or indirectly transfer or assign the benefits of interest in the Agreement to Lease or part with the possession of the said land or any part thereof without the previous consent of the Corporation who may refuse it or grant it subject to such conditions as the Corporation may think fit including a condition for payment of additional premium. (please refer condition mentioned below)
- e) The allottee shall be entitled to use the land for the purpose of Software development but not for the purpose of a factory for any of the obnoxious Industries specified in the annexure set out in the schedule to the Agreement to Lease and shall not use the said land or any part thereof for any other purpose nor for the purpose of any factory which may be obnoxious, offensive by reason or emission of odour, liquid effluvia, dust, smoke, gas, noise, vibration or fire-hazards.
- f) The other terms and conditions of allotment shall be those contained in the prescribed forms of Agreement to Lease and the Lease.
- g) The stamp duty in respect of the preparation and execution of the Agreement to Lease and its duplication and also the lease and its duplication in respect of the allotted plot of land as also the Legal costs for the preparation execution of these documents including the registration fee shall be born and paid by the allottee alone.
- h) The allottee shall submit the Building Plans of Software Development Building to the special planning authority and get it approved the same from Special Planning Authority and commence the construction work and complete the construction work and also obtain BCC within the period of 3 years from the date of taking over the possession of plot.
- i) If the allottee fails to complete the construction work and obtain BCC within the period of 3 years from the date of possession of plot, the allotment of plot will be summarily cancelled.
- j) The allottee should construct the building as per the standard norms prescribed and as per DC Rules applicable to the Pure IT Park.
- k) After allotment of Plot the developer should provide and maintain infrastructure like internal roads, drainage systems, water supply, power supply and all other services required for IT Industries and Corporation will not make any expenditure for providing internal infrastructure.

- l) As per decided policy of the corporation developer has to keep 10% open spaces and 5% amenity area and such lands should be used for the same purpose.
- m) In the said park/land 80% land for IT industries and maximum 20% land reserved for ITES.
- n) The corporation will grant the Lease of the plot in favour of developer and the developer will sub-lease the premises to the occupant.
- o) The consent of the corporation is required for transfer of Gala or mortgage in favour of the Financial Institution.
- p) The allotment of Gala should be made for the use of IT industries only. No change in the purpose is allowed. If any change is found the agreement made with the developer will be cancelled.
- q) The note of the first allotment/sub lease made by the developer will be taken by the corporation without recovering any charges but thereafter if the Gala is transferred from one occupant to other occupant in such case as per decided policy of the corporation transfer charges will have to be paid. In case the Gala is subletted then as per the decided policy of the Corporation subletting charges has to be paid.

The allottee may submit his application for telephone connection to the concern telephone authority immediately, after taking over possession of the plot. This will enable the telephone authorities to built up a waiting list ensure proper planning to provide timely telephone connection to the Industrial units in the area.


Regional Officer
MIDC Pune-3

To,
M/s. Dynasty Developers Pvt. Ltd.,
Embassy Point,
150 Infantry Road,
Bangalore-560001.

Copy submitted to :-

The J.C.E.O; MIDC, Mumbai for favour of information please.

The Chief Planner, MIDC, Mumbai-93

Copy f.w.cs to the Executive Engineer, MIDC, IT, Chinchwad, Pune-19

Annexure - II

Page No: 2

MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION
(A Government of Maharashtra Undertaking)

POSSESSION RECEIPT.

I, V. V. KSHEMKALYANI Surveyor on behalf of the Maharashtra Industrial Development Corporation and SRI GOPI KRISHNAN, on behalf of M/S. DYNASTY DEVELOPERS PRIVATE LIMITED., have this day respectively handed over and taken over the possession of Plot No. PL-3 2,76,874 Sq.mtr.. of the RAJIV GANDHI INFOTECH PARK , HINJAWADI PHASE II, VILLAGE MARUNJI , TALUK MULASHI District - Pune after actual measurement and demarcation of the plot on the site.

Place: - Pune,

Date: - 23/06/2005

HANDED OVER

TAKEN BY

for DYNASTY DEVELOPERS PVT. LTD.,

V. V. Kshemkalyani
23/06/2005
SHRI., V. V. KSHEMKALYANI
(Surveyor)
Regional Office,
MIDC, Pune

[Signature]
DIRECTOR.

GOPI RISHNAN
DIRECTOR
Signature of the allottee
or representative with
his designation.



NO/EE/I.T/Plans/2417 / of 2005
Office of the Executive Engineer
M.I.D.C, I.T.Division, 303,
Kubera Chambers, Shivaji Nagar,
Pune -411 005.

Date :- 13/12/05

To,
Shri. Gopi Krishnan,
Director, M/s. Dynasty Developers Pvt. Ltd.,
Embassy Point, 150 Infantry Road,
Banglore - 560 001.

13/12/2005
Block 1
CE Meneron

**Sub :- Rajiv Gandhi Infotech Park Ph-II @ Hinjawadi
Approval to building plans for proposed
structure on plot No. PL-03.**

**Ref :- Your letter No. Nil Dt. Nil received on 25.10.2005.
Complied on 08.12.2005.**

Dear Sir,

With reference to your application No Nil dt Nil received on 25.10.2005 for grant of sanction of commencement certificate to carry out development work and building for software block No. 1 & 2 permit under section of 45 of MR & TP Act, 1966 to erect building for M/s.Dynasty Developers Pvt. Ltd.. on Plot No. PL-03 of in Rajiv Gandhi Infotech Park Ph - II @ Hinjawadi, Pune. The commencement / building permission is granted subject to the following conditions;

1. The land vacated in consequence of the enforcement of the setback rule part of the public street.
2. No new building or part there of shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
3. The Commencement certificate / building permit shall remain valid for a period of one year, commencing from the date of its issue.
4. This permission does not entitle you to develop the land which does not vest in you.
5. Minimum two trees in plots having area of 200 sq.m. and such number of trees at the rate of one tree per 100 sq.m for plot more than 200 sq.m. in area shall be planted and protected.
6. In case of Group Housing minimum two trees per tenement shall beplanted and protected.

7. You have submitted building plans and drawings for 46914.72 sqm with a ground coverage over plot area of 276874.00 Sq.m and at present this office has approved building plans for 9024.42 Sq.m of ground coverage submitted by you. This office has approved only 16 numbers of drawings, details of which are attached in the accompanied statement
8. In case of approval to the revised plans the original approval to the drawings granted vide this office letter No. --- dt. --- from the office of the Executive Engineer., MIDC., I.T. Division, Pune-05 is treated as cancelled as the drawings approved now supersede to the previously approved drawings. You are requested to return the above cancelled drawings to this office for record & cancellation.
9. As the drawings submitted are for new structures which were not approved previously, present approval along with the previously approved plans vide letter No. ---- dt. ---- by the office of the Executive Engineer, MIDC, I.T. Division, to be treated as combined approval for building.
10. For the sanitary block overhead water storage tank shall be provided for at least 900 Ltrs. Per W.C. & 180 Ltrs. Per urinal.
11. Necessary approach road up to the plot from the edge of MIDC road shall be provided with a cross drainage work of RCC pipes in minimum of 450 mm dia or slab drain & 2 service pipes of minimum 300 mm dia for crossing of essential services as may be approved by the Executive Engineer. The surface water from plot should not enter on MIDC's road.
12. Temporary structures shall not be allowed except during construction period (after obtaining prior approval from the Executive Engineer and the same shall be demolished immediately after the completion of construction as per approved plans).
13. During the period of construction, stacking of the materials shall be done only within area of the plot allotted. In no case materials be stacked along MIDC's land, road, open space, without approval from the Executive Engineer.
14. The boundary marks demarcating the boundary of plot shall be properly preserved and kept in good conditions permanently, and shown to the departmental staff as and when required.
15. No tube well, bore well or dug well shall be constructed by the plot holders without written permission from the competent authority.
16. The building plans for any future additions, alternations and extensions will have to be got approved from this office as well as the department competent to do so.

17. The present approval to the building plans does not pertain to the approval to the structural designs and RCC members, foundations, etc. It is only locational approval to the structures with reference to the plot. For chemical and pharmaceutical units separate approval to drainage plans shall be obtained from this office as well as the department to do.
18. In case any power lines are passing through the plot, the plot holder should approach to the M.S.E.B. and obtain a letter specifying the vertical and Horizontal clearance to be left and should plan the proposed structures accordingly.
19. Where-ever a compound wall or fencing and gate is constructed the gate should open inside the plot, if the plot is facing on two sides of the roads then the gate shall be located at least 15 mtr. from the corner i.e. junction of roads or as specifies by D.C. rules. If tree plants are coming inbetween the location of proposed gate, the same shall be removed & replanted as per suggestion of the DE (IV) of MIDC, I. T. Division. Footpath, landscaping if coming in between the proposed approach to gate the same shall be removed in consultation with DE (IV), MIDC, I. T. Division & damages occurs if any shall be made good by the allottee at his cost as per satisfaction of MIDC.
20. The waste effluent from the treatment work should be soaked in a soak pit, if sewer line are not available in the area. In case if sewage system of MIDC is functioning, the effluent should be connected to drainage manhole after getting the drawings approved. Storm water flow from rain water pipe is not to be connected to MIDC's sewerage system.
21. Plot holder has to make his own arrangements for 24 hrs. storage of water by constructing underground water storage tank of required capacity as uninterrupted water supply cannot be guaranteed by the department.
22. Incase if water streams are flowing through the plot allotted the plot holder has to ensure that the maximum quantity of rain water that flows at the point of entry of stream if allowed to flow to flow uninterrupted through the plot and the point of out flow of the original stream. The detailed plans, sections and designs for allowing maximum expected discharge of rain water through the plot has to be furnished to this office and no work of filling of plot and diversions of nallas should be undertaken without permission prior from the Executive Engineer.
23. Permission stands cancelled if no construction work is started within 12 months from the date of issue of this letter. The date of starting construction work and date of completion should be informed to the Executive Engineer.
24. The breach of any these stipulations shall tender the plot holder liable for action as provided in MIDC ACT 1961 (III) of 1962 and Regulations made there under and also terms and schedule of penalties prescribed for by the Corporation for the purpose.
25. Department has got power to add or amend or rescind any provision of regulations from time to time as it may deem fit and plot holder has to abide by these rules, and regulations.

26. As soon as the building work is completed the plot holder should approach the Executive Engineer, MIDC, I.T. Division, Kubera Chambers, Shivaji Nagar, Pune and get the work verified and building should not to be occupied unless building completion certificate is obtained from the office.
27. This approval is subject to permission of competent authority under urban Land (Ceiling & Regulations) Act (C) 1956.
28. On completion upto plinth level, party should invariably approach the concerned Executive Engineer, to check and issue plinth-checking Certificate. Any construction processed without plinth checking will be illegal and will have to be removed.
29. Minimum 6.0 m. land apartent to the poposed building shall be kept free from any obstruction (landscaping / gardening also not allowed) as per requirement of Fire Department.
30. The provision of Rain Water Harvesting Structure shall have to be made as per directives of Government of Maharashtra under section 154 of MR & TP Act, 1966. The plots having an area not less than 300 Sqm. in non-gaothan areas of all towns shall have one or more Rain Water Harvesting Structures having adequate capacity considering the plot area shall be designed and constructed. Owner / Society of every building shall ensure that the Rain Water Harvesting Structure is maintained in good condtion for storage of water for non potable purposes or recharge of ground water at all times. MIDC authority may impose a levy of not exceeding Rs. 1000/- per annum for every 100 Sqm. built up area for non providing or not maintaining Rain Water Harvesting Structure as required under these bye laws.
31. No vehicles of employees and visitors shall be parked out side of plot premises. The undertaking on letter head shall be submitted.
33. Location of connection point of water supply shall be proposed after consultation with the Deputy Engineer, MIDC, E & M Division, Chinchwad, Pune & accordingly location of sump, shall be decided. Connection point of electric power supply shall be proposed after consultation with the Deputy Engineer, MIDC, E & M Division, Chinchwad and concern MSD Co. Ltd. (Formerly MSEB) office.
34. Stilt / basement proposed shall be used for parking, storing of non hazards material & for providing utility services as mentioned in the D. C. rules. No other activities are permitted.
35. The exting trees on plot shall not be removed as for as possible. If the existing trees comfing within proposed development, the the same shall be uprooted and replanted within plot or elosewise after obtaining suggestions of the Deputy Engineer (IV), MIDC, I. T. Sub-division, Chinchwad, Pune - 19.

are coming

elosewise

You are hereby requested to go carefully through the condition of this letter and take necessary action accordingly. Please acknowledge the receipt of this letter. Also please approach to M.S.D. Co. Ltd. authority for power connection.

Thanking you,

Yours Sincerely,

Encl :-
i) One copy of building plans.

Sd/-
Executive Engineer
M.I.D.C, I.T. Division
Kubera Chambers,
Shivaji Nagar, Pune -05.

- ❖ Copy fwcs to M/s. RSP Architects Plannes & Engineers (India) Pvt. Ltd., RSP House, 30, Musem Road, Banglore - 560 001 for information.
- ❖ Copy submitted to the Jt. CEO (IT), MIDC HQ office, Andheri (E), Mumbai - 400 093 for favour of information please. .
- ❖ Copy submitted to the Chief Fire Officer, MIDC, "Udyog Sarathi", Andheri (E), Mumbai - 400 093 for information.
- ❖ Copy fwcs to the Regional Officer, MIDC, Pune Region, Jog Center, Wakdewadi, Pune-3 for information
- ❖ Copy to Deputy Engineer (IV), MIDC, I.T. Sub-Division, Chinchwad, Pune-19 for information.
- ❖ Copy to guard file

Received for RSP Architect

[Signature]

13/12/05

Received Copy of Dynasty

[Signature]
e/c
Executive Engineer,
M.I.D.C, I.T. Division,
Kubera Chambers,
Shivaji Nagar, Pune -05.

--- 7 ---

Accompaniment to letter No 2417 dt 13/11/05
 Issued by the Executive Engineer/MIDC, I.T. Dn, Pune-05,
 addressed to M/s. The Director,

For the plot No. PL-03 of Rajiv Gandhi Infotech Park Ph-II @ Hinjawadi.

Allotted to M/s. Dynasty Developers Pvt. Ltd.

Sr No	No of Drawing	Name & Address of Architect or Licenced Surveyor	Name of Unit & reference	Floor	Built up area approved floor wise (in sq.m)
1	2	3	4	5	6
1	E-02 21.11.05	M/s. RSP Architects Planners & Engineers (India) Pvt. Ltd., RSP House, 30, Museum Road, Bangalore - 560 001.	Location plan, Site plan, Compound wall statement, Water requirement, Ground coverage diagram, calculations & statement. Open space statement, Parking area diagram & statement, floorwise FSI statement, Area statement, Typical section through compound wall, main gate plan & elevation, plan elevation & section of DG set room, RMU yard & security cabin, Amenity area diagram & statement site circumference statement, load calculations.		
2	SD-113 15.11.05	----- do -----	Area diagrams & calculations, for all floors of block no. 1 & 2.		
3	SD-102 & SD-114 07.11.05	----- do -----	Basement floor plan, Schedule of openings, Section S-1 of block no. 1 & 2.	Bsement floor Block no.1 Block no. 2	1614.34 1614.34
4	SD-103 & SD-115 05.09.05	----- do -----	Stilt floor plan of both blocks, Schedule of openings.	Stilt 1 floor Block no.1 Block no. 2	139.03 139.03
5	SD-104 & SD-116 05.09.05	----- do -----	Stilt 2 of both blocks, Schedule of openings.	Stilt 2 floor Block no.1 Block no. 2	4612.81 4612.81
6	SD-105 & SD-	----- do -----	Ground floor plan, of both blocks Schedule of openings	Ground	

	117 05.09.05		Schedule of openings.	floor Block no.1 Block no. 2	4612.81 4612.81
7	SD-106 & SD- 118 05.09.05	----- do -----	First floor plan of both blocks, schedule of openigns	First floor Block no.1 Block no. 2	4093.04 4093.04
8	SD-107 & SD- 119 05.09.05	----- do -----	Second floor plan of both blocks, Schedule of openings.	Second floor Block no.1 Block no. 2	4309.04 4309.04
9	SD-108 & SD-120 05.09.04	----- do -----	Third floor plan of both blocks, Schedule of openings.	Third floor Block no.1 Block no. 2	4209.94 4209.94
10	SD-109 & SD- 121 05.09.05	----- do -----	Fourth floor plan of both blocks, Schedule of openings.	Foruth floor Block no.1 Block no. 2	4342.91 4342.91
11	SD-122 07.11.05	----- do -----	Terrace floor plan, schedule of opening		
12	SD-112 & SD- 122 05.08.05	----- do -----	Section through toilet, section B-B, A-A, Section through lobby, Section through lift shaft of both blocks.		
13	SD-111 & SD- 123 05.09.05	----- do -----	South elevation and North elevation of both blocks.		
14	SD-501 & SD- 502 07.11.05	----- do -----	Detailed plan of toilet block of both blocks, schedule of openings.		
15	P-02 23.09.05	----- do -----	Service layout of office block no. 1 & 2, Plan & section of soak pit.		
16	FP-12 23.09.05	----- do -----	Location plan, site layout plan of sewage line & rain water harvesting scheme of office block no. 1 & 2. Water requiremenet details, Plan & section of soak pit.		
				Total	46914.72

ABSTRACT

1)	Existing Built up area approved on all floors	=	--- Sqm.
2)	Total Built up area approved now on all floors	=	46,914.72 Sqm
3)	Total upto date Built up area approved on all floors	=	46,914.72 Sqm
4)	Total upto date FAR consumed	=	0.169

Previous permission granted vide this office letter No. --- dt.--- for ---- m2 of built up area on all floors, treated as cancelled.

o/c
SP
~~Executive Engineer~~
M.I.D.C, I.T. Division
Kubera Chambers,
Shivaji Nagar, Pune - 05.

Annexure - IV

NO/EE/I.TPlans/5331 of 2007
Office of the Executive Engineer,
M.I.D.C, I T Division, 303,
Kubera Chambers, Shivaji Nagar,
Pune -411 005.

Date :- 23/03/07

To,
Shri. Gopi Krishnan,
Director, M/s. Dynasty Developers Pvt. Ltd.,
Embassy Point, 150 Infantry Road,
Bangalore- 560 001.

Sub :- Rajiv Gandhi Infotech Park, Phase-II @ Hinjawadi.
Revised Approval to building plans for proposed
development on plot No. PL-03.

Ref :- 1) Your letter No. Nil Dt. Nil. Received on 11.12.2006.
Complied on 16.03.2007.
2) C.F.O. & F.A. MIDC's letter No. MIDC/Fire/258
dt. 27.04.2006

Dear Sir,

With reference to your Architect's application No Nil dt Nil received on dt. 11.12.2006, for grant of sanction of commencement certificate to carry out development work and building permit under section of 45 of MR & TP Act, 1966 to erect buildings for M/s. Dynasty Developers Pvt. Ltd. on Plot No. PL-03 of in Rajiv Gandhi Infotech, Phase-II @ Hinjawadi, Pune, the commencement / building permission is granted subject to the following conditions;

1. The land vacated in consequence of the enforcement of the setback rule part of the public street.
2. No new building or part there of shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
3. The Commencement certificate / building permit shall remain valid for a period of one year, commencing from the date of its issue, & if commencement is not started within above period, fresh permission will be necessary.
4. This permission does not entitle you to develop the land which does not vest in you.

5. Minimum two trees in plots having area of 200 sq.m. and such number of trees at the rate of one tree per 100 sq.m for plot more than 200 sq.m. in area shall be planted and protected.
6. In case of Group Housing minimum two trees per tenement shall be planted and protected.
7. You have submitted building plans and drawings for 48,576.75 sqm with a ground coverage over plot area of 276874.00 Sq.m and at present this office has approved building plans for 9213.60 Sq.m of ground coverage submitted by you. This office has approved only 16 numbers of drawings, details of which are attached in the accompanied statement
8. In case of approval to the revised plans the original approval to the drawings granted vide this office letter No.EE/IT/Plans/2417/ of 2005 dt. 13.12.2005 from the office of the Executive Engineer., MIDC., I.T. Division, Pune-05 is treated as cancelled as the drawings approved now supersede to the previously approved drawings. You are requested to return the above cancelled drawings to this office for record & cancellation.
9. As the drawings submitted are for new structures which were not approved previously, present approval along with the previously approved plans vide letter No. --- dt --- by the office of the Executive Engineer, MIDC, I.T. Division, to be treated as combined approval for building.
10. The building plans need to be got approved from following authorities.
 - i) Department of explosives of Govt. of Maharashtra.
 - ii) Factory Inspectors Department of state Government.

You should submit the certified copies of the letter of approval in triplicate from the above authorities to the Executive Engineer, before any work is started.

11. For the sanitary block overhead water storage tank shall be provided for at least 900 Ltrs. Per W.C. & 180 Ltrs. Per urinal.
12. Necessary approach road to the plot from the edge of MIDC road shall be provided with a cross drainage work of RCC pipes in minimum of 600 mm dia. or slab drain & 2 service pipes of minimum 300 mm dia for crossing of essential services as may be approved by the Executive Engineer. The surface water from plot should not enter on MIDC road.
13. Temporary structures shall not be allowed except during construction period (after obtaining prior approval from the Executive Engineer and the same shall be

14. During the period of construction, stacking of the materials shall be done only in the area of plot allotted. In no case materials be stacked along MIDC's land, road, open space without approval from the Executive Engineer.
15. The boundary marks demarcating the boundary of plot shall be properly preserved and kept in good conditions and shown to the departmental staff as and when required.
16. No tube well, bore well or dug well shall be constructed by the plot holders without written permission from the competent authority.
17. The building plans for any future additions, alternations and extensions will have to be got approved from this office as well as the department competent to do so.
18. The present approval to the building plans does not pertain to the approval to the structural designs and RCC members, foundations, etc. It is only locational approval to the structures with reference to the plot. For chemical and pharmaceutical units separate approval to drainage plans shall be obtained from this office as well as the department to do.
19. In case any power lines are passing through the plot, the plot holder should approach to the M.S.E.D. Co. Ltd. and obtain a letter specifying the vertical and horizontal clearance to be left and should plan the proposed structures accordingly.
20. Where-ever a compound wall or fencing and gate is constructed the gate should open inside the plot, if the plot is facing on two sides of the roads then the gate shall be located at least 15 mtr. from the corner i.e. junction of roads or as specifies by D.C. rules. If tree plants are coming in between the location of proposed gate, the same shall be removed & replanted as per suggestion of the DE (IV) of MIDC, I. T. Sub-Division, Pune-19 Footpath, landscaping if coming in between the proposed approach to gate the same shall be removed in consultation with DE (IV), MIDC, I. T. Sub-Division, Pune-19 & damages occurs if any shall be made good by the allottee at his cost as per satisfaction of MIDC.
21. The waste sewage from the treatment work should be soaked in a soak pit, if sewer line are not available in the area. In case if sewage system of MIDC is functioning, the sewage should be connected to drainage manhole after getting the drawing approved. Storm water flow from rain water pipe is not to be connected to MIDC's sewerage system.

Further any waste sewage to be let out in MIDC's sewerage system shall be pretreated to conform to standards laid by Maharashtra Pollution control Board of Maharashtra Govt. after obtaining their consent under section 25/26 of the Act. Connecting point (manhole) to MIDC sewage collection system shall be proposed

- after consultation with the Deputy Engineer (IV), MIDC, I. T. Sub Division and accordingly location of sewage treatment plant if proposed and alignment of drainage line shall be planned.
22. Plot holder should make his own arrangements for 24 hrs. storage of water by constructing underground water storage tank of required capacity as uninterrupted water supply cannot be guaranteed by the department.
 23. In case if water streams are flowing through the plot allotted the plot holder has to ensure that the maximum quantity of rain water that flows at the point of entry of stream if allowed to flow to flow uninterrupted through the plot and the point of out flow of the original stream. The detailed plans, sections and designs for allowing maximum expected discharge of rain water through the plot has to be furnished to this office and no work of filling of plot and diversions of nallas should be undertaken without permission prior from the Executive Engineer.
 24. Permission stands cancelled if no construction work is started within 12 months from the date of issue of this letter. The date of starting construction work and date of completion should be informed to the Executive Engineer.
 25. The breach of any these stipulations shall tender the plot holder liable for action as provided in MIDC ACT 1961 (III) of 1962 and Regulations made there under and also terms and schedule of penalties prescribed for by the Corporation for the purpose.
 26. Department has got power to add amend or rescind any provision of regulations from time to time as it may deem fit and plot holder has to abide by these rules, and regulations.
 27. As soon as the building work is completed the plot holder should approach the Executive Engineer, MIDC, I.T. Division, Kubera Chambers, Shivajinagar, Pune and get the work verified and building should not to be occupied unless building completion certificate is obtained from the office.
 28. This approval is subject to permission of competent authority under urban Land (Ceiling & Regulations) Act (C) 1956.
 29. On completion upto plinth level, party should invariably approach the concerned Executive Engineer, to check and issue plinth-checking Certificate. Any construction processed without plinth checking will be illegal and will have to be removed.
 30. Minimum 6.0 m. land apartent to the proposed building shall be kept free from any obstruction (landscaping / gardening also not allowed) as per requirement of Fire Department.

222

30. Minimum 6.0 m. land apartent to the proposed building shall be kept free from any obstruction (landscaping / gardening also not allowed) as per requirement of Fire Department.
31. The provision of Rain Water Harvesting Structure shall have to be made as per directives of Government of Maharashtra under section 154 of MR & TP Act, 1966. The plots having an area not less than 300 Sqm. in non-gaothan areas of all towns shall have one or more Rain Water Harvesting Structures having adequate capacity considering the plot area shall be designed and constructed. Owner / Society of every building shall ensure that the Rain Water Harvesting Structure is maintained in good condition for storage of water for non potable purposes or recharge of ground water at all times. MIDC authority may impose a levy of not exceeding Rs. 1000/- per annum for every 100 Sqm. built up area for non providing or not maintaining Rain Water Harvesting Structure as required under these bye laws.
32. No vehicles of employees and visitors shall be parked out side of plot premises.
33. Location of connection point of water supply shall be proposed after consultation with the Deputy Engineer, MIDC, (E&M) Division, Chinchwad, Pune-19 & accordingly location of sump, shall be decided. Connection point of electric power supply shall be proposed after consultation with the Deputy Engineer, MIDC, E & M Division, Chinchwad and concern MSD Co. Ltd. (Formerly MSEB) office.
34. Silt / basement proposed shall be used for parking, storing of non hazards material & for providing utility services as mentioned in the D. C. rules. No other activities are permitted.
35. The existing trees on plot shall not be removed as far as possible. If the existing trees are coming within proposed development, the same shall be uprooted and replanted within plot or elsewhere after obtaining suggestions of the Deputy Engineer (IV), MIDC, LT. Sub-division, Chinchwad, Pune-19.
36. The layout of electrical installation shall be got approved from the concerned Electrical Inspector, before installation & once the work is completed the concerned authority shall be informed accordingly before commissioning. Copy of approval shall be submitted to this office after completion and commissioning.
37. Passenger and goods lift (service lift) shall be got approved from the concerned lift inspector, and copy of the approval shall be submitted to this office.
38. Plot holder will have to make his own arrangement for disposal of his wet garbage at Suitable location, *
39. You will have to take approval from MPCB, if you propose to construct sewage treatment plant, subsequently, as per rules.

You are hereby requested to go carefully through the condition of this letter and take necessary action accordingly. Please acknowledge the receipt of this letter. Also please approach to M.S.D. Co. Ltd. authority for power connection.

Thanking you,

Yours faithfully,

Encl :-

i) One copy of building plans.

(Copy in file No-9/3)

Sd/-

Executive Engineer
M.I.D.C, IT Division
Kubera Chambers,
Shivaji Nagar, Pune -05.

- ❖ Copy fwcs to M/s. RSP Architects Plannes & Engineers (India) Pvt. Ltd., RSP House, 30, Museum Road, Banglore - 560 001 for information.
- ❖ Copy submitted to the Jt. CEO (IT), MIDC HQ office, Andheri (E), Mumbai - 400 093.
- ❖ Copy submitted to Chief Fire Officer, MIDC, "Udyog Sarathi", Andheri (E), Mumbai - 400 093 for favour of information please.
- ❖ Copy fwcs to the Executive Engineer, MIDC, E&M Division, Chinchwad, Pune-19 for information.
- ❖ Copy fwcs to the Regional Officer, MIDC, Jog Center, Wakdewadi, Pune-3 for information.
- ❖ Copy to Deputy Engineer (IV), MIDC, I.T. Sub-Division, Chinchwad, Pune-19 for information.
- ❖ Copy to guard file

[Handwritten Signature]

o/c
Executive Engineer,
M.I.D.C, IT Division,
Kubera Chambers,
Shivaji Nagar, Pune -05.

Received
[Handwritten Signature]
23/3

Accompaniment to letter No 533 dt 23/03/07

Issued by the Executive Engineer, MIDC, I.T. Dn , Pune-05,
addressed to M/s. Shri Gopi Krishnan, Director,

For the plot No. PL-03 of Rajiv Gandhi Infotech Park Ph-II @ Hinjawadi.

Allotted to M/s. Dynasty Developers Pvt. Ltd.

Sr No	No of Drawing	Name & Address of Architect or Licenced Surveyor	Name of Unit & reference	Floor	Built up area approved floor wise (in sq.m)
1	2	3	4	5	6
1	SD-106 26.01.07	M/s RSP Architects Planners & Engineers (India) Pvt. Ltd., RSP House, 30, Museum Road, Bangalore - 560 001.	Location plan, Site plan, Ground coverage diagram, calculations & statement for both buildings Open space statement, Parking area calculations & statement, floorwise FSI statement, Area statement, main gate & compound wall elevation. Plan elevation & section of DG set room, RMU yard & security cabin. Amenity area calculations & statement. Site circumference statement, Area allotment statement.		
2	SD-113 26.01.07	----- do -----	Area diagrams & calculations, for all floors of block no. 1 & 2.		
3	SD-104 26.01.07	----- do -----	Stilt floor -1 plan of both blocks, Schedule of openings.	Block no.1 Stilt floor No-1 Block no.2 Stilt floor No-1	999.556 973.103

4	SD-105 20.01.07	----- do -----	Stilt floor- 2 of both blocks, Schedule of openings.	Block no.1 Stilt floor No-2 Block no.2 Stilt floor No-2	135.967 167.425
5	SD-106 20.01.07	----- do -----	Ground floor plan, of both blocks Schedule of openings.	Block No.1 Ground floor Block no.2 Ground floor	3636.718 3669.144
6	SD-107 20.01.07	----- do -----	First floor plan of both blocks, schedule of openings.	Block No.1 First floor Block no.2 First floor	4123.251 4161.423
7	SD-108 20.01.07	----- do -----	Second floor plan of both blocks, Schedule of openings.	Block No.1 Second floor Block no.2 Second floor	4372.991 4430.640
8	SD-109 20.01.07	----- do -----	Third floor plan of both blocks, Schedule of openings.	Block No.1 Third floor Block no.2 Third floor	4284.816 4260.235

225

9	SD-110 20.01.07	----- do -----	Fourth floor plan of both blocks, Schedule of openings.	Block No.1 Fourth floor Block no.2 Fourth floor	4372.714 4382.719
10	SD-111 20.01.07	----- do -----	Fifth floor plan, schedule of openings.	Block No.1 Fifth floor Block no.2 Fifth floor	2296.543 2309.835
11	SD-112	----- do -----	Terrace floor plan, schedule of openings.	Terrace floor	
12	SD-113 20.01.07	----- do -----	Section through toilet, for wing A&B, section C-C, B-B, A-A, Section through lift shaft of both blocks.	Section	
13	SD-114 20.01.07	----- do -----	South elevation and North elevation of both blocks. Schedule of openings.	Elevation	
				Total	48,576.75 Sq.m.

ABSTRACT

- 1) Existing Built up area approved on all floors = --- Sqm.
 2) Total Built up area approved now on all floors = 48,576.75 Sqm
 3) Total upto date Built up area approved on all floors = 48,576.75 Sqm
 4) Total upto date FAR consumed = 0.175

Previous permission granted vide this office letter No. EE/IT/Plans/2417/ of 2005 dt.13.12.2005 for 46914.72 m2 of built up area on all floors, treated as cancelled.

S. J. J.
 o/c Executive Engineer
 M.I.D.C, I.T. Division
 Kubera Chambers,
 Shivaji Nagar, Pune - 05.

Annexure - IV

%

- 000005

NO/EE/I.T/Plans/1945 of 2008
Office of the Executive Engineer
M.I.D.C, IT Division, 303,
Kubera Chambers, Shivaji Nagar,
Pune -411 005.
Date :- 16/09/08

To,
M/s Dynasty Developers Pvt. Ltd.
Embassy Point, 150, Infantry Road,
Bangalore- 560 001.

Sub :- Rajiv Gandhi Infotech Park, Phase-I @ Hinjawadi.
Revised Approval to building plans for proposed
structures on plot No. PL-III.

Ref :- 1) Your Architect's letter No. 10.09.2008
2) Provisional fire N.O.C. issued vide letter No. MIDC/
Fire/ 1025 dt. 02.08.2007

Dear Sir,

With reference to your application under reference for grant of sanction of commencement certificate to carry out development work and building permit under section of 45 of MR & TP Act, 1966 to erect buildings for M/s Dynasty Developers Pvt. Ltd. on Plot No. PL-III at Rajiv Gandhi Infotech Park, Phase-II @ Hinjawadi, Pune, the commencement / building permission is granted subject to the following conditions:

1. The land vacated in consequence of the enforcement of the setback rule part of the public street.
2. No new building or part there of shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
3. The Commencement certificate / building permit shall remain valid for a period of one year, commencing from the date of its issue, & if commencement is not started within above period, fresh permission will be necessary.
4. This permission does not entitle you to develop the land which does not vest in you.
5. Minimum two trees in plots having area of 200 sq.m. and such number of trees at the rate of one tree per 100 sq.m. for plot more than 200 sq.m. in a. & shall be planted and protected.
6. In case of Group Housing minimum two trees per tenement shall be planted and protected.

Received
[Signature]

21.000
CGCC06

You have submitted building plans and drawings for 3723.969 sqm with a ground coverage over plot area 2,72,979 Sq.m and at present this office has approved building plans for 2219.895 Sq.m of ground coverage submitted by you. This office has approved only 7 numbers of drawings, details of which are attached in the accompanied statement

8. In case of approval to the revised plans the original approval to the drawings granted vide this office letter No. -----dt. ----- from the office of the Executive Engineer., MIDC., I.T. Division, Pune-05 is treated as cancelled as the drawings approved now supersede to the previously approved drawings. You are requested to return the above cancelled drawings to this office for record & cancellation.
9. As the drawings submitted are for new structures which were not approved previously, present approval along with the previously approved plans vide letter No EE/IT/Plans/1092/ of 2008 dt. 23.05.2008 and EE/IT/Plans/1634/ of 2008 dt. 05.08.2008 by the office of the Executive Engineer, MIDC. I.T. Division, to be treated as combined approval for building.
10. The building plans need to be got approved from following authorities.
 - i) Department of explosives of Govt. of Maharashtra.
 - ii) Factory Inspectors Department of state Government.

You should submit the certified copies of the letter of approval in triplicate from the above authorities to the Executive Engineer, before any work is started.
11. For the sanitary block overhead water storage tank shall be provided for at least 900 Ltrs. Per W.C. & 180 Ltrs. Per urinal.
12. Necessary approach road to the plot from the edge of MIDC road shall be provided with a cross drainage work of RCC pipes in minimum of 600 mm dia. of slab curb & 2 service pipes of minimum 300 mm dia for crossing of essential services as may be approved by the Executive Engineer. The surface water from plot should not enter on MIDC road.
13. Temporary structures shall not be allowed except during construction period (after obtaining prior approval from the Executive Engineer and the same shall be demolished immediately after the completion of construction as per approved plans).
14. During the period of construction, stacking of the materials shall be done only in the area of plot allotted. In no case materials be stacked along MIDC's land, road, open space without approval from the Executive Engineer.
15. The boundary marks demarcating the boundary of plot shall be properly preserved and kept in good conditions and shown to the departmental staff as and when required.
16. No tube well, bore well or dug well shall be constructed by the plot holders without written permission from the competent authority.
17. The building plans for any future additions, alternations and extensions will have to be got approved from this office as well as the department competent to do so.
18. The present approval to the building plans does not pertain to the approval to the structural designs and RCC members, foundations, etc. It is only locational approval to the structures with reference to the plot. For chemical and pharmaceutical units separate approval to drainage plans shall be obtained from this office as well as the department to do.

19. In case any power lines are passing through the plot, the plot holder should approach to the M.S.E.D. Co. Ltd. and obtain a letter specifying the vertical and Horizontal clearance to be left and should plan the proposed structures accordingly.
20. Where-ever a compound wall or fencing and gate is constructed the gate should open inside the plot, if the plot is facing on two sides of the roads then the gate shall be located at least 15 mtr. from the corner i.e. junction of roads or as specifies by D.C. rules. If tree plants are coming in between the location of proposed gate, the same shall be removed & replanted as per suggestion of the DE (III) of MIDC, I T. Division, Kubera Chambers, Shivajinagar Pune-05 Footpath, landscaping if coming in between the proposed approach to gate the same shall be removed in consultation with DE (III), MIDC, I T Division, Shivajinagar, Pune-05 & damages occurs if any shall be made good by the allottee at his cost as per satisfaction of MIDC.
21. The waste sewage from the treatment work should be soaked in a soak pit, if sewer line are not available in the area. In case if sewage system of MIDC is functioning, the sewage should be connected to drainage manhole after getting the drawing approved. Storm water flow from rain water pipe is not to be connected to MIDC's sewerage system.
22. Plot holder should make his own arrangements for 24 hrs. storage of water by constructing underground water storage tank of required capacity as uninterrupted water supply cannot be guaranteed by the department.
23. Incase if water streams are flowing through the plot allotted the plot holder has to ensure that the maximum quantity of rain water that flows at the point of entry of stream if allowed to flow to flow uninterrupted through the plot and the point of out flow of the original stream. The detailed plans, sections and designs for allowing maximum expected discharge of rain water through the plot has to be furnished to this office and no work of filling of plot and diversions of nallas should be undertaken without permission prior from the Executive Engineer.
24. Permission stands cancelled if no construction work is started within 12 months from the date of issue of this letter. The date of starting construction work and date of completion should be informed to the Executive Engineer.
25. The breach of any these stipulations shall tender the plot holder liable for action as provided in MIDC ACT 1961 (III) of 1962 and Regulations made there under and also terms and schedule of penalties prescribed for by the Corporation for the purpose.
26. Department has got power to add amend or rescind any provision of regulations from time to time as it may deem fit and plot holder has to abide by these rules and regulations.
27. As soon as the building work is completed the plot holder should approach the Executive Engineer, MIDC, I.T. Division, Kubera Chambers, Shivajinagar, Pune and get the work verified and building should not to be occupied unless building completion certificate is obtained from the office.
28. This approval is subject to permission of competent authority under urban Land (Ceiling & Regulations) Act (C) 1956.
29. On completion upto plinth level, party should invariably approach the concerned Executive Engineer, to check and issue plinth-checking Certificate. Any construction processed without plinth checking will be illegal and will have to be removed.

T00000

C00000

Minimum 6.0 m. land apartent to the proposed building shall be kept free from any obstruction (landscaping / gardening also not allowed) as per requirement of Fire Department.

31. The provision of Rain Water Harvesting Structure shall have to be made as per directives of Government of Maharashtra under section 154 of MR & TP Act, 1966. The plots having an area not less than 300 Sqm. in non-gaathan areas of all towns shall have one or more Rain Water Harvesting Structures having adequate capacity considering the plot area shall be designed and constructed. Owner / Society of every building shall ensure that the Rain Water Harvesting Structure is maintained in good condition for storage of water for non potable purposes or recharge of ground water at all times. MIDC authority may impose a levy of not exceeding Rs. 1000/- per annum for every 100 Sqm. built up area for non providing or not maintaining Rain Water Harvesting Structure as required under these bye laws.
32. No vehicles of employees and visitors shall be parked out side of plot premises.
33. Location of connection point of water supply shall be finalized after consultation with the Deputy Engineer, MIDC, (E&M) Division, Chinchwad, Pune-19 & accordingly location of sump, shall be decided. Connection point of electric power supply shall be proposed after consultation with the Deputy Engineer, MIDC, E & M Division, Chinchwad and concern MSD Co. Ltd. (Formerly MSEB) office. Location and invert level of connection point of drainage and storm water shall be decided in consultation with the Deputy Engineer, MIDC, IT Division, Pune.
34. The existing trees on plot shall not be removed as far as possible. If the existing trees are within proposed development, the same shall be uprooted and replanted within plot after obtaining suggestions of the Deputy Engineer (I), MIDC, I. T. Division, Shivajinagar, Pune and related statutory authorities.
35. The position of gates shown on the drawing may attract traffic congestion and in such case the position of the gate shall be suitably changed. Please ensure that there shall not be obstruction to visibility from the road at corners due to compound wall.
36. Stilt / basement proposed shall be used for parking, storing of non hazards material & for providing utility services as mentioned in the D. C. rules. No other activities are permitted.
37. The layout of electrical installation shall be got approved from the concerned Electrical Inspector, before installation & once the work is completed the concerned authority shall be informed accordingly before commissioning. Copy of approval shall be submitted to this office after completion and commissioning.
38. Passenger and goods lift (service lift) shall be got approved from the concerned lift inspector / electrical inspector and copy of the approval shall be submitted to this office. It is advisable to plan smaller capacity lifts, adjacent large capacity passenger lifts, which can be operated in non peak hours so that power consumption can be reduced.
39. Plot holder will have to make his own arrangement for disposal of his wet garbage at suitable location.
40. You will have to take approval from MPCB, if you propose to construct sewage treatment plant, subsequently, as per rules.

41. It is desirable to reuse the treated water for gardening & flushing. Since you shall be constructing and operating sewage treatment plant, necessary provision for storing treated sewage at ground level and terraces shall be made and also separate lines to utilize this for flushing shall be planned. 013000 000009
42. You are advised to complete the formalities of insurance of the building under reference from reputed insurance companies.
43. You shall submit valid application for obtaining building completion certificate at least 1 month prior to proposed date of occupation, alongwith all the documents including final fire N.O.C. from MIDC's fire department, to this office, which may please be exclusively noted.
44. You are requested to consult concerned Deputy Engineer, for making approach to your plot, from MIDC's road, well in advance before starting such construction of approach.

You are hereby requested to go carefully through the condition of this letter and take necessary action accordingly. Please acknowledge the receipt of this letter. Also please approach to M.S.D. Co. Ltd. authority for power connection.

Thanking you,

Yours faithfully,

Sd/-

**Executive Engineer
M.I.D.C, IT Division
Kubera Chambers,
Shivaji Nagar, Pune -05.**

Encl :-

i) One copy of building plans.

- ◆ Copy fives to Shri Arjun Jot Singh Bhalla, M/s. RSP Architects Planner and Engineers (India), Pvt. Ltd. RSP House 30, Museum Road, Bangalore-560 001.
- ◆ Copy submitted to the Jt. CEO (IT), MIDC HQ office, Andheri (E), Mumbai - 400 093
- ◆ Copy fives to the Executive Engineer, MIDC, E&M Division, Chinchwad, Pune-19
- ◆ Copy fives to the Regional Officer, MIDC, Jog Center, Wakadewadi, Pune-3
- ◆ Copy fives to Divisional Fire Officer, MIDC, Hinjawadi, Pune.
- ◆ Copy to the Deputy Engineer (IV), MIDC, I.T. Division, Kubera Chambers, Pune-05
- ◆ Copy to guard file

[Signature]
**Executive Engineer,
M.I.D.C, IT Division,
Kubera Chambers,
Shivaji Nagar, Pune -05.**

Accompaniment to letter No.EE/IT/Plans/1945 / of 2008 dt. 16/09/08
 Issued by the Executive Engineer, MIDC, I.T. Division, Pune-411 005, addressed to
 M/s Dynasty Developers Pvt. Ltd. for the plot No.PL-III of Rajiv Gandhi Infotech Park,
 Phase-II @ Hinjawadi Allotted to M/s Dynasty Developers Pvt. Ltd.

000011

S10000

Sl No	No of Drawing	Name & Address of Architect or Licenced Surveyor	Name of Unit & reference	Floor	Built up area approved floor wise (in sq.m)
1	2	3	4	5	6
	S-SD-100 A	Shri Arjun Jot Singh Bhalla, M/s. RSP Architects Planner and Engineers (India), pvt. Ltd. RSP House 30, Museum Road, Bangalore-560 001 Lic.No. CA/89/12248	Master plan, key plan, site circumference location plan, Area statements, open, amenity space calculation.		
2	S-101	do	Ground floor plan for Training Centre.	GF	2676.605
3	S-102	do	First floor plan for Training Centre.	FF	1052.364
4	S-103	do	Roof plan.		
5	S-104	do	Section AA, BB, CC, DD, EE.	---	---
	S-105	do	Elevations.	---	---
7	S-106	do	Ground and First floor Area diagram and calculation.	---	---
				TOTAL AREA	3728.969

ABSTRACT

1)	Existing Built up area approved on all floors	=	50106.821 Sq.m.
2)	Total Built up area approved (Under Construction)	=	27763.769 Sq.m
3)	Total Built up area approved now on all floors	=	3728.969 Sq.m
4)	Total upto date Built up area approved on all floors	=	81599.559 Sq.m
5)	Total upto date FAR consumed	=	0.298

Previous permission granted vide this office letter No. Nil
 dt. Nil for Nil m2 of built up area on all floors treated as cancelled.

(Signature)
 (S. K. Avachat)
 Executive Engineer

M.I.D.C.I.T. Dn Kubera Chambers,
 Shivaji Nagar, Pune - 05.

Annexure VI

Item No. 4 (Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI****(Through Video Conferencing)**

Original Application No. 31/2020 (WZ)

Shashikant Vithal Kamble

Applicant(s)

Versus

State of Maharashtra & Ors.

Respondent(s)

Date of hearing: 14.08.2020

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s) : Mr. Brajesh Kumar, Advocate

ORDER

1. By way of filing this application, the applicant has raised the issue of illegal construction without environmental clearance.
2. Issue notice to the respondents. Returnable within four weeks.
3. Applicant is directed to take required step for service to the respondents by both ways, *Dasti* as well as by Registered Post and also send the required documents by available e-mail.
4. Service of notices, summons and pleadings etc. have not been possible during the period of lockdown because this involves visits to post offices, courier companies or physical delivery of notices, summons and pleadings. We, therefore, consider it appropriate to direct that such services of all the above may be effected by e-mail, FAX, commonly used instant messaging services, such as WhatsApp, Telegram, Signal etc.

5. The respondents are directed to file their reply within six weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
6. In the meantime, we deem it just and proper to constitute a Committee consisting (i) District Collector, Pune, (ii) State Environment Impact Assessment Authority (SEIAA) and (iii) Maharashtra Pollution Control Board (MPCB) and to direct to visit and submit a factual and action taken report within six weeks. MPCB will be the nodal agency for compliance.
7. Let a joint report in the matter be filed by MPCB by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
8. The applicant is directed to provide copy of the application and all relevant documents to the Committee within a week by post and also by available e-mail.
9. List it on 03.12.2020.

Sheo Kumar Singh, JM

Dr. Satyawan Singh Garbyal, EM

August 14, 2020
Original Application No. 31/2020 (WZ)
R

"EXHIBIT-D"

Amendment VII 373

73

GOVERNMENT OF MAHARASHTRA

Tel. No. : 2281 95 17
Fax No. : 2202 59 46

No. SEAC-2010 /CR -297/TC-2
Office of the
Environment Department,
217(Annex), Mantralaya,
Mumbai - 400 032.
Date : 12/2010
10/11/2011

By Fax/ RPD
To,

M/s. Embassy Dynasty Developers Pvt. Ltd.
Plot No.3, Rajiv Gandhi Infotech Park, Phase II,
MIDC Hinjewadi, Pune

Subject: Show Cause notice under the Environment (Protection)
Act 1986 read with Environment Impact Assessment
Notification dated 14.09.2006.

WHEREAS, it is obligatory on your part to obtain prior Environmental Clearance from competent authority as per the Environment Impact Assessment Notification dated 14th September 2006 before starting building construction activity.

AND WHEREAS, you have applied for Environmental Clearance for IT Park at Plot No.3, Rajiv Gandhi Infotech Park, Phase II, MIDC Hinjewadi, Pune. During the meeting of State Expert Appraisal Committee held 26th August, 2010, it was observed that you have started the construction activity without prior Environmental Clearance.

AND WHEREAS, you have violated EIA Notification, 2006 by not obtaining Environmental Clearance before starting the project activity.

Now, therefore 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 and 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 provision of the Environment (Protection) Act 1986 and rules made thereunder ?

You are hereby directed to submit your reply within 15 days after receipt of this show case notice, failing which, the Govt. of Maharashtra will have no option than to initiate appropriate legal action against you, which may be noted.



(Valsa R. Nair Singh)
Secretary, Environment Department

~~Page No. 44~~

Government of Maharashtra

Ec letter

11/07/2011

File No.: SEAC- 2010/CR.297/TC.2

Environment department,

Room No. 217, 2nd floor,

Mantralaya Annexe,

Mumbai 400 032

Date: 29th March, 2011

11th July, 2011

To,
M/s. Embassy Property Development Pvt. Ltd.
Embassy Point, # 150 Infantry Road,
Bangaluru 560001
Maharashtra

Subject: IT Park Embassy Techzone at plot no. 03, Rajiv Gandhi Infotech Park, Phase II, MIDC, Hinjewadi, Pune by M/s. Embassy Property Development Pvt. Ltd. - Environmental clearance regarding.

Sir,

This has reference to your communication dated nil on the above mentioned subject. The proposal was considered as per the EIA Notification - 2006, by the State Level Expert Appraisal Committee, Maharashtra in its 11th, 19th & 20th meetings and decided to recommend the project for prior environmental clearance to SEIAA. Information submitted by you has been considered by State Level Environment Impact Assessment Authority in its 26th meeting held on 26th August, 2010.

2. It is noted that the proposal is for grant of Environmental Clearance for IT Park Embassy Techzone at plot no. 03, Rajiv Gandhi Infotech Park, Phase II, MIDC, Hinjewadi, Pune by M/s. Embassy Property Development Pvt. Ltd. SEAC considered the project under screening category is 8(b) as per EIA Notification 2006.

Brief Information of the project is summarized as below-

Name of the Project	:	IT Park Embassy Techzone
Project Proponent	:	M/s. Embassy Property Development Pvt. Ltd.
Location of the project	:	Plot no. 03, Rajiv Gandhi Infotech Park, Phase II, MIDC, Hinjewadi, Pune
Type of Project	:	Construction Project
Total Plot Area	:	2,76,874.00 sq. m.
Total Built up area	:	4,89,815.41 sq. m. FSI: 464732.62 sq.m.
Estimated cost of the project	:	₹ 435 Crores
No. of Buildings	:	Office Building : 11 Multilevel car parking: 6 Food court : 1 Training Center: 1 Utility & Service : 2



Water Requirement: Total: 2400 KLD

- (i) Fresh water: 1400 KLD from MIDC
- (ii) Recycled water: 1000 KLD from STP

Wastewater generated: 1920 KLD; Wastewater will be treated in 8 Nos. of STP

Capacity of STP: total Capacity 2120 CMD;

Treated water will be used for flushing, gardening and cooling tower make up.

Rain water Harvesting:

- Terrace water harvesting capacity : 2520 m³
- Lake storage capacity : 7200 m³
- Bore hole details: up to 50 meters, there was no occurrence of ground water and hence recharging bore well option is ruled out.
- Ground Water Authority shall be consulted for finalization of appropriate rainwater harvesting technology.

Storm water drainage:

The plot has steep gradient from 125 m to 98 m. This slope is fully utilized while planning various buildings and roads. The natural drain formed due to these slopes is maintained and enhanced for smooth passage of water due to heavy rainfall reported in this area (3000 mm / year).

Solid Waste Generation:

Construction phase:

Solid waste during the construction phase would comprise mainly of excavated earth, stones etc. Entire quantity of the excavated earth will be back filled.

Operation Phase:

- a. Dry Garbage : 100 Kg/day
- b. Wet Garbage: 30 Kg/day
- c. STP sludge : 0.216 MT/day

Disposal:

- All wastes generated during the operation phase on the site will be properly segregated before disposal.
- Biodegradable garbage generated from food courts and eating joints will be shredded and treated in vermiculture pits. The resulting manure will be used as fertilizer in the landscaped area.
- The non-biodegradable waste will be segregated and disposed through appropriate waste dealers
- Sewage sludge generated from the STP will be used as organic manure.

Energy:

Power Requirement: 149970 KVA; Source: Maharashtra State Electricity Board (MSEB).

D. G. sets : 3 Nos. of D. G. sets with capacity of 100 KVA each will be provided as power back up for essential service.

Energy Conservation:

- Use of efficient lamps, luminaries and control devices
- Reducing wastage
- Ensuring proper utilization of daylight and control glare from windows

- Maintaining lighter finishes of ceilings, walls and furnishings
- Implementing periodic schedule for cleaning of luminaries and group replacement of lamps at suitable intervals

Green Belt Development: area for green belt: 104460.30 sq. m.; Total 7000 Nos. of trees will be planted.

Traffic Management:

- Car parking: 8421 Nos. and 2 wheeler of about 2500 sqm equivalent to 8000 car parks will be provided
- Width of internal road: 26 m

Environmental Management Plan:

Construction Phase: Capital: ₹ 1 lakh and labor ₹ 4 lakhs

Operation Phase:

Sr. No.	Activity	Capital cost	O&M cost per annum
A	STP		
1	Block 1 and block 2 STP	₹ 55 lakhs	₹ 7 lakhs
2	Block 11 and training centre STP	₹ 55 lakhs	₹ 7 lakhs
3	Block 3 STP	₹ 55 lakhs	₹ 7 lakhs
4	Block 4 STP	₹ 55 lakhs	₹ 7 lakhs
5	Block 5 STP	₹ 55 lakhs	₹ 7 lakhs
6	Block 6,7 and 8 STP	₹ 75 lakhs	₹ 7 lakhs
7	Block 9 and food court STP	₹ 75 lakhs	₹ 7 lakhs
8	Block 10 STP	₹ 75 lakhs	₹ 7 lakhs
B	Horticulture	₹ 200 lakhs	₹ 25 lakhs
C	Air pollution control measures	₹ 25 lakhs	₹ 5 lakhs
D	Noise pollution control measures	₹ 36 lakhs	₹ 2 lakhs
E	Solid non hazardous waste management and disposal	-	₹ 12 lakhs
F	Solid hazardous waste management and disposal	-	₹ 25 lakhs

3. The proposal has been considered by SEIAA in its 26th meetings & decided to accord environmental clearance to the said project under the provisions of Environment Impact Assessment Notification, 2006 subject to implementation of the following terms and conditions:-

- Wet garbage should be treated by Vermi Composting (If necessary advanced treatment like Organic Waste Converter to be used) and treated waste (manure) should be utilized in the existing premises for gardening. And, no wet garbage will be disposed outside the premises. Local authority should ensure this.
- This environmental clearance is issued subject to land use verification. Local authority / planning authority should ensure this with request to Rules, Regulations, Notifications, Government Resolutions, Circulars, etc. issued if any. This environmental clearance issued with respect to the environmental consideration and it does not mean that State Level Impact Assessment Authority (SEIAA) approved the proposed land use.
- Project proponent shall ensure completion of STP, MSW disposal facility, green belt development prior to occupation of the buildings. No physical occupation or allotment will be given unless all above said environmental infrastructure is installed

- and made functional including water requirement in Para 2. Prior certification appropriate authority shall be obtained.
- (iv) Local body should ensure that no occupation certificate will be issued prior to operation of STP/MSW site with due permission of MPCB. Physical possession should be given only after completion of environmental & other infrastructures which development charges are being collected by local body.
 - (v) The height, Construction built up area of proposed construction shall be in accordance with the existing FSI/FAR norms of the urban local body & it should ensure the same along with survey number before approving layout plan & before applying for commencement certificate to proposed work. ULB should also ensure the zoning permissibility for the proposed project as per the approved development plan of the area.
 - (vi) "Consent for Establishment" shall be obtained from Maharashtra Pollution Control Board under Air and Water Act and a copy shall be submitted to the Environment department before start of any construction work at the site.
 - (vii) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.
 - (viii) A First Aid Room will be provided in the project both during construction and operation of the project.
 - (ix) Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc.
 - (x) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
 - (xi) Arrangement shall be made that waste water and storm water do not get mixed.
 - (xii) All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
 - (xiii) Additional soil for leveling of the proposed site shall be generated within the sites (to the extent possible) so that natural drainage system of the area is protected and improved.
 - (xiv) Green Belt Development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO/ Agriculture Dept.
 - (xv) Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
 - (xvi) Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
 - (xvii) Construction spoils, including bituminous material and other hazardous materials must not be allowed to contaminate watercourses and the dumpsites for such material must be secured so that they should not leach into the ground water.
 - (xviii) Any hazardous waste generated during construction phase should be disposed off as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
 - (xix) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.
 - (xx) The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from concern authority shall be taken.

A. N. R. B. -4-

- (xxi) Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- (xxii) Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/MPCB.
- (xxiii) Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September 1999 and amended as on 27th August, 2003. (The above condition is applicable only if the project site is located within the 100Km of Thermal Power Stations).
- (xxiv) Ready mixed concrete must be used in building construction.
- (xxv) The approval of competent authority shall be obtained for structural safety of the buildings due to any possible earthquake, adequacy of fire fighting equipments etc. as per National Building Code including measures from lighting.
- (xxvi) Storm water control and its re-use as per CGWB and BIS standards for various applications.
- (xxvii) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- (xxviii) The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.
- (xxix) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/refused to the maximum extent possible. Treatment of 100% gray water by decentralized treatment should be done. Discharge of unused treated affluent shall conform to the norms and standards of the Maharashtra Pollution Control Board. Necessary measures should be made to mitigate the odour problem from STP.
- (xxx) Project proponent shall ensure completion of STP, MSW disposal facility prior to occupation of the buildings and should obtain completion certification for these systems/aspects from MPCB.
- (xxxi) Local body should ensure that no occupation certification is issued prior to operation of STP/MSW site etc. with due permission of MPCB.
- (xxxii) Permission to draw ground water shall be obtained from the competent Authority prior to construction/operation of the project.
- (xxxiii) Separation of gray and black water should be done by the use of dual plumbing line for separation of gray and black water.
- (xxxiv) Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
- (xxxv) The solid waste generated should be properly collected and segregated. Wet garbage should be composted and dry/inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.
- (xxxvi) Use of glass may be reduced up to 40% to reduce the electricity consumption and load on airconditioning. If necessary, use high quality double glass with special reflective coating in windows.
- (xxxvii) Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement.
- (xxxviii) Energy conservation measures like installation of CFLs /TFLs for the lighting the areas outside the building should be integral part of the project design and should be

- in place before project commissioning. Use CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the extent possible like installing solar street lights, common solar water heaters system. Project proponent should install, after checking feasibility, solar plus hybrid non conventional energy source as source of energy.
- (xxxix) Diesel power generating sets proposed as source of back up power for elevators and common area illumination during operation phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- (xl) Noise should be controlled to ensure that it does not exceed the prescribed standards. During nighttime the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.
- (xli) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- (xlii) Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code, which is proposed to be mandatory for all air-conditioned spaces while it is aspirational for non-air-conditioned spaces by use of appropriate thermal insulation material to fulfill requirement
- (xliii) The building should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation
- (xliv) Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings.
- (xlv) Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining environmental clearance.
- (xlvi) Six monthly monitoring reports should be submitted to the Department and MPCB.
- (xlvii) A complete set of all the documents submitted to Department should be forwarded to the MPCB
- (xlviii) In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Department.
- (xlix) No land development / construction work preliminary or otherwise relating to the project shall be taken up without obtaining due clearance from respective authorities.
- (i) A separate environment management cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.
- (ii) Separate funds shall be allocated for implementation of environmental protection measures/EMP along with item-wise breaks-up. These cost shall be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes and year-wise expenditure should reported to the MPCB & this department.
- (iii) The project management shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the marathi language of the local concerned within seven days of issue of this letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the Maharashtra Pollution Control Board and may also be seen at Website at <http://envi.maharashtra.gov.in>.

 -6-

- (liii) Project management should submit half yearly compliance reports in respect of the stipulated prior environment clearance terms and conditions in hard & soft copies to the MPCB & this department, on 1st June & 1st December of each calendar year.
- (liv) A copy of the clearance letter shall be sent by proponent to the concerned Municipal Corporation and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
- (lv) The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely: SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
- (lvi) The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.
- (lvii) The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.
- (lviii) The environmental clearance is being issued without prejudice to the court pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision of the Hon'ble court will be binding on the project proponent. Hence this clearance does not give immunity to the project proponent in the case filed against him.
4. Project proponent should submit exactly same documents for approval of building plans to the concern authorities as per the documents submitted to the SEIAA for prior Environmental Clearance. If there is any change stipulated by HRC or any other concern authorities then recast plan should be submitted to the Authority for approval.
5. If there is any change in local town planning rules including FSI, Non FSI, parking area, RG area etc which changes building plans, then Project Proponent should approach SEIAA again. It is the sole responsibility of the Project Proponent to submit the same building plans otherwise liable to initiate due action under E P Act
6. Project proponent should submit exactly same documents for approval of building plans to the concern authority as per the documents submitted to the SEIAA for prior Environmental Clearance
7. Project proponent shall not make any change in Layout Plan/ Master Plan submitted to the Authority without its prior permission and shall submit approved layout plan to Department before commencement of construction work.
8. In case of submission of false document and non compliance of stipulated conditions Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.



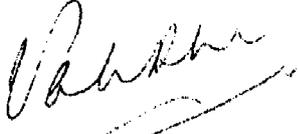
9. The Environment department reserves the right to add any stringent condition or to revoke the clearance if conditions stipulated are not implemented to the satisfaction of the department or for that matter, for any other administrative reason.

10. **Validity of Environment Clearance:** The environmental clearance accorded shall be valid for a period of 5 years.

11. In case of any deviation or alteration in the project proposed from those submitted to this department for clearance, a fresh reference should be made to the department to assess the adequacy of the condition(s) imposed and to incorporate additional environmental protection measures required, if any.

12. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and rules there under, Hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public Liability Insurance Act, 1991 and its amendments.

13. Any appeal against this environmental clearance shall lie with the National Environmental Appellate Authority, if preferred, within 30 days as prescribed under Section 11 of the National Environmental Appellate Act, 1997.


(Valsa R Nair Singh)
Secretary, Environment
department & MS, SEIAA

Copy to:

1. Shri. Ashok Basak, IAS (Retd.), Chairman, SEIAA, 502, Charleville, 'A' Road, Church gate, Mumbai- 400 020, Maharashtra.
2. Shri. P.M.A Hakeem, IAS (Retd.), Chairman, SEAC, 'Jugnu' Kottaram Road, Calicut- 673 006 Kerala.
3. Additional Secretary, MOEF, 'Paryavaran Bhawan' CGO Complex, Lodhi Road, New Delhi - 110510
4. Member Secretary, Maharashtra Pollution Control Board, with request to display a copy of the clearance.
5. The CCF, Regional Office, Ministry of Environment and Forest (Regional Office, Western Region, Kendriya Paryavaran Bhavan, Link Road No- 3, E-5, Ravi-Shankar Nagar, Bhopal- 462 016). (MP).
6. Regional Office, MPCB, Pune.
7. Collector, Pune.

Annexure - IX

Page No: 45

GOVERNMENT OF MAHARASHTRA

Tel. No. : 2281 95 17

Fax No. : 2202 59 46

File No. SEAC-2010 /CR -297/TC-2

Office of the -

Environment Department,

217(Annex), Mantralaya, Mumbai - 400 032.

Date : 29/10/2011

30/10/2011

By Fax/ RPD

To.

- 1) M/s. Embassy Property Developments Ltd. (Previously known as Dynasty Developers Pvt. Ltd.)
Plot No.3, Rajiv Gandhi Infotech Park, Phase II,
MIDC Hinjewadi, Pune
- 2) Chief Executive Officer,
Maharashtra Industrial Development
Corporation,
Udyog Sarathi, Mahakali Caves Road,
Andheri(E), Mumbai-400 093
- 3) Member Secretary,
Maharashtra Pollution Control Board (MPCB)
Kalpataru Point, 3rd and 4th floor,
Opp. Cine Planet, Sion Circle,
Mumbai - 400 022

ORDER

Subject: Final directions under section 5 of the Environment (Protection) Act, 1986 read with Environment Impact Assessment Notification dated 14.09.2006

Reference:

1. Board of Resolution passed by the M/s. Embassy Property Developments Ltd. vide letter dated 23.6.2011
2. Occupation certificate issued on 16.6.2008 for 50,106.84 sq. m. by the Office of the Executive Engineer, Maharashtra Industrial Development Corporation (MIDC), IT Division, Shivaji Nagar, Pune

WHEREAS, the State Level Expert Appraisal Committee (SEAC) in its 20th meeting held on 30.9.2009 and the State Level Environment Impact Assessment Authority (SEIAA) in its 26th meeting held on 26.8.2010 observed that M/s. Embassy Property Developments Ltd. had started construction activity without prior

(29)

Environmental Clearance for 'Embassy Techzone' - IT Park at Plot No.3, Rajiv Gandhi Infotech Park, Phase II, MIDC Hinjewadi, Pune.

AND WHEREAS, the Environment Department had issued a show cause notice to M/s. Embassy Property Developments Ltd. for the said project vide letter dated 10.1.2011 for the violation of the EIA Notification dated 14th September, 2006.

AND WHEREAS, a personal hearing was extended to M/s. Embassy Property Developments Ltd. on 15.3.2011 in this matter by the Environment Department.

AND WHEREAS, it is noticed from the record and oral submission made by M/s. Embassy Property Developments Ltd. that -

1. The construction work at the above site was initiated without obtaining prior environmental clearance from the competent authority.
2. The Office of the Executive Engineer, Maharashtra Industrial Development Corporation (MIDC), IT Division, Shivaji Nagar, Pune issued occupation certificate on 16.6.2008 for 50,106.84 sq. m. in the absence of Environmental Clearance.

AND WHEREAS, the Environmental Clearance letter issued for the 4,89,815.41 sq.m. built up area as per decision of the 26th meeting of State Level Environment Impact Assessment Authority (SEIAA) held on 26.8.2010 and MoEF office Memorandum No. J-11013/41/2006-(IA).IK(D) dated 16th November, 2010 reveals that the project proponent is not exempted for the violation of the EIA Notification, 2006 and action may be initiated under the provision of the Environment (Protection) Act, 1986 against the defaulters.

Now therefore, taking into consideration the factors involved -

(30)

A) The Chief Executive Officer, Maharashtra Industrial Development Corporation is hereby directed for initiating appropriate action against -

1. "The officer / officers who have committed the offence by way of issuing the occupation certificate in absence of prior environmental clearance. Such officer / officers is/are liable to be proceeded against according to their Service Rules.
2. To initiate the appropriate said action immediately and inform accordingly."

In case, the above directions are not complied within a one month from the date of receipt of this order, the Department will be constrained to undertake action under Section 17 of the Environment (Protection) Act, 1986 read with EIA Notification against the delinquent officer/ officers after confirming their name, address and designation from your office.

B) Member Secretary / Regional Office Pune, Maharashtra Pollution Control Board (MPCB) is hereby authorized as per Section 19 (a) of Environment (Protection) Act, 1986 to file the case for the offence committed by M/s. Embassy Property Developments Ltd under section 15 of the Environment (Protection) Act, 1986 read with Environment Impact Assessment Notification dated 14.09.2006 and to initiate further line of action in this regard for filing the said proceedings before the appropriate court of law.



(Valsa R Nair-Singh)
Secretary, Environment department

016

Copy for necessary action:

1. Principal Secretary, Department of Industry, Mantralay
2. Regional Office, Jog Center, 3rd floor, Mumbai Pune Road, Wakdevadi, Pune - 411003.

Issued
92
7/12/11

Annexure - X

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE COURT

AT PUNE

REGULAR CRIMINAL CASE NO. 3636 OF 2012

Maharashtra Pollution Control Board, }
 Kalpataru Point, 3rd Floor, }
 Sion-Matunga Scheme Road No.8, }
 Opp.Cine Max Cinema, Sion (East), }
 Mumbai -400 022 }
 (Respresented by A. D; Mohekar }
 The Regional Officer, Pune }
 Maharashtra Pollution Control Board, }
 Jog Centre, III rd Floor }
 Wakadewadi, Opp. Pune-Mumbai Road }
 Hiro-Honda Show Room }
 Oune -411 003.) } ... Complainant

V/s.

- 1) M/s.Embassy Property Developers }
 Pvt. Ltd. }
 (Previously known as Dynasty }
 Developers Pvt. Ltd. }
 Plot No. 3, Rajiv Gandhi }
 Infotech park, Phase-II, MIDC }
 Hinjewadi, Pune. }
 (Summons to be served upon }
 Shri Ashwin Prabhune, }
 Manager (Corporate business) }
 Age about-Adult }
 Occupation- Business }
 2) Shri Ashwin Prabhune, }
 Manager (Corporate business) }
 M/s. Embassy Property Developers }

Pvt. Ltd. Plot No. 3, Rajiv Gandhi }
 Infotech Park, Phase-II, MIDC }
 Hinjewadi, Pune } ...Accused.

Complaint under section 15,16 of the
 Environment (Protection) Act,1986
 read with the Environment Impact
 Assessment Notification,2006
 amended from time to time.

MAY IT PLEASE YOUR HONOUR

The Complainant abovenamed begs to submit as under:

- 1) The Complainant is the Maharashtra Pollution Control Board (Hereinafter referred to as " the Board " for the sake of brevity), constituted under section 4 of the Water (Prevention & Control) Act,1974 and shall be deemed to be the State Board for the prevention & control of air pollution constituted under section 5 of the Air (Prevention & Control of Pollution) Act,1981 respectively. The Board shall be a Body Corporate, having perpetual succession and a common seal with the power to sue or to be sued. The Maharashtra Pollution Control Board has been constituted under the provisions of the Water (Prevention &Control of Pollution) Act, 1974 and shall be deemed to be the State Board for the prevention , control & abatement of air pollution in the State of Maharashtra. The Board is further responsible for the implementation of the various provisions of the Environment (Protection) Act,1986 and Rules made thereunder by the Central Government from time to time including the implementation of the Environment Impact Assessment Notification/s issued by the Central Government under the provisions of the Environment (Protection) Act,1986. The Complainant craves leave to refer to and rely upon the said Environmental Laws whenever required alongwith the applicability thereof to the State of Maharashtra.

- 2) The Complainant-Board is represented by Shri A. D. Mohekar, who is working as a Regional Officer of the Complainant-Board at Pune and Incharge Officer for the implementation of the provisions of the various Environmental Laws including the implementation of the then EIA Notification, 1994, as amended on 7/7/2004 as well as the present EIA Notification, 2006. He is a Public Servant within the meaning of Section 21 of the Indian Penal Code as per the provisions contained u/s 50 of the Water (Prevention & Control of Pollution) Act, 1974, Section 44 of the Air (Prevention & Control of Pollution) Act, 1981 and u/s 21 of the Environment (Protection) Act, 1986 and Rules made thereunder.
- 3) The Complainant-Board further states that, the Secretary, Environment Department, Govt of Maharashtra vide letter dtd 7/5/2012 has directed the Member Secretary/ Regional Office Pune of the Complainant-Board, to initiate necessary action under the provisions of the Environment (Protection) Act, 1986 in respect of the violations made by the Accused by carrying out the construction without obtaining prior Environmental Clearance under the EIA Notification, 2006 for the construction of the property at Plot No. 3, Rajiv Gandhi Infotech Park, Phase-II, MIDC Hinjewadi, Pune, which was in progress without obtaining prior Environmental Clearance under the EIA Notification, 2006. A copy of the said letter dtd 7/5/2012 is enclosed herewith and marked as an Annexure-I.
- 4) The complainant further states that as per EIA Notification, 2006, Prior Environmental Clearance from competent Authority is required before commencing any construction activity for construction above 20,000 sq. mtrs. built up area, which means covered area on all the floors put together including basement(s) and other service areas, same are proposed in the building/ construction projects for entire redevelopment project. A copy of the EIA Notification, 2006 dtd 14/9/2006 is enclosed herewith and marked as an Annexure-II.

- 5) The complainant further submits that as per S.O.No.394 (E) dtd 16/4/1987 and further amended from time to time total 12 Authorities and Officers listed in Column (2) of the Table authorized for the purpose of taking cognizance of the offence/s under the provisions of the Environment (Protection) Act , 1986 including any Director, Joint Director , Advisor or Additional Secretary to the Govt of India in the Department of Environment, Forests and Wild Life. The present violation is in respect of not obtaining the Environment Clearance under the provisions of EIA Notification, 2006. The role of the Board in respect of such Notification is limited to conduct public hearing and submit report on public hearing to the Competent Authorities (Ministry of Environment & Forests, Govt. of India/ State Government) and for monitoring the compliance of the EIA Notification, the Zonal Officer at Bhopal has been empowered by the Central Pollution Control Board. The Complainant-Board is further entrusted with the implementation of the Water (Prevention & Control of Pollution) Act, 1974 , the Air (Prevention & Control of Pollution) Act,1981 and the Environment (Protection) Act,1986, as amended from time to time including rules framed thereunder.
- 6) It is obligatory on the part of the projects requiring an Environmental Clearance to obtain necessary prior Consent to Establish before starting installation of the project and no effective steps are to be taken till an Environment Clearance is obtained as per EIA Notification, 2006, clause 8 (a) of the Schedule for the List of projects or activities requiring prior Environment Clearance for the building and construction projects of more than 20,000 sq. mtrs built up area. After grant of an Environment Clearance only, effective steps for establishment of the project can be taken. The Complainant -Board can grant Consent to operate only after obtaining an Environment Clearance and after complying with the conditions of Consent to Establish.

- 7) That, the Secretary , Environment Department, Govt of Maharashtra has directed the Member Secretary/ Regional Office Pune of the Complainant-Board who is /are authorized as per section 19 (a) of the Environment (Protection) Act, 1986 to file the complainant for the offence committed by the Accused under section 15 of the Environment (Protection) Act, 1986 read with Environment Impact Assessment Notification dtd 14/9/2006 vide order dtd 7/5/2012 .
- 8) That, the complainant further states that the Accused No.1 is carried out construction activities in the name of Embassy Technozone-IT Park. The company having its present registered office at Plot No. 3, Rajiv Infotech Park, Phase-II, MIDC Hinjewadi, Pune and the Accused No.1 is represented by the Accused No2. The Accused No.2 is the Manager (Corporate Business) of the Company and incharge of and responsible for day to day affairs of the Company and its business.
- 9) The complaint is mainly filed on the basis of the directions issued by the Secretary, Environment Department, Govt of Maharashtra to the Maharashtra Pollution Control Board to initiate action against Accused No.1. The complaint is filed on the following grounds :
- (i) The Accused have made an application for Consent to Establish under section 26 of the Water (Prevention & Control of Pollution) Act 1974, under section 21 of the Air (prevention & Control of Pollution) Act 1981 read with Hazardous Waste (Management, Handling & Transboundary) Rules 2008 to the complainant Board for their proposed IT Park project at Plot No. 3, Rajiv Gandhi Infotech Park, Phase-II, MIDC Hinjewadi, Pune.
 - (ii) In order to verify the present status, the officials of the Complainant Board at Pune had visited the site in question on 8/12/2011 & observed that the Accused have started construction activity and partly completed and started use of it without obtaining consent from the

Board as well as without obtaining Environmental clearance from the competent Authorities thereby violating the Environmental Laws. In view of the above non-compliance, the Complainant Board had issued Show cause notice under the various Environmental Enactment on 21/12/2011. An office copy of the Show cause notice dtd 21/12/2011 is enclosed and marked as an Annexure-III.

10)(iii) In the meantime, the Accused No.1 had obtained the Environment Clearance from the State Level Environment Impact Assessment Authority on 29/3/2011 for the IT Park Embassy Techzone at the aforesaid site for the total construction area of 2,76,874.00 sq. mtrs and total built up area of 4,89,815.41 sq. mtrs. subject to certain terms & conditions. It is one of the Condition is that "the environmental Clearance is being issued without prejudice to the court case pending in the court of law & it does not mean that the project proponent has not violated any environmental laws in the past and whatever decision of the Hon'ble court will be binding on the project proponent. Hence this clearance does not give immunity to the project in the case filed against him". An office copy of the Environment Clearance granted vide letter dated 29/3/2011 is enclosed and marked as an Annexure-IV. The Complainant Board crave leave to refer to rely upon the said documents & correspondence as & when produced by the Environment Deptt. Govt. of Maharashtra.

11) That, the Environment Deptt. Govt. of Maharashtra has again issued the show cause notice vide letter dated 10/1/2011. Further, the Environment Deptt. has extended personal hearing to the Accused No.1 on 15/3/2011. During the course of hearing, it has been observed that the construction work at the site bearing Plot No.3 , Rajiv Gandhi Infotech Park, Phase-II, MIDC Hinjewadi, Pune was initiated without obtaining prior Environmental Clearance from the competent Authority. The office of the Executive

Engineer, Maharashtra Industrial Development Corporation (MIDC), IT Division, Shivaji Nagar, Pune issued occupation certificate on 16/6/2008 for the area of 50,106,84 sq. mtrs. in the absence of Environmental Clearance.

12) The Secretary, Environment Department, Govt. of Maharashtra had issued Final Directions to the Accused No.1, u/s 5 of the Environment (Protection) Act, 1986 read with EIA Notification dtd 14/9/2006 to the Accused No.1 vide letter dated 30/11/2011. An office copy of the Final directions dtd 30/11/2011 is enclosed and marked as an Annexure V. The Complainant Board craves leave to refer to rely upon the said documents & correspondence as & when produced by the Environment Deptt. Govt. of Maharashtra.

13) That, in order to monitor the compliance of the conditions stipulated in the Environmental Clearance, the officials of the Board at Pune visited the aforesaid construction site of the Accused No. 1 on 8/12/2011 and observed that, there are total 9 blocks in the premises of the Accused No.1. Out of these blocks, construction work of block No. 1, 2, 3, 5 & 6 is completed & rest of the block No. 4, 7, 8 & 9 construction work is not yet started. At present the Accused No. 1 has provided the STP of capacity 230 CMD provided for treatment of sewage generating from Block No. 1 & 2, which is made functional. Construction work of STP's for Block No. 3, 5 & 6 is in progress. Sump capacity of 100CMD are provided for 7 blocks except block No. 1 & 2 for rain water harvesting purpose. An office copy of the visit report alongwith the photographs are enclosed and marked as an Annexure - VI.

14) That, the Accused have failed to obtain prior Environment Clearance as per the EIA Notification, 2006 for the building and construction activity / project having built up area more than 20,000 sqmtrs constructed after 14/9/2006. As per EIA Notification, 2006 prior Environment Clearance from the Competent Authority is required before commencing any construction activity for construction above 20,000 sq.mtrs. built up area

means covered area on all the floors put together including basement (s) and other service areas, which are proposed in the building /construction projects for entire construction project. However, the Accused had carried out the construction activity on the aforesaid site without obtaining Environment Clearance for the same.

15) The Accused have thus committed the offence/s punishable under section 15 & 16 of the Environment (Protection) Act, 1986 read with the Environment Impact Assessment Notification, 2006 by not obtaining Environment Clearance for the redevelopment of more than 20,000 sq mtrs & starting taking effective steps of construction from 19/5/2007 and u/s 44 read with section 25 of the Water (Prevention & Control of Pollution) Act, 1974 as well as u/s 37 read with section 21 of the Air (Prevention & Control of Pollution) Act, 1981 by starting construction without obtaining Consent to Establish. The offence is continuous one and continues till filing of the complaint.

16) The Complainant therefore prays that the process may kindly be issued against all the Accused under section 15 & 16 of the Environment (Protection) Act, 1986 read with the Environment Impact Assessment Notification, 2006 and the provisions of section 44 read with section 25 of the Water (Prevention & Control of Pollution) Act, 1974 as well as u/s 37 read with section 21 of the Air (Prevention & Control of Pollution) Act, 1981, by starting construction by taking effective steps in violation of the EIA Notification, 2006 and without obtaining Consent to Establish from the Board.

Filed on: 10/9/12

For Complainant Board,

Advocate for Complainant

-sd-
(A. D. Mohekar)

Regional Officer, Pune

List of Witnesses

- 1) A. D. Mohekar
Regional Officer, Pune
Maharashtra Pollution Control Board
Pune
- 2) Shri Sachin Adkar
Field Officer, Pune-II
Maharashtra Pollution Control Board
- 3) Ms. Valsa R. Nair Singh
The Secretary, Environment Department
Govt of Maharashtra
217 (Annex), Mantralaya,
Mumbai- 32.
- 4) Shri A.R. Parshurame,
Member Secretary, State
Expert Appraisal Committee,
Environment Department,
15th Floor, New Administration Bldg,
Mantralaya, Mumbai-32.

MAHARASHTRA POLLUTION CONTROL BOARD

REGIONAL OFFICE PUNE

Phone :- (020) 25811627 / 25811694
 Fax :- (020) 25811701 / 25811029
 Website :- <http://mpcb.gov.in>
 E-mail :- ropune@mpcb.gov.in



3rd Floor, "Jog Center", Wakdewadi
 Pune - Mumbai Road
 Pune - 411 003.

MPCB / ROP 3142/11

Date: 21/12/2011

To,
 M/s Pune Embassy Projects Pvt Ltd.
 SEZ (Embassy Techzone Park) plot No. 3 B,
 Rajiv Gandhi Infotech Park,
 Phase II, MIDC Hinjawadi, MIDC, Pune

Sub : Show Cause Notice for non-compliance of various Environmental Enactment.

Ref : 1. Visit of Office of the Board dated 08.12.2011
 2. Your application for consent to establish dated 02.12.2011

WHEREAS, your project is located in the "Pollution Prevention Area" under the Water Act, 1974; Air Act, 1981 and Authorization under the Hazardous Wastes (M & TM) Rules, 2008. Also, it was obligatory on your part to apply and obtain Consent to Establish / Operate from the MPC Board and environment clearance from competent authority before start of construction activity under above referred Acts & Rules and to provide comprehensive treatment system as is warranted with reference to the effluent/emission generation and to achieve the standards to be prescribed in the consent./Environment clearance.

AND WHEREAS, the officer of officer of the Board has visited your site on dated 08.12.2011 and it has been noticed that; You have started construction activity and partly completed and started use of it prior to obtaining consent from the Board, thereby violated various environmental enactments.

NOW, THEREFORE, you are hereby called upon to show cause as to why further action in this matter shall not be initiated against your project for the above non-compliances. You are also instructed not to take any effective steps towards construction activity/ operation activity till you obtain consent from the Board.

The reply/objections if any shall reach directly to RO (HQ), Kalpataru Point, 3rd & 4th floor, Sion- Matunga Scheme Road No. 8, Opp. Cine planet Cinema, Near Sion Circle (E), Mumbai within seven days from the receipt of this notice, failing which further action as deem fit shall be initiated against your project as per the provisions in various environmental enactments, which may please be noted.

P. K. Mirashe
 (P. K. Mirashe)
 Regional Officer, Pune

Copy for information to:-
 The Joint Director, PAMS MPC Board, Mumbai

Copy to:-
 The Sub Regional Officer, MPCB, Pune II
 For necessary follow up action.

Adkar
 Take entry & follow up
GW
 23/12/2011

IN THE HIGH COURT OF JUDICATURE BOMBAY

IN ITS CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3574 OF 2013

M/s. Embassy Property Developers Pvt. Ltd. & Anr. ...Petitioners

Versus

The State of Maharashtra & Anr. ...Respondents

INDEX

Sr. No	Particulars	Page No
1.	Roznama	I-II
2.	Synopsis	A-D
3.	Memo of Petition.	1-26
4.	Exhibit-"A" - Copy of Board Resolution dated 18.06.2012.	27
5.	Exhibit-"B" - Copy of letter dated 30.11.2011.	28-30
6.	Exhibit-"C" - Copy of EIA Notification dated 14.09.2006.	31-72
7.	Exhibit-"D" - Copy of Show Cause Notice dated 10.01.2011.	73
8.	Exhibit-"E" - Copy of Environmental Clearance letter dated 11.07.2011.	74-82
9.	Exhibit-"F" - Copy of Minutes of Meeting dated 16.11.2009*	83-99
10.	Exhibit-"G" - Copy of Minutes of Meeting dated 30.11.2009.	100-117
11.	Exhibit-"H" - Copy of Complaint.	118-181

12.	Exhibit-"I" - Copy of Order dated 04.10.2012.	182
13.	Exhibit-"J" - Copy of Sanctioning letter dated 05.08.2004.	183-187
14.	Exhibit-"K" -Copy of IT & ITES Policy 2003.	188-210
15.	Exhibit-"L" -Copy of Industrial Policy of Maharashtra 2006.	211-230
16.	Exhibit-"M" -Copy of letter from M.I.D.C. dated 03.08.2007.	231
17.	Exhibit-"N" -Copy of letter dated 28.07.2008.	232
18.	Exhibit-"O" -Copies of letters of correspondence with the Regional Officer of Maharashtra Pollution Control Board.	233-236
19.	Exhibit-"P" - Copy of Minutes of Meeting dated 26.08.2010.	237-258
20.	Exhibit-"Q" -Copy of letter dated 20.09.2010.	259-270
21.	Exhibit-"R" -Copy of Show Cause Notice dated 10.01.2011.	271-275
22.	Exhibit-"S" -Copy of Reply to Show Cause Notice.	276-279
23.	Exhibit-"T" -Copy of letter dated 05.04.2011.	280-281
24.	Exhibit-"U" -Copies of letters dated 30.11.2011 to Regional Officer of Maharashtra Pollution Control Board.	282-286
25.	Exhibit-"V" -Copies of documents pertaining to Bank Loans.	287-331
26.	Vakalatnama	332

(A)

IN THE HIGH COURT OF JUDICATURE BOMBAY

IN ITS CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. Of 2013

M/s. Embassy Property Developers Pvt. Ltd. & Anr. ...Petitioners

Versus

The State of Maharashtra & Anr. ...Respondents

SYNOPSIS

Sr. No	Date	Particulars.
1.		The Petitioner No. 1 is a company having its registered office at the abovementioned address and is one of India's most reputed property developers and promoters. The Petitioner No. 1 is represented by Mr. Gopinath A.T., who is the Authorised Representative of the Petitioner No. 1. The Petitioner No. 2 is the executive chairman of the Petitioner No. 1. The Respondent No.1 is the State of Maharashtra and the Respondent No.2 is the Maharashtra Pollution Control Board, who is the Original Complainant in Case No. 3636 of 2012 pending before the Chief Judicial Magistrate Court, at Pune.
2.		It is alleged by the Respondent No.2 that the Petitioners committed violations while carrying out the construction work of the property of the Petitioner No.1 located at the address mentioned in

(B)

		the causetitle above by not obtaining prior environmental clearance under the Environmental Impact Assessment (EIA) Notification, 2006.
3.		The Respondent No.2 filed a Complaint under Section 15 and 16 of the Environment (Protection) Act, 1986, read with the Environment Impact Assessment Notification, 2006, against the Petitioners before the Learned Chief Judicial Magistrate at Pune.
4.	04.10.2012	After going through the complaint and arguments advanced by the prosecution for the Respondent No. 2, the Learned Chief Judicial Magistrate at Pune was pleased to issue process against Petitioners for offences punishable u/s 15 & 16 of the Environmental (Protection) Act, 1986 r/w the EIA Notification, 2006, the provisions of section 44 r/w section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and U/s 37 r/w section 21 of Air (Prevention and Control of Pollution) Act, 1981.
5.		Hence This Writ Petition.

ACTS/RULES TO BE REFERRED TO:

1. Indian Penal Code, 1860
2. Code of Criminal Procedure, 1973.
3. Constituion of India, 1950.



AUTHORITIES TO BE CITED

At the time of arguments.

POINTS TO BE URGED

- a) That this Hon'ble Court may be pleased to issue a Writ of Certiorari or any other appropriate Writ or Order or Direction to quash and set aside the Order dated 04.10.2012 passed by the Learned Chief Judicial Magistrate, at Pune, arising out of Regular Criminal Case No. 3636 of 2012 filed by the Respondent for offences punishable u/s 15 & 16 of the Environmental (Protection) Act, 1986 r/w the EIA Notification, 2006, the provisions of section 44 r/w section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and U/s 37 r/w section 21 of Air (Prevention and Control of Pollution) Act, 1981 ;
- b) That this Hon'ble Court may be pleased to quash and set aside the process issued by the Learned Chief Judicial Magistrate, at Pune, in Regular Criminal Case No. 3636 of 2012 for offence punishable u/s 15 & 16 of the Environmental (Protection) Act, 1986 r/w the EIA Notification, 2006, the provisions of section 44 r/w section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and U/s 37 r/w section 21 of Air (Prevention and Control of Pollution) Act, 1981;
- c) That pending the hearing and final disposal of this petition the proceedings pending before the Chief Judicial Magistrate, at Pune in Regular Criminal Case No. 3636 of 2012 be stayed;
- d) For interim and ad - interim relief in terms of prayer clauses (c) above;

①

e) For such and further as this Hon'ble Court may deem fit to impose in the circumstances of the case.

FOR THIS ACT OF KINDNESS THE PETITIONERS AS IN DUTY BOUND SHALL EVER PRAY.

Mumbai



Advocate for Petitioners

Annexure XIII

Page No. 52

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

SEIAA-2019/CR-121/SEIAA.
 Environment Department
 Room No. 217, 2nd Floor,
 Mantralaya,
 Mumbai- 400032.
 Date: 03.06.2019.

To
 M/s. Embassy Office Parks Pvt Ltd.,
 Embassy Point, #150 Infantry Road,
 Bangaluru- 560001.

Sub : Revalidation of Environmental Clearance for the project Park Embassy Tech Zone at plot no. 03 Rajiv Gandhi Infotech Park, Phase-II, MIDC Hinjewadi Pune by M/s. Embassy Office Parks Pvt Ltd.,

Ref : 1. Application for revalidation received on 09.01.2018.
 2. Minutes of 168th meeting of SEIAA dated 21.05.2019.
 3. Earlier EC letter no SEAC-2010/CR-297/TC.2, dated 29.03.2011.

With reference to above subject matter, it is noted that, you have received Environment Clearance dated 29.03.2011. You have further applied for revalidation of Environment Clearance for said project within validity of the aforesaid EC vide above ref. (1). Your proposal for revalidation was considered in 168th meeting of SEIAA held on 29.05.2019 and as per decision taken in the meeting, the environment clearance granted vide above ref. (3) is revalidated for a period up to 27.03.2021.

The terms and conditions stipulated in the EC letter dated 29.03.2011 vide above ref. (3) shall remain the same.

(Anil Dighekar)
 Principal Secretary
 & Member Secretary, SEIAA

Annexure XIV

~~Page No. 10~~**MAHARASHTRA POLLUTION CONTROL BOARD**

Phone : 24020781 / 24010437

Fax : 24024068 / 24044532

Email : mpcb@vsnl.net

Visit At : <http://mpcb.gov.in>Kalpataru Point, 2nd, 3rd & 4th Floor,
Opp. Cineplanet, Near Sion Circle,
Sion (E), Mumbai-400022.

LIC No: PN-12434-11

Infrastructure Project/ISI

Consent No: MDCBHQ/EO/CRP/Pune/CECC/691

Date: 10/10/2012

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 5 of the Hazardous Wastes (Management, Handling & Transboundary Movement) Rules 2008.

.....

CONSENT is hereby granted to,

M/s. Pune Dynasty Projects Pvt. Ltd,
Plot No: 3B, Rajiv Gandhi Infotech Park, Phase-II,
MIDC Hinjewadi, Pune, Maharashtra.

It is hereby consented under the provisions of the Water Act, Air Act and Authorization under the provisions of E.W. (M&H) Rules and amendments thereto subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

1. The Consent to Establish is granted for a period up to: Commissioning of the Project or 5 years whichever is earlier.

For development of land / plot as new construction activities for IT-Park Project named as M/s. Pune Dynasty Projects Pvt. Ltd. Plot No: 3B, Rajiv Gandhi Infotech Park, Phase-II, MIDC Hinjewadi, Pune, Maharashtra on total plot area of 66,619 sq.mtrs & Total Construction BUA of 1,83,683.753 sq.mtrs including utilities of IT-Park Project as per construction commencement certificate issued by local body.

2. CONDITIONS UNDER WATER ACT:

- (i) The daily quantity of sewage effluent from construction project shall not exceed 320.0 M³.
- (ii) Sewage Effluent Treatment: The applicant shall provide comprehensive treatment system as is warranted with reference to influent quality and operate and maintain the same in such a manner as to ensure the quality of treated effluent to the prescribed standards.

1	pH	Not to exceed	6.5 to 9.0
2	Suspended Solids	Not to exceed	100 mg/l.
3	BOD 3 Days 27 degree C	Not to exceed	100 mg/l.
4	Fecal Coliform	Not to exceed	500/100/l mg/l.
5	Residual Chlorine	Not to exceed	01 mg/l.
6	Detergent	Not to exceed	01 mg/l.
	Floating matters	Not to exceed	10 mg/l.
	COD	Not to exceed	250 mg/l.

- (iii) Sewage Effluent Disposal: The treated domestic effluent shall be 80% recycled and reused for flushing, fire fighting, cooling of air conditioners and remaining shall be discharged into sewerline provided by local body. In no case, effluent shall find its way to any water body directly / indirectly at any time.

(iv) **Non-Hazardous Solid Wastes:**

Sr. No	Type of Segregated solid waste	Quantity (Kg/D)	Treatment	Disposal
1.	Wet Garbage	15		Use as Manure
2.	STP Sludge	20	Composting	
3.	Dry Garbage	15		Landfill site

3. **Other Conditions (during Construction Phase):**

- All activities shall be in resonance with the provisions of Indian Forest Act, 1927 (16 of 1927), Forest (Conservation) Act, 1980 (69 of 1980) and Wildlife (Protection) Act, 1972 (53 of 1972), and special notification published for area wherever applicable and all the Environmental Statutes and Instruments.
- This Consent to Establish is issued only for New Construction/Developing Construction Project purposes.
- No quarrying activities shall be commenced in the area unless appropriate permissions are obtained for a limited quarrying material required for construction of local residential housing and traditional road maintenance work, provided that such quarrying is not done on Forest Lands and the material is not exported to the outside area.
- There shall be no felling of trees whether on Forest, Government, Revenue or Private lands except as per prevailing Rules.
- Extraction of Groundwater for the project shall require prior permission of the State Ground Water Authority or other relevant authorities, as applicable.
- Near the activities that are related to water (like activity of water parks, water sports) and/or in the vicinity of lake, Dissolved Oxygen shall not be less than 5 mg/liter.
- In order to ensure that the water from this project do not enter into outside environment, the nallas crossing the township/complex premises, shall be lined, covered and made water tight by the applicant within the premises with intermittent inspection of chambers following good engineering practices as per the regulations of local body.
- The Applicant shall prepare management plan for water harvesting, roof-water reclamation, water/storm water conservation and implement the same before handing over of complex for occupation.
- The Applicant shall provide district fire charges meter, fire alarm and fire extinguishers at every floor and/or by use of detectors or pressure reducing devices or sensor based control.

10. The Applicant shall draw plans for the segregation of solid wastes into biodegradable and non-biodegradable components. The biodegradable material shall be recycled through scientific in-house composting (i.e. vermi-composting facility within premises) with the approval of local body. The proper demarked area shall be identified for collection & storage of MSW properly which shall be finally disposed off at approved Municipal Solid Waste landfill site of local body environmentally acceptable location and method. It is clarified that the term solid waste includes domestic, commercial, and garden wastes, but does not include hazardous and bio-medical wastes. The activities of bio-composting and engineered landfill shall be as per the Municipal Solid Waste (M&H) Rules, 2000
 11. Applicant shall be responsible to take adequate precautionary measures as detailed in this consent.
 12. The applicant/generator shall be responsible for safe and scientific collection, transportation, treatment and disposal of Bio-Medical Waste as per the provisions made under the Bio-Medical Waste (Management & Handling) Rules, 1998. Any activity as defined under BMW (M & H) Rules has to obtain a separate Authorization from Maharashtra Pollution Control Board.
 13. For disinfections of waste water ultra violet radiation shall be used in place of chlorination.
 14. Vehicles hired for construction activities should be operated only during non peak hours.
 15. Ready mixed concrete used in building construction should apply separately for consent from the Board.
 16. applicant, during the construction stage shall provide
 - a. Septic tank and soak pit of adequate capacity for the domestic effluent generated due to workers residing at site.
 - b. Proper loading and unloading of construction material, excavated material and its proper disposal as per MSW (M&H) Rules 2000.
 - c. Cutting of trees is not permitted, however in unavoidable conditions necessary permission from the local body shall be obtained.
 - d. Green belt of 33% of the open space shall be developed.
 17. E-Waste shall be disposed to authorized re processor.
4. The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) and amendment Rules, 2003 there under,

The daily water consumption for the following categories is as under:

(i) Domestic	496.0 CMD
(ii) Water gets Polluted & Pollutants are Biodegradable	.. CMD
(iii) Water gets Polluted. Pollutants are not Biodegradable & Toxic	.. CMD
(iv) Industrial Cooling, spraying	.. CMD

The applicant shall regularly submit to the Board the returns of water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.

5. **CONDITIONS UNDER AIR (Prevention & Control of Pollution) ACT, 1981:**

- (i) The Applicant may install 1-no of diesel generating sets (DG Sets) of capacity 100 KVA and shall be equipped with comprehensive control system as is



Standards for Emissions of Air Pollutants:

- (i) SPM/TSPM Not to exceed 150 mg/Nm³
(ii) SO₂ (DG Set) Not to exceed 10 Kg/day.

(ii) The following measures shall be taken.

- a. Adequate mitigation measures shall be taken to control emissions of SO₂, NO_x, SPM, and RSPM.
b. Applicant shall achieve following Ambient Air Quality standards.

SPM Not to Exceed (Annual Average)	140	µg/ m ³
Not to Exceed (24 hours)	200	µg/ m ³
SO ₂ Not to Exceed (Annual Average)	60	µg/ m ³
Not to Exceed (24 hours)	80	µg/ m ³
NO _x Not to Exceed (Annual Average)	60	µg/ m ³
Not to Exceed (24 hours)	80	µg/ m ³
RSPM Not to Exceed (Annual Average)	60	µg/ m ³
Not to Exceed (24 hours)	100	µg/ m ³

(iii) The applicant shall observe the following fuel pattern:-

Sr. No.	Type Of Fuel	Quantity
1.	Diesel	25 Ltrs/Hr

(iv) The applicant shall erect the chimney(s) of the following specifications:-

Sr. No.	Chimney Attached To	Height above the roof of building in which it is installed
1.	D.G.Set (100 KVA)	1.0 Mtrs

(v) Conditions for D.G. Set:

- Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
- 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.
- The industry shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 75 dB(A) during day time and 70 dB(A) during the night time. Day time is reckoned between 6 a.m. to 10 p.m and night time is reckoned between 10 p.m to 6 a.m.
- 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.
- Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
- 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.
- D.G. Set shall be operated under normal operating conditions.
- The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.



(vi) Other Conditions:

- a) The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
- b) Water spraying shall be done on ground to avoid fugitive emissions.
- c) Construction material shall be carried in enclosed vehicles during construction activities.

(vii) Conditions for Utilities like Kitchen, Eating Places etc:

1. The kitchen shall be provided with exhaust system chimney with oil sump connected to chimney through ducting.
2. The toilet shall be provided with exhaust system connected to chimney through ducting.
3. The air conditioner shall be vibration proof and the noise shall not exceed 68 dB (A).
4. 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 way that no nuisance is caused to neighbors.

(viii) The Applicant shall take adequate measures for control of noise levels from its own sources within the complex (residential cum Commercial) in respect of noise to less than 55 dB(A) during day time and 45 dB(A) during the night time. Daytime is reckoned as between 6 a.m. to 10 p.m. and Nighttime is reckoned between 10 p.m. to 6 a.m.

- a) Construction equipments generating noise of less than 55dB(A) are prohibited.
- b) No construction work is permitted during nighttime.

6. CONDITIONS UNDER HAZARDOUS WASTE (MANAGEMENT, HANDLING & TRANSBOUNDRY MOVEMENT) RULES, 2008:

(i) The Industry shall handle hazardous wastes as specified below.

Sr.No	HW as per Schedule-I	Type of Waste	Quantity	Disposal
1.	..	Electrical & Electronic Waste	As per generator	Sale to authorised recycler
2.	5.1	Used / Spent Oil		

7. The applicant shall certify that the bricks used in construction are manufactured using the ash from Thermal Power stations if it is within a radius of 100 km. from Thermal Power Plant and submit the names of bricks manufacturer. The applicant shall use fly ash based material/products as per the provisions of fly ash Notification of 14.09.1999 and as amended on 27.03.2003.
8. The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.
9. The applicant shall adopt environment friendly technology in development of the project.

10. The applicant shall take the proper remediation measures to ensure that the ground water and soil contamination is prevented and follow due diligence at the construction stage.
11. The applicant shall use fly ash based material/products as per the provisions of fly ash Notification of 14.09.1999 and as amended on 27.08.2003.
12. Energy conservation measures like installation of solar panels for lighting the area outside the building should be integrated part of the project design.
13. This Board reserves the right to amend or add any conditions in this consent and the same shall be binding on the Applicant.
14. The applicant shall provide Environmental friendly road transportation by adopting mechanical type closed trucks for transportation of minerals & metals / construction debris with effect from 1/04/2012.
15. The applicant shall comply with the conditions stipulated in Environment Clearance granted by GOM, vide no: SEAC-2010/CR.297/TC-2, dt: 29/03/2011.
16. This consent is issued without prejudice to the order passed by Hon'ble Court in the case filed by the Board against M/s. Embassy Property Developers P. Ltd.
17. This is issued pursuant to the decision of Consent Committee of the Board in its meeting held on 17th September, 2012.
18. The applicant shall submit Bank Guarantee of Rs. 5.0 Lakhs towards the consent conditions at Regional Office, MPCB, Pune within 15 days.
19. The Capital investment of the Project is Rs. 131.94 Cr.



(Signature)
 (Rajeev Kumar Mital)
 Member Secretary

To,
 M/s. Pune Dynasty Projects Pvt. Ltd,
 Plot No: 3B, Rajiv Gandhi Infotech Park, Phase-II,
 MIDC Hinjewadi, Pune, Maharashtra.

Copy to-

1. Regional Officer, MPCB, Mumbai - He is directed to obtain necessary Bank Guarantee from the applicant and ensure compliance of consent conditions
2. Sub Regional officer, Mumbai-I, MPCB,
3. Chief Accounts Officer, Mumbai, MPCB,

Received consent fee of:-

Sr. No.	Amount	DD. No	Date	Drawn On
1.	Rs. 1,47,600/-	591458	07/04/2011	
2.	Rs. 1,16,200/-	593192	25/11/2011	(SBI Vysva Bank)

4. Cass Branch, MPCB, Mumbai.

5. Master file.

Amendment XV

Page No: 78A

MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 022-22040345

Fax : 022-22040345

Email : mpcb@gov.in

Visit At : <http://mpcb.gov.in>

Kalpataru Point, 2nd-4th Floor
Opp Cine Planet Cinema,
Near Sion Circle, Sion(E)
Mumbai-400 022

Infrastructure/Orange/L.S.I**Consent No: BO/RO(HQ)/CE/PN-12436-11/CC-657**

Date: 19/10/2012

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 5 of the Hazardous Wastes (Management, Handling & Transboundary Movement) Rules 2008.

[To be referred as Water Act, Air Act and HW (M, H& T) Rules respectively].

CONSENT is hereby granted to,

**M/s.Pune Embassy Projects Pvt.Ltd.,
(Embassy Techpark),
Plot No.3A, Rajeev Gandhi Infotech Park,
Ph-II, MIDC Hinjewadi, Dist:Pune.**

located in the area declared under the provisions of the Water Act, Air act and Authorization under the provisions of HW(M, H&T) Rules and amendments thereto subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

1. **The Consent to Establish is granted for a period up to Commissioning of the Project or 5 years whichever is earlier.**

2. The Consent is valid for -

The development of land/plot as new construction activities for construction of IT Park Project named as M/s.Pune Embassy Projects Pvt.Ltd., (Embassy Techpark), Plot No.3A, Rajeev Gandhi Infotech Park, Ph-II, MIDC Hinjewadi, Dist:Pune on total plot area of 2,06,360.00 Sq mtrs and total construction Built up area of 3,56,131.65 Sq mtrs including services and utilities as per occupation certificate issued by local body.

3.CONDITIONS UNDER WATER ACT:

(i) The daily quantity of trade effluent from the factory shall Nil.

(ii) The daily quantity of sewage effluent from the factory shall not exceed 1280 M³.

(iii) **Sewage Effluent Treatment :**

Treatment The applicant shall provide comprehensive treatment system as is prescribed with reference to influent quality and operate and maintain the same satisfactorily so as to achieve the quality of the treated effluent to the following standards

1	pH	Between	5.5 to 9.0
2	Suspended Solids	Not to exceed	100 mg/l.
3	BOD 3 Days 27 degree C	Not to exceed	100 mg/l.
4	Fecal Coliform	Not to exceed	500/100/1 mg/l.
5	residual chlorine	Not to exceed	01mg/l.
6	Detergent	Not to exceed	01mg/l.
7	Floating Matter	Not to exceed	10 mg/l.

(iv) **Sewage Effluent Disposal:** The treated domestic effluent shall be 80% recycled and reused for flushing, fire fighting and cooling of Air conditioners and remaining shall be used for gardening. In no case, effluent shall find its way to any water body directly/indirectly at any time.

Project proponent shall operate STP for five years from the date of obtaining Occupation Certificate.

(v) **Non-Hazardous Solid Wastes:**

Sr. No.	Type Of Waste	Quantit	UOM	Treatment	Disposal
1	Wet Garbage	65	Kg/Day	Composting	Used as manure
2	Dry Garbage	20	Kg/Day	Segregation	Sale to Authorized Recycler
3.	Bio-Sludge	0.19	MT/Day	Dried using filter bed	Used as manure

(vi) **Other Conditions (during Construction Phase):**

- All activities shall be in resonance with the provisions of Indian Forest Act, 1927 (16 of 1927), Forest (Conservation) Act, 1980 (89 of 1980) and Wildlife (Protection) Act, 1972 (53 of 1972), and special notification published for area wherever applicable and all the Environmental Statutes and Instruments.
- This Consent to Establish is issued only for New Construction/Developing Construction Project purposes.
- No quarrying activities shall be commenced in the area unless appropriate permissions are obtained for a limited quarrying material required for construction of local residential housing and traditional road maintenance work, provided that such quarrying is not done on Forest Lands and the material is not exported to the outside area.
- There shall be no felling of trees whether on Forest, Government, Revenue or Private lands except as per prevailing Rules.
- Extraction of Groundwater for the project shall require prior permission of the State Ground Water Authority or other relevant authorities, as applicable.
- Near the activities that are related to water (like activity of water parks, water sports) and/or in the vicinity of lake, Dissolved Oxygen shall not be less than 5 mg/liter.
- In order to ensure that the water from this project do not enter into outside environment, the nallas crossing the township/complex premises, shall be lined, covered and made water tight by the applicant within the premises with intermittent inspection of chambers following good engineering practices as per the regulations of local body.
- The Applicant shall prepare management plan for water harvesting, roof-water reclamation, water/storm water conservation and implement the same before handing over of complex for occupation.
- Applicant shall provide fixtures for showers, toilet, flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control

10. The Applicant shall draw plans for the segregation of solid wastes into biodegradable and non-biodegradable components. The biodegradable material shall be recycled through scientific in-house composting (i.e. vermi-composting facility within premises) with the approval of local body. The proper demarked area shall be identified for collection & storage of MSW properly which, shall be finally disposed off at approved Municipal Solid Waste landfill site of local body environmentally acceptable location and method. It is clarified that the term solid waste includes domestic, commercial, and garden wastes, but does not include hazardous and bio-medical wastes. The activities of bio-composting and engineered landfill shall be as per the Municipal Solid Waste (M&H) Rules, 2000
11. Applicant shall be responsible to take adequate precautionary measures as detailed in this consent
12. The applicant/generator shall be responsible for safe and scientific collection, transportation, treatment and disposal of Bio-Medical Waste as per the provisions made under the Bio-Medical Waste (Management & Handling) Rules, 1998. Any activity as defined under BMW (M & H) Rules has to obtain a separate Authorization from Maharashtra Pollution Control Board.
13. For disinfections of waste water ultra violet radiation shall be used in place of chlorination.
14. Vehicles hired for construction activities should be operated only during non peak hours.
15. Ready mixed concrete used in building construction should apply separately for consent from the Board.
16. applicant, during the construction stage shall provide
 - a. Septic tank and soak pit of adequate capacity for the domestic effluent generated due to workers residing at site.
 - b. Proper loading and unloading of construction material, excavated material and its proper disposal as per MSW (M&H) Rules 2000.
 - c. Cutting of trees is not permitted, however in unavoidable conditions necessary permission from the local body shall be obtained.
 - d. Green belt of 33% of the open space shall be developed.
17. E-Waste shall be disposed to authorized Collection Centre/Dismantler/re processor.

4. (The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) and amendment Rules, 2003 there under

The daily water consumption for the following categories is as under:

(i) Domestic purpose	...	1600.00 CMD
(ii) Water gets Polluted & Pollutants are Biodegradable	...	0.00 CMD
(iii) Water gets Polluted, Pollutants are not Biodegradable & Toxic	...	0.00 CMD
(iv) Industrial Cooling, spraying in mine pits or boiler feed	...	20.00 CMD

The applicant shall regularly submit to the Board the returns of water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act

5. CONDITIONS UNDER AIR ACT :

- (i) The applicant shall install a comprehensive control system consisting of control equipments as is warranted with reference to generation of emission and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

Standards for Emissions of Air Pollutants:

(i) SPM/TPM	Not to exceed	150 mg/Nm ³
(ii) SO ₂ (DG Set)	Not to exceed	2.0 Kg/day

- (i) The following measures shall be taken:
- a. Adequate mitigation measures shall be taken to control emissions of SO₂, NO_x, SPM, and RSPM.
 - b. Applicant shall achieve following Ambient Air Quality standards

1.	SPM Not to Exceed (Annual Average)	140	µg/ m3
	Not to Exceed (24 hours)	200	µg/ m3
2.	SO ₂ Not to Exceed (Annual Average)	60	µg/ m3
	Not to Exceed (24 hours)	80	µg/ m3
3.	NO _x Not to Exceed (Annual Average)	60	µg/ m3
	Not to exceed (24 hours)	80	µg/ m3
4.	RSPM Not to Exceed (Annual Average)	60	µg/ m3
	Not to Exceed (24 hours)	100	µg/ m3

(ii) The applicant shall observe the following fuel pattern:-

Sr. No.	Type Of Fuel	Quantity	UOM
1	HSD	5	KL/Day

(iii) The applicant shall erect the chimney(s) of the following specifications:-

Sr. No.	Chimney Attached To	Height in Mtrs.
1	DG Set (100 KVA X2)	2.00

(iv) 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. The industry shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 75 dB(A) during day time and 70 dB(A) during the night time. Day time is reckoned between 6 a.m. to 10 p.m and night time is reckoned between 10 p.m to 6 a.m.
- d. 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.
- e. Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
- f. 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.

- g. D.G. Set shall be operated only in case of power failure.
- h. The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.

(i) Other Condition

- a) The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
- b) Water spraying shall be done on ground to avoid fugitive emissions.
- c) Construction material shall be carried in enclosed vehicles during construction activities.

(ii) Conditions for Utilities like Kitchen, Eating Places etc:

- 1. The kitchen shall be provided with exhaust system chimney with oil catcher connected to chimney through ducting.
- 2. The toilet shall be provided with exhaust system connected to chimney through ducting.
- 3. The air conditioner shall be vibration proof and the noise shall not exceed 68 dB (A).
- 4. 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 way that no nuisance is caused to neighbors.

- (iii) The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB(A) during day time and 70 dB(A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
- (iv) Construction equipments generating noise of less than 65/90 db(A) are permitted.
- (v) No construction work is permitted during night time.
- (vi) The Applicant shall take adequate measures for control of noise levels from its own sources within the complex (residential cum Commercial) in respect of noise to less than 55 dB(A) during day time and 45 dB(A) during the night time. Daytime is reckoned as between 6 a.m. to 10 p.m. and Nighttime is reckoned between 10 p.m. to 6 a.m.

5. CONDITIONS UNDER HAZARDOUS WASTE (MANAGEMENT, HANDLING & TRANSBOUNDARY MOVEMENT) RULES, 2008:

Sr. No	Type Of Waste	Quantity	UOM	Disposal
1	5.1 Used /spent oil	250.0	MT	Sale to Authorized Processor.

- 6. The applicant shall certify that the bricks used in construction are manufactured using the ash from Thermal Power stations if it is within a radius of 100 km. from Thermal Power Plant and submit the names of bricks manufacturer. The applicant shall use fly ash based material/products as per the provisions of fly ash Notification of 14.09.1999 and as amended on 27.08.2003.
- 7. The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.

8. The applicant shall adopt environment friendly technology in development of the project.
9. The applicant shall take the proper remediation measures to ensure that the ground water and soil contamination is prevented and follow due diligence at the construction stage.
10. Energy conservation measures like installation of solar panels for lighting the area outside the building should be integrated part of the project design.
11. This Board reserves the right to amend or add any conditions in this consent and the same shall be binding on the Applicant.
12. This consent shall not be construed as exemption from obtaining necessary NOC from any other Government agencies as may deem fit necessary.
13. The Consent to Establish is issued without Prejudice to the order passed by Hon'ble Court in the case filed by the Board against M/s. Embassy Property Developers P.Ltd. and compliance of those orders by project proponent.
14. The Applicant shall submit the Bank guarantee of Rs. 10 Lakhs at Regional officer Pune, within 15 days from date of issue of consent for providing the sewage treatment plant and municipal solid waste processing plant.
15. The Applicant shall comply with the conditions of Environmental Clearance granted by MoEF, GOM vide No. SEAC-2010/CR.287/TC.3 Dated 29/03/2011.
16. The consent is issued with the approval of Consent Committee of the Board in its meeting held on 17th September 2012.
17. This Consent issued with the approval of Hon'ble Chairman of the Board.
18. The Capital investment of the Project is Rs. 471.38Crore.

To,
M/s. Pune Embassy Projects Pvt.Ltd.,
(Embassy Techpark),
Plot No. 3, Rajeev Ghandhi Infotech Park,
Ph-II, MIDC, Hinjwadi, Dist: Pune.

(Rajeev Kumar Mittal, IAS)
Member Secretary

Copy to:
a. RO-Pune /SRO Pune-II/CAO/Cess Branch/Master File

Received Consent fee of -

Sr. No.	Amount(Rs.)	DD. No.	Date	Drawn On
1	5,08,049/-	745964	20 th July 2009	ING Vysya Bank
2.	4,34,811/-	593191	25 th November, 2011	ING Vysya Bank

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/ 24010437
 Fax: 24023516
 Website: <http://mpcb.gov.in>
 E-mail: cac-cell@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor
 Opp. Cine Planet Cinema,
 Near Sion Circle, Sion (E)
 Mumbai-400 022.

Consent order No: - Format 1.0/BO/CAC-cell/UAN No. 0000020236-A/Revalid of CE/CAC-

1901000199-A

Date

04/01/2019

To,
 M/s Embassy Property Development Pvt. Ltd,
 Plot No. 3, Rajiv Gandhi Infotech Park,
 Phase-II, MIDC, Hinjewadi, Pune

Subject: Revalidation of Consent to Establish for remaining construction BUA for construction of IT Park in RED Category.

- Ref: 1. Environment Clearance accorded by Env. Dept GoM vide No. SEAC-2010/CR.297/TC.2 dtd 11.7.2011.
 2. Consent to Establish vide No. MPCBHQ/RO(HQ)/Pune/CE/CC/ CC-641 dtd 10.10.2012
 3. Consent to Establish vide No. BO/RO(HQ)/CE/PN-12436-11/ CC-657 dtd 19.10.2012
 4. Minutes of Consent Appraisal Committee (CAC) meeting held on 6.11.2018.

Your application No. 0000020236-A Dated 29.1.2017

For: Revalidation of Consent to Establish for remaining construction BUA.

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 under Rule 6 of the Hazardous and Other Wastes (Management and 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:

1. The Revalidation of Consent to Establish for remaining construction BUA is granted for a period upto commissioning of project or 18.10.2022 whichever is earlier.
2. The capital investment of the project is Rs.319.28 Cr ie. remaining construction BUA and Capital investment of complete project is Rs. 603.32Cr (As per undertaking submitted by PP).
3. The Revalidation of Consent to Establish for remaining construction BUA for construction of IT Park of M/s Embassy Property Development Pvt. Ltd, Plot No. 3, Rajiv Gandhi Infotech Park, Phase-II, MIDC, Hinjewadi, Pune on Total plot area of 2,72,979 Sq. Mtrs and construction remaining BUA of 2,90,595 Sq. Mtrs out of Total construction BUA 4,89,815.46 Sq. Mtrs as per Environment Clearance granted dated 11.7.2011 including utilities and services.

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

1.	Trade effluent	NIL	NA	NA
2.	Domestic effluent	1293 CMD	As per Schedule -I	The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be connected to the sewerage system provided by local body

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

1	DG set (1010 KVA x 23 Nos)	2	As Per Schedule -II
---	----------------------------	---	---------------------

6. Conditions under Municipal Solid Waste (Management and Handling) Rule, 2000:

1	Biodegradable	1000 Kg/day	organic waste digester along with composting facility/ biodigester (biogas) with composting	Used as Manure
2	Non-Biodegradable	300 Kg/day	---	Segregate and Hand over to Local Body for recycling
3	STP Sludge	As per generation	---	Used as Manure

7. Conditions under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 for treatment and disposal of hazardous waste

1.	5.1-Used oil/ spent oil	4500	Ltr/A	Sale to Authorized reprocessor
----	-------------------------	------	-------	--------------------------------

8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.
10. PP shall submit an undertaking in prescribed format regarding compliance of conditions of Environment Clearance and Consent to Establish condition.
11. PP shall provide STP so as to achieve the treated domestic effluent standard for the parameter BOD-10 mg/lit.
12. 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.
13. PP shall install online monitoring system for BOD, TSS and flow at the outlet of STP.
14. PP shall install organic waste digester along with composting facility/ biodigester (biogas) with composting facility for the treatment of wet garbage.
15. PP shall not take effective steps for remaining construction BUA without obtaining re-validation of Environmental clearance from the Competent Authority.
16. PP shall comply conditions stipulated Environment Clearance accorded by Env. Dept GoM vide No. SEAC-2010/CR.297/TC.2 dtd 11.7.2011.

For and on behalf of the
Maharashtra Pollution Control Board

(E. Ravansaran, IAS)
Member Secretary

Received Consent fee of -

Sr. No.	Sl. No.	BOOK No.	AMOUNT	DATE
1	TXN1812001717	---	6,38,560/-	17.12.2018

Copy to:

1. Regional Officer, MPCB, Pune and Sub-Regional Officer, MPCB, Pune-II
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Mumbai.
3. CC/CAC desk- for record & website updation purposes.

Schedule-ITerms & conditions for compliance of Water Pollution Control:

- 1) A) As per your application, you have proposed to provide Sewage Treatment Plants (STP) of Total capacity 1095 having MBBR technology.
- B) The Applicant shall operate the effluent 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	Standards prescribed by Board
		Limiting Concentration in mg/l, except for pH
01	BOD (3 days 27°C)	10
02	Suspended Solids	10
03	COD	50
04	Residual Chlorine	1ppm

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. In no case, effluent shall find its way to any water body directly/indirectly at any time. Project proponent shall provide flow meter to ensure 60% recycling of treated sewage and shall maintain the record with data logging system. PP shall achieve the treated domestic effluent standard for the parameter BOD- 10 mg/lit. PP shall install online continuous monitoring system for parameters BOD, TSS flow at the outlet of STP and connect online data to MPCB Server within 3 month period

- 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	Equipment/Water consumed	Water consumed or quantity (MC)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	1503
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/ Environmental Clearance.

Schedule-II

Terms & conditions for compliance of Air Pollution Control:

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

Sr. No.	Stack Attached To	APC System	Height Mtrs	Type of fuel	Quantity, S.C.M ³ /Hr
01.	DG set (1010 KVA x 23 Nos)	Acoustic Enclosure	2.0*	Diesel	1010 Ltr/Hr

* Above roof of the building in which it is installed.

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.

Particulate matter	Not to exceed	150 $\mu\text{g}/\text{Nm}^3$
--------------------	---------------	-------------------------------

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

Schedule-III
Details of Bank Guarantees

NIL

* 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.

++ The Bank Guarantee(s) shall be valid for a period upto: Validity of consent + 4 months

Existing BG obtained for above purpose if any may be extended for period of validity as above.

Schedule-IV

General Conditions:

- 1) The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2) The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act 1986 and Municipal Solid Waste (Management & Handling) Rule 2000, 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) Applicant 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) Applicant should make efforts to bring down noise level due to DG set, outside their 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 MoEF dated 17.05.2002 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 Municipal Solid Waste (Management & Handling) Rule 2000 & E-Waste (Management & Handling) 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.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/ 24010437
 Fax: 24023516
 Website: <http://mpcb.gov.in>
 E-mail: cac-cell@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor
 Opp. Cine Planet Cinema,
 Near Sion Circle, Sion (E)
 Mumbai-400 022.

Consent order No: - Format 1.0/BO/CAC-cell/UAN No. 0000020236-B/CO(Part-I)/CAC-

1901000199-8
 Date

04/01/2019

To,

M/s Embassy Property Development Pvt. Ltd,
 Plot No. 3, Rajiv Gandhi Infotech Park,
 Phase-II, MIDC, Hinjewadi, Pune

Subject: 1st Consent to Operate (Part-I) for IT Park in RED Category.

- Ref: 1. Environment Clearance accorded by Env. Dept GoM vide No. SEAC-2010/CR.297/TC.2 dtd 11.7.2011.
 2. Consent to Establish granted by Board vide No. MPCBHQ/RO(HQ)/Pune/CE/CC/CE-841 dtd 10.10.2012
 3. Consent to Establish granted by Board No. BO/RO(HQ)/CE/PN-12436-11/CE-657 dtd 19.10.2012
 4. Minutes of Consent Appraisal Committee (CAC) meeting held on 6.11.2018

Your application No. 0000020236-B Dated 29.1.2017

For: 1st Consent to Operate (Part-I)

under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2018 is considered and the consent is hereby granted subject to the following terms and conditions as detailed in the schedule I, II, III & IV annexed to this order:

- The 1st Consent to Operate (Part-I) is valid for period upto 30.01.2020
- The capital investment of the project (Part-I) is Rs. 284.04 Cr (As per CA Certificate submitted by project proponent).
- The 1st Consent to Operate (Part-I) is valid for IT Park of M/s Embassy Property Development Pvt. Ltd, Plot No. 3, Rajiv Gandhi Infotech Park, Phase-II, MIDC, Hinjewadi, Pune on Total plot area of 2,72,979 Sq. Mtrs and construction BUA of 1,09,220 Sq. Mtrs out of Total construction BUA 4,89,815.46 Sq. Mtrs as per EC granted dated 11.7.2011 including utilities and services.

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

1.	Trade effluent	NIL	NA	NA
2.	Domestic effluent	1180	As per Schedule -I	The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be connected to the sewerage system provided by local body

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

1	DG set (100 KVA x 2 Nos)	2	As Per Schedule -II
---	--------------------------	---	---------------------

6. Conditions under Municipal Solid Waste (Management and Handling) Rule, 2000:

1	Biodegradable	800 Kg/day	organic waste digester along with composting facility/ biodigester (biogas) with composting	Used as Manure
2	Non-Biodegradable	250 Kg/day	--	Segregate and Hand over to Local Body for recycling
3	STP Sludge	As per generation	--	Used as Manure

7. Conditions under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 for treatment and disposal of hazardous waste

1.	S.1-Used oil/ spent oil	550	Ltr/A	Sale to Authorized reprocessor
----	-------------------------	-----	-------	--------------------------------

8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary WOC/permission from any other Government authorities.
10. PP shall not take effective steps for remaining construction BUA without obtaining re-validation of Environmental clearance from the Competent Authority.
11. PP shall submit the undertaking within 15 days in the prescribed format towards the part of the built up area/ building for which application for Consent to Operate (Part-I), is made and that the same is included in the Environmental Clearance and C to E accorded.
12. PP shall submit BG of Rs. 25 Lakh (including existing BG of Rs. 15 Lakh) towards O&M of pollution control system and compliance of the Environment Clearance Consent to Establish/Operate conditions.
13. PP shall install organic waste digester along with composting facility/ bio-digester (biogas) with composting facility for the treatment of wet garbage within 3 month
14. PP shall install online continuous monitoring system for parameters BOD, TSS flow at the outlet of STP and connect online data to MPCB Server within 3 month period.
15. PP shall achieve the treated domestic effluent standard for the parameter BOD- 10 mg/lit.
16. The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, fire-fighting etc. and remaining shall be utilized on land for gardening.
17. PP shall comply conditions stipulated Environment Clearance accorded by Env. Deptt GOM vide No. SEAC-2010/CL297/TC-3 dt 11.7.2011.

For and on behalf of the
Maharashtra Pollution Control Board

(E. Ravikiran, IAS)
Member Secretary

Received Consent fee of -

Sr. No.	DR No.	Bank Name	Amount	Date
1	TXN1702002853	--	11,36,186/-	24.4.2017
2	TXN1812001718	--	4,43,080/-	17.12.2018

Copy to:

1. Regional Officer, MPCB, Pune and Sub-Regional Officer, MPCB, Pune-II
-- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Mumbai.
3. CC/CAC desk- for record & website updation purposes.

Schedule-I

Terms & conditions for compliance of Water Pollution Control:

- 1) A) As per your application, you have provided 5 Nos of Sewage Treatment Plants (STP's) of Total capacity 1280 having MBBR technology i.e. 220 CMD X 4 Nos for block No. 2,3,5,11 and 1 No. of capacity 400 CMD for Block No. 6.
- B) The Applicant shall operate the effluent 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.

Sl. No.	Parameters	Standards prescribed by Board
		Limiting Concentration in mg/L, except for pH
D1	BOD (3 days 27°C)	10
D2	Suspended Solids	10
D3	COD	50
D4	Residual Chlorine	1ppm

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. In no case, effluent shall find its way to any water body directly/indirectly at any time. Project proponent shall provide flow meter to ensure 60% recycling of treated sewage and shall maintain the record with data logging system. PP shall achieve the treated domestic effluent standard for the parameter BOD- 10 mg/lit. PP shall install online continuous monitoring system for parameters BOD, TSS flow at the outlet of STP and connect online data to MPCB Server within 3 month period

- 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

Sl. No.	Purpose for water consumed	Water consumption quantity, CMD
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	1650
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/ Environmental Clearance.

Schedule-IITerms & conditions for compliance of Air Pollution Control:

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

Sr. No.	Stack Attached To	APC System	Height (Mtrs)	Type of Fuel	Quantity (Ltr/hr)
01.	DG set (100 KVA x 2 Nos)	Acoustic Enclosure	1.0*	Diesel	25 Ltr/hr

* Above roof of the building in which it is installed.

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.

Particulate matter	Not to exceed	150 $\mu\text{g}/\text{Nm}^3$
--------------------	---------------	-------------------------------

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

Schedule-III
Details of Bank Guarantees

1	1 st C to O(Part-I)	Rs. 25 Lakh (including existing BG of Rs. 15 Lakh)	15 Days	Towards O&M of pollution control system and compliance of the EC & C to E/O conditions	continuous	31.5.2020
---	--------------------------------	--	---------	---	------------	-----------

* 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.

++ The Bank Guarantee(s) shall be valid for a period upto: Validity of consent + 4 months

Existing BG obtained for above purpose if any may be extended for period of validity as above.

Schedule-IVGeneral 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 Municipal Solid Waste (Management & Handling) Rule 2000, 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) Applicant 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) Applicant should make efforts to bring down noise level due to DG set, outside their 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 MoEF dated 17.05.2002 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 Municipal Solid Waste (Management & Handling) Rule 2000 & E-Waste (M & H) Rule 2011.
- 7) Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8) Applicant shall submit official e-mail address and any change will be duly informed to the MPCB.
- 9) The treated sewage shall be disinfected using suitable disinfection method.
- 10) The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 11) The applicant shall make an application for renewal of the consent atleast 60 days before date of the expiry of the consent.

—0000—



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
Fax: 24023516
Website: <http://mpcb.gov.in>
Email: cac-cell@mpcb.gov.in



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

No:- Format1.0/CAC-CELL/UAN No.0000083641/CR - 2007001325

Date: 22/07/2020

To,
M/s. Embassy Office Parks Pvt. Ltd.,
Plot No 3, Rajiv Gandhi Infotech Park,
Phase II, MIDC, Hinjewadi, Tal. Mulshi,
Dist. Pune.

Sub: Grant of renewal of consent (Part-I) with change in name under L.S.I Red Category

- Ref:**
1. Environment Clearance accorded by Environment Department, GoM vide dated 11.07.2011 & its extension obtained with change in name vide dated 03.06.2019.
 2. Revalidation of consent to establish accorded by Board vide dated 04.01.2019.
 3. 1st Consent to Operate(Part-I) accorded by Board vide dated 04.01.2019 which was valid up to 30.01.2020.
 4. Minutes of CAC meeting held on 04.05.2020.

Your application NO. MPCB-CONSENT-0000083641

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

1. **The Consent to Renewal is granted for a period up to 31.01.2023**
2. **The capital investment of the project is Rs.754.395 Crs. (As per C.A Certificate submitted by industry).**
3. **The grant of renewal of consent (Part-I) with change in name is valid for IT Park named as Embassy Office Parks Pvt. Ltd., Plot No 3, Rajiv Gandhi Infotech Park, Phase II, MIDC, Hinjewadi, Tal. Mulshi, Dist. Pune on Total Plot Area of 2,72,979 Sq.Mtrs for construction BUA of 1,99,220 Sq.Mtrs out of Total Construction BUA of 2,90,595 Sq.Mtrs as per EC granted including utilities and services**

Sr.No	Permission Obtained	Plot Area (SqMtr)	BUA (SqMtr)
1	Environment Clearance dated 11.07.2011	276874.00	489815.41
2	Revalidation of C to E for remaining BUA dated 04.01.2019	272979.00	290595.00
3	1st C to O (Part-I) dated 04.01.2019	272979.00	199220.00

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

Sr No	Description	Permitted (in CMD)	Standards to	Disposal
1.	Trade effluent	Nil	NA	NA
2.	Domestic effluent	1403	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 discharged on land for gardening.

5. **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 (1110 KVA)	1	As per Schedule -II
S-2 to S-9	DG sets (8 x 1500 KVA)	8	As per Schedule -II
S-10 to S-18	DG sets (9 x 1010 KVA)	9	As per Schedule -II

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

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Biodegradable Waste	800 Kg/Day	OWC followed by Composting facility	Used as manure within own premises
2	Non Biodegradable Waste	250 Kg/Day	Segregation	Sale to authorised vendor / local body
3	STP Sludge	0 Kg/Day	OWC followed by Composting facility	Used as manure within own premises.

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
1	5.1 Used or spent oil	2500	Ltr/A	Reprocessing	Sale to Authorised Recycler
2	5.2 Wastes or residues containing oil	1.0	MT/A	Incineration	CHWTSDF
3	5.2 Wastes or residues containing oil	100	Nos./Y	Incineration	CHWTSDF
4	Other Waste (Used Batteries)	1000	Nos./Y	Reprocessing	Sale to Authorised Recycler
5	Other Waste (E-Waste)	5000	Nos./Y	Reprocessing	Sale Authorised Recycler/Dismantler

- 8 The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
- 9 This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.

- 10 PP shall comply the Environment Clearance (EC) & Consent Conditions & shall submit the undertaking in Board's prescribed format within 15 days regarding compliance of conditions of the same.
- 11 PP shall operate STP to achieve the treated domestic effluent standard for the parameter BOD- 10 mg/lit.
- 12 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.
- 13 PP shall operate organic waste Converter followed by composting facility and compost obtained shall be used as manure in their own garden/ plantation.
- 14 PP shall extend/submit the BG of Rs. 25.0 Lakh towards O & M of pollution control system & compliance of Consent to Operate conditions.

For and on behalf of the
Maharashtra Pollution Control Board.

(E. Ravendiran IAS),
Member Secretary

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	4526370.00	5457624	04/12/2019	NEFT
2	940000.00	5458918	30/01/2020	NEFT
3	700.00	TXN2007000380	07/07/2020	Online Payment

Copy to:

1. Regional Officer, MPCB, Pune and Sub-Regional Officer, MPCB, Pune II
 - They are directed to ensure the compliance of the consent conditions.
 - They are directed to forfeit the proportionate bank guarantee, if latest JVS results are exceeded the consented norms.
2. Chief Accounts Officer, MPCB, Sion, Mumbai
3. CAC Desk for updation purpose.

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

- 1) A) As per your application, you have provided MBBR Technology based Sewage Treatment Plants (STPs) of combined capacity **1450 CMD** for treatment of domestic effluent of **1403 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	Standards prescribed by Board
		Limiting Concentration in mg/l, except for pH
1.	BOD (3 days 27o C)	10
2.	Suspended Solids	20
3.	COD	50
4.	Residual Chlorine	1ppm

- 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. In no case, effluent shall find its way to any water body directly/indirectly at any time. PP shall provide flow meter to ensure 60% recycling of treated sewage & shall maintain the record with data logging system. PP shall install online monitoring system for parameter BOD, TSS, flow meter at outlet of STP & connect online data to MPCB server.
- 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	1650.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00

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

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

- 1) As per your application, you have provided the Air pollution control (APC) system and 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 (1110 KVA)	NA	6.6	HSD	233.1 Kg/Hr
S-2 to S-9	DG sets (8 x 1500 KVA)	NA	7.75	HSD	315 Kg/Hr
S-10 to S-18	DG sets (9 x 1010 KVA)	NA	6.36	HSD	212.1 Kg/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/Nm ³
-------------------------	---------------	------------------------

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



SCHEDULE-III
Details of Bank Guarantees:

Sr. No.	Consent(C2E/C20/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C2R (Part-I)	Rs. 25.0 Lakh	15 days	Towards O & M of pollution control system	31.01.2023	31.05.2023

** The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days of the date of issue of Consent.

Existing BG obtained for above purpose if any may be extended for period of validity as above.

BG Forfeiture History

Srno.	Consent (C2E/C20/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
1	NA	0	NA	NA	NA	NA

SCHEDULE-IV

General Conditions:

- 1 The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2 The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act 1986 and Solid Waste Management Rule 2016, Noise (Pollution and Control) Rules, 2000 and E-Waste (Management & Handling Rule 2011.
- 3 Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.
- 4 Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 5 Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f) D.G. Set shall be operated only in case of power failure.
 - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
- 6 Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rule 2016 & E-Waste (M & H) Rule 2011.
- 7 Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8 Applicant shall submit official e-mail address and any change will be duly informed to the MPCB.
- 9 The treated sewage shall be disinfected using suitable disinfection method.
- 10 The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 11 The applicant shall make an application for renewal of the consent at least 60 days before date of the expiry of the consent.