

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

**ORIGINAL APPLICATION NO. 153 OF 2023 (WZ)**

**EARLIER INWARD NO.NGT/WZ/Pune/524/2023, dated  
12/7/2023**

**(Complaint dated 17/7/2023)**

**Report of the Maharashtra Pollution Control Board in compliance of the Order Dated 25/07/2023 passed by the Hon'ble National Green Tribunal, WZ, Pune in respect of the Complaint Dated 17/07/2023 made by Shri. Ravindra Laxman Barhate, Dhanakwadi, Pune.**

**01. BACKGROUND :-**

Complainant Shri. Ravindra Laxman Barhate has made a complaint dated 17/07/2023 against the illegal 11 storey building having being constructed at Survey No.87/1A/1, Parvati Panchgaon forest on a hill top slope having green cover area before the Hon'ble NGT, WZ, Pune. It is also alleged that the said construction has been done without environmental clearance.

In the said matter, the Hon'ble NGT (WZ) vide Order dated 25/07/2023 called a report from the i. Pune Municipal Corporation (PMC) and State Pollution Control Board (SPCB) with respect to the truthfulness of this complaint, which shall be verified after visiting the spot by the responsible officers of the said authorities.

02. In compliance of the Order dated 25/07/2023, the Officials of the Maharashtra Pollution Control Board at Pune visited the site in question on 10/07/2024 and observed as follows :-

1. The project name is not mentioned in the complaint. Various enquiries were made in the nearby location of the mentioned Survey No. 87/1A/1 at Parvati Panchgaon Forest Pune. Upon enquiries to the residence of the Parvati Panchgaon, it came to know the actual location of Sr.No.87/1A/1 Parvati Panchgaon Forest hill.
2. At Survey No.87/1A/1, at Parvati Panchgaon forest Pune there is residential society namely, M/s.Kshitij Co-op Housing Society Ltd. and visited the area of residential society alongwith Shri Atul Deshpande Manager of the Society. It is observed that the residential society comprises of 4 nos of buildings. The configuration of buildings are as follows:
  - 1) Building A- Parking+9th floor.
  - 2) Building B-Parking +9th floor.
  - 3) Building C-constructed upto 1st slab, during visit construction of building not found in operation and reported by representative that, work stopped from year 1996.
  - 4) Building D-P+11th floor.
  - 5) Club House-Ground+1st floor.
  - 6) Swimming pool provided.
3. People residing in the building A, B & D.
4. Pune Municipal Corporation Building permission Department has granted revised sanction layout vide no. 3847/12 on

13/03/2013 for TPA- 9,337.87 sqmtr & BUA- 10903.56 sq.mtr.

5. Pune Municipal Corporation Building permission department has granted Occupancy Certificate, details are as follow:-
6. A) Building A & B (54 nos tenements) – Part-I-BCO/14/II/571 dtd 04/11/1999 and Part-II vide No. BCO/14/II/73 dated 12/06/2001  
B) Building D – Part 3 vide No. BCO/14/II/55 dtd 20/05/2002 and vide No. BCO/14/2/216 dtd 24/12/2004
7. Society formed vide No. 5144/2000-2001 dtd 15/12/2000
8. Overflow of septic tank connected to PMC drainage line.
9. Generated wet waste from the Society is sent to PMC for further treatment.
10. Society has provided Diesel generator set of capacity of 62.5 KVA with acoustic enclosure.  
A copy of the Visit Report dated 10/07/2024 is annexed as an **Annexure-I**.

### **03. CONCLUSION :-**

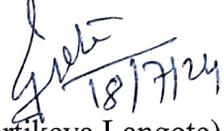
As per the Revised Categorization dated 12/01/2021, those Building & Construction Projects having built up area upto 20,000 M<sup>2</sup> and having waste water generation  $\geq$  50 KLD.

As per PMC revised sanction layout M/s.Kshitij Co-op Housing Society Ltd has BUA- 10,903.56 sqmtrs. and waste water generation is 67.5 CMD.

Central Pollution Control Board has published the Revised Criteria and Guidelines on 12/01/2021 however, PMC has granted

Occupancy Certificate in the year 2001 & 2004 and the aforesaid Society formed vide No. 5144/2000-2001 dtd 15/12/2000. Therefore, the said building does not falls under the purview of Consent Regime.

For & on behalf of the Maharashtra  
Pollution Control Board,



(Kartikeya Langote)

Sub-Regional Officer, Pune-I

Date:-19/07/2024

Place :- Pune

**MAHARASHTRA POLLUTION CONTROL BOARD  
SUB-REGIONAL OFFICE – PUNE-I**

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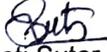
**Field Visit Report**

This office has received the order from Hon'ble National Green Tribunal Western Zone Bench, Pune vide Inward No.NGT/WZ/Pune/524/2023 dtd. 25/7/2023. In the order it is stated that Registrar dated 22/7/2023 received complaint from Shri. Ravindra Laxman Barhate regarding issue of an illegal 11 stored building having being constructed Survey No.87/1A/1, Parvati Panchgaon forest on a hill top slop having green cover area. It is also alleged that the said construction has been done without environmental clearance. Hon'ble NGT directed to State Pollution Control Board call a report with respect to the truthfulness of this complaint, which shall be verified after visiting the spot by the responsible officers of the said authorities.

In compliance with the aforesaid order and as per directives of Sub-regional Officer, Pune-1 visit was paid to Survey No.87/1A/1, at Parvati Panchgaon forest Pune – 411009 on 10/7/2024 at 5:41 p.m. During visit the following observations were made:-

1. The project name is not mentioned in the complaint. During visit made various enquiries to the nearby location of Survey Nos. at Parvati Panchgaon forest Pune. Upon enquiry to the residence of the Parvati Panchgaon, it came to know the location of Sr. No.87/1A/1 Parvati Panchgaon Forest hill.
2. At Survey No.87/1A/1, at Parvati Panchgaon forest Pune there is residential society namely, M/s.Kshitij Co-op Housing Society Ltd. Firstly, meet to Shri. Atul Deshpande Manager of the society. Along with him visited to the area residential society.
3. During the visit it is observed that the residential society comprises of 4 nos of buildings. The configuration of buildings are as follows:
  - 1) Building A- Parking+9th floor.
  - 2) Building B-Parking +9th floor.
  - 3) Building C-constructed upto 1st slab, during visit construction of building not found in operation and reported by representative that, work stopped from year 1996.
  - 4) Building D-P+11th floor.
  - 5) Club House-Ground+1st floor.
  - 6) Swimming pool provided.
4. People residing in the building A, B & D.
5. Pune Municipal Corporation Building permission department has granted revised sanction layout vide no. 3847/12 on 13/03/2013 for TPA- 9,337.87 sqmtr & BUA- 10903.56 sqmtr.
6. PMC Building Control Department approval of work up to plinth level for. Wing B vide No. BCO/5081 dtd.19/08/1995, Wing A vide No. BCO/14/21 dtd.16/12/1997 and Wing D vide No. BCO/14/II/133 dtd.15/07/2000.
7. Commencement Certificate obtained from Building permission department vide No. 4533 dtd 26/08/1994 and No. 9384 dtd. 22/03/1996 and No. 4081 dtd 17/05/1995 and No. 000035 dtd 11/05/2000 and No. 001780 dtd 29/12/2000 and No. 1610 dtd 16/10/2001.

8. Pune Municipal Corporation Building permission department has granted Occupancy Certificate details are as follow:-
9. A) Building A & B (54 nos tenements) – Part-I-BCO/14/II/571 dtd 04/11/1999 and Part-II vide No. BCO/14/II/73 dated 12/06/2001  
B) Building D – Part 3 vide No. BCO/14/II/55 dtd 20/05/2002 and vide No. BCO/14/2/216 dtd 24/12/2004
10. Society formed vide No. 5144/2000-2001 dtd 15/12/2000
11. Overflow of septic tank connected to PMC drainage line.
12. Generated wet waste from the Society is sent to PMC for further treatment.
13. Society has provided Diesel generator set of capacity of 62.5 KVA with acoustic enclosure.

  
Jyoti Sutar,  
Field Officer,  
Sub Regional Officer Pune-I

M/s.Kshitij Co-op Housing Society  
Ltd Survey No.87/1A/1, at Parvati  
Panchgaon forest Pune

Entrance



M/s.Kshitij Co-op Housing Society  
Ltd Survey No.87/1A/1, at Parvati  
Panchgaon forest Pune

“A” Building



M/s.Kshitij Co-op Housing Society  
Ltd Survey No.87/1A/1, at Parvati  
Panchgaon forest Pune

“B” Building



M/s.Kshitij Co-op Housing Society  
Ltd Survey No.87/1A/1, at Parvati  
Panchgaon forest Pune

“C” Building work stopped



M/s.Kshitij Co-op Housing Society  
Ltd Survey No.87/1A/1, at Parvati  
Panchgaon forest Pune

“D” Building



M/s.Kshitij Co-op Housing Society  
Ltd Survey No.87/1A/1, at Parvati  
Panchgaon forest Pune

Society's Swimming pool



M/s.Kshitij Co-op Housing Society  
Ltd Survey No.87/1A/1, at Parvati  
Panchgaon forest Pune

Society's Club House

