

REPORT OF THE JOINT COMMITTEE IN COMPLIANCE WITH ORDER DATED 07/07/2022 OF THE HON'BLE NATIONAL GREEN TRIBUNAL (NGT) IN THE MATTER OF OA NO. 57/2022 (WZ), MAHESH KASHINATH RANAWADE VS THE STATE OF MAHARASHTRA & ORS.

1.0 Background

Grievance in the Original Application No. 57 of 2022 (WZ), titled Mahesh Kashinath Ranawade vs The State of Maharashtra & Ors, as per order dated 07/07/2022 of the Hon'ble NGT is about illegal construction of road on the bank of the Mula River which is said to be adversely affecting the agricultural fields of the applicant who has undivided agricultural land in survey no. 1/2/2 admeasuring 00 H R 54 situated at Mouje Nande, Taluka-Mulshi, District-Pune. Further, it is alleged that the aforesaid construction being raised by the respondents no. 6 to 9 are in the blue line of Mula River, where no construction is legally permissible.

Hon'ble NGT directed vide order dated 07/07/2022 (copy of Hon'ble NGT order, dated 07/07/2022 is given at **Annexure-1**) and relevant order is reproduced as below:

"..10. We deem it just and proper to call for a report on the matter in issue in present application, from a Joint Committee consisting of:-

- (i) One Representative from the Central Pollution Control Board (CPCB);*
- (ii) One Representative from the Maharashtra State Pollution Control Board (MSPCB);*
- (iii) District Magistrate, District Pune.*

11. The Committee is directed to visit the site and submit a factual and action taken report within one month. The Maharashtra Pollution Control Board (MPCB) will be the nodal agency for coordination and logistic support.

12. The report in the matter be filed by the Committee by e-mail at ngt-pune@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF..."

2.0 Approach

In order to comply with the aforesaid Hon'ble NGT order and order issued by MPCB vide no. SROP-II, 220823-FTS0131, dated 23/08/2022. The joint committee carried-out inspection of S.No.1/2/2, Vill. Nande, Taluka-Mulshi, District-Pune on 24/08/2022. The following committee members were present during the inspection:

- i. Shri Nishchal C., Scientist 'D', CPCB, Regional Directorate, Pune
- ii. Shri Nitin Shinde, Sub-Regional Officer, MPCB, Pune-II
- iii. Shri Abhay Chavan, Tehsildar, Mulshi as representative of District Collector, Pune

Also, Shri Ashok N. Late, Assistant Executive Engineer – Irrigation Department-Pune, Shri Vivek Dubbewar, Assistant Town Planner – Pune Metropolitan Region Development Authority (PMRDA) and Shri Sandeep, Field Officer, MPCB were accompanied the joint committee during the inspection and provided background information about the area under reference. Also, the Applicant's Advocate Shri Pritam Nigade vide letter dated 12/07/2022 requested the joint committee to intimate the Applicant before schedule of joint committee inspection. Copy of letter of Applicant's Advocate dated 12/07/2022 is given at **Annexure-2**. Accordingly, MPCB (nodal agency) has informed the Applicant i.e. Shri Mahesh Kashinath Ranawade, to accompany during joint committee inspection and Applicant was present and provided information about alleged issues.

3.0 Observations and findings

This report is outcome containing factual and action taken report of the said joint committee based on the preliminary information gathered from the applicant, followed by site inspection, information submitted by Irrigation Dept., project proponent through MPCB and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below:

3.1 Profile of the area under consideration

The alleged area as per the Hon'ble NGT order dated 07/07/2022 is an agricultural land of the applicant at survey no. 1/2/1, admeasuring 00 H 85 R and survey no. 1/2/2, admeasuring 00 H 54 R situated at Mouje Nande, Taluka-Mulshi, District-Pune. The respondents no. 6 & 7 (as per the OA) have purchased various lands at

survey nos. 1,2,4 which are located adjacent to the applicant's agricultural land (situated on the eastern side of River Mula) in the aforesaid village and also executed joint venture agreement with land holders for development of township project. Further, the respondents no. 8 & 9 (as per OA) have dumped debris & levelled the approach road (alleged that construction of approach road is in blue flood line of River Mula), which is passing parallel to the applicant's agricultural land and also the aforesaid land where proposed township project is being developed. The construction of said approach road has been done without obtaining prior permission from the local planning authority. Also, due to such levelling activities & construction of road; affecting the flow of surface run-off from agricultural lands into riverine system during rainy season and resulting into pondage of water in agricultural lands. Profile of the area delineating applicant's agricultural land, proposed development of township and alleged construction of approach road is depicted in the below Google imagery.



Legend

1: Proposed development of township project

2: Applicant's agriculture land

3: River Mula

Approach road constructed by respondents

3.2 Allegations of the applicant and observations of the joint committee

S. No.	Allegations of the Applicants	Joint Committee Observations
1.	Lands have been affected due to illegal construction of road by vast debris dumped and trees cutting on the banks of Mula River due to percolation of excess water in River is obstructed in rainy season also due to which lots of high waters may enter in to the village Nande	<p>During joint committee inspection it is observed that construction of approach road was made by backfilling overburden soil and other aggregates. On the edge of River bank, a gabion mesh wall of about 3 x 2 feet was constructed by the project proponent, which is in Blue line of River Mula. Further, factual information about the gabion wall was requested from Dy. Executive Engineer, irrigation Department.</p> <p>Dy. Executive Engineer, Pune Irrigation Division vide letter dated 10/10/2022 has submitted the information about gabion wall structure. Copy of letter from Dy. Executive Engineer, Pune Irrigation Division is given at Annexure-3. Relevant extract from the aforesaid letter dated 10/10/2022 is given below:</p> <p><i>“Gabion mesh wall is constructed to retain so erosion. Gabion walls are highly permeable and are able to bleed off any hydrostatic pressure eliminating the need to install a drainage system. Gabion walls are the flexible a are able to move with natural terrain. Gabion mesh structure is constructed in mesh work in which natural stones filled for width and depth which allows water to percolate and surpass flood water. After retention of flood water gabion wall allows water to percolate from land again to river stream eventually acting as a mutual structure maintaining ecological and aquatic system”</i></p>
2.	Respondent No 6 to 9 never take	As per letter submitted by PMRDA on

	any permission from competent authority before changing the agricultural zone in to residential/commercial zone for the said ongoing construction of road and township project. Respondent No 6 to 9 illegally and unauthorisedly started illegal dumping of debris of stones, rocks and murum for construction of road on the banks of Mula river and obstructing the free flow of river and choked the flood line of the said river	22/11/2022, PMRDA has not issued any building permission on the said land till date. Letter of PMRDA dated 22/11/2022 is given at Annexure-4.
3.	The respondent No 6 to 9 ought to get "Consent to establish" from Maharashtra Pollution Control Board under Air and Water Act and a copy shall be submitted to Environment Department before start of any construction work at site but failed to do so	The proposed project is a joint venture with "Urban Life Ventures" and the project proponent has obtained Consent to Establish (CTE) from MPCB on 11/09/2022 for total construction area (BUA) of 1,18,901.75 sq.m, which is valid up to commissioning of the project or 5 years whichever is earlier. Copy of CTE dated 11/09/2022 is given at Annexure-5.
4.	As per Maharashtra Land Revenue Code section 44 requires the permission from the permission from the collector to convert agricultural land into non-agricultural use that was not taken by Respondent No 6 to 9	Concerned authority has not given any specific reply despite rigorous follow-ups.
5.	Respondent no 6 to 9 ought to get permission from Respondent No 4 i.e MPCB for environmental clearance	PP has been granted Environmental Clearance (EC) by SEIAA, Maharashtra vide letter No. SIA/MH/MIS/229654/2021, dated 25/07/2022 for construction of a residential project for Total Built Up Area (TBA) of 1,18,939.03 sq.m (FSI: 69,297.79 sq.m & Non-FSI: 49,641.24 sq.m) based on layout sanctioned plan approval vide

		no. 537, dated 24/05/2022 for residential building having configuration of wing A to E: B+ St+P+17 F, wing F1 to wing F4: S+8 F, wing G1: B+S+5 F, wing G2 to G4: B+S+13 F and club house: G+1 F. Copy of EC dated 25/07/2022 is given at Annexure-6 .
6.	Respondent No 6 to 9 ought to Take prior permission from The Chief Engineer, Khadakwasla Irrigation Division, before doing any type of construction on the banks of River Mula	<p>Dy. Executive Engineer, Pune Irrigation Division vide letter dated 10/10/2022 has submitted the information about marking of Red & Blue line of River Mula. Copy of letter from Dy. Executive Engineer, Pune Irrigation Division is given at Annexure-3. Relevant extract from the aforesaid letter dated 10/10/2022 is given below:</p> <p><i>“Survey work for marking red line and blue line of mula river was conducted in year 2014 Road is parallel along Mula River bank, most of the part of the road is outside blue and red line, partly at depression where proposed cross drainage work to drain rainfall water in river is shown within blue and red line area. At proposed location blue line R.L 558.750 and Red Line 558.790 i.e. only 4 cm difference is observed.”</i></p> <p>“As per G.R. framed by water resource department Govt. of Maharashtra Circular No. PuRaNi-2018/(182/2018) Sin. Vya. (Revenue), dated 03/05/2018 Para no.8 point no. (ii) public road is permitted in restrictive zone.”</p>

3.3 Other observations

- i. During joint committee inspection, it is observed that a septic tank of reported capacity of about 96.0 m³ was constructed by the Mouje Nande Gram Panchayat on the bank of Mula River. Upon verification of detailed block contour survey map of Mula River prepared by the Water Resource Dept., Pune Irrigation Circle, Pune, Govt. of Maharashtra that the said construction of septic tank is within the Blue line of Mula River.
- ii. The joint committee referred the circular of the State Govt. of Maharashtra, Water Resource Department, Govt. Circular No. PuRaNi-2018/(182/2018) Sin. Vya. (Revenue), dated 03/05/2018, read with Govt. Circular No. FWD-1089/243/89/Sin Vya (Works), dated 21/09/1989. Wherein, the aforesaid circular was issued regarding demarcation of flood lines to prohibit any type of construction inside the flood lines. Copy of the aforesaid circular vide dated 03/05/2018 is given at **Annexure-7**. Also, translated version of the aforesaid circular vide dated 03/05/2018 from Marathi to English, as submitted by the Applicant in his petition is given at **Annexure-7 A**. The relevant paragraph of the aforesaid circular vide dated 03/05/2018 is reproduced as follows:

“...5. Prohibitive Zone: The area between the Blue Flood line on the right bank of the river to riverbed to the Blue Flood line on the left bank of the river shall be called as Prohibitive Zone...”

“...6. Restrictive Zone: The area between the Blue Flood Line of the river and the Red Flood Line on the same bank shall be called as Restrictive Zone...”

“...7. Prohibitive Zone can be used only in the form of open land e.g. gardens, play grounds, light crops; where there is established easement right to take crops (e.g. water melons, musk melons etc. public toilets and sewage discharge facilities), so that there will not be any obstruction to the flow of the river, there will not be reduction in the carrying capacity of the river and there will not be any change in the cross section of the river...”

“...8. Restrictive Zone should be used only for the following:

- i) Sewage carrying projects unavoidable in public interest.*
- ii) Public roads unavoidable in public interest; provided the top level of such road shall be above the level of Blue Flood line.*
- iii) Water supply pipe lines, gas pipe lines, drainage pipe lines unavoidable in public interest provided such pipe lines shall be under ground and will not cause obstruction in the cross section of the Restrictive Zone.*
- iv) The plinth level of the ground floor of the buildings in Restrictive Zone shall be safely above the level of Red Flood line so that the people could be evacuated to safe location before the flood level rises in the Restrictive Zone and it will be possible for the people and cattle to shift urgently to safe location with their belongings to avoid the loss of life and property due to floods...”*

iii. Hence, in view of the above circular; the said construction of septic tank by the Mouje Nande Gram Panchayat is prohibited as the said construction falls within the Blue line of Mula River. Further, the joint committee referred various judgments/orders of the Hon'ble Tribunal wherein action have been taken against illegal construction raised in the prohibited zone and the same is given below:

- a) Hon'ble NGT in OA no. 281 of 2019(PB) in the matter of Mahadevapura Parisara Samrakshane Mattu Abhivrudhi Samiti vs Union of India & Ors. passed an order vide dated 30/07/2021 regarding the violation of provisions relating to wetlands and Rajakaluves, and constructions raised in the buffer zone or surrounding area of Kaikondarahalli Lake. Relevant extract of the paragraphs of the aforesaid order vide dated 30/07/2021 are reproduced below;

“...155. Hence, in view of order already passed on 09.05.2019 based on the report submitted by First Joint Committee, we allow Original Application, i.e., OA No. 281/2019. Order for taking necessary action against PP, Ramesh Kumar as well as demolition of constructions illegally raised on the disputed site, are maintained and reiterated. The

respondents competent authorities shall proceed in accordance with law to enforce environmental laws by initiating prosecution, demolishing the structures, illegally raised, if not, already demolished, restore land to its original position, make assessment of cost of restoration and damage to environment, assess environmental compensation against PP-Ramesh Kumar and realize the same in accordance with law, if not already done, expeditiously and in any case within 3 months from the date of this judgment...”

“...321. We impose compensation for damage to environment as 10% of the cost of project. The cost of project mentioned in the application submitted for grant of EC was 310 crores, hence PP is directed to pay 31.00 crores. This amount shall be used for demolition of the constructions as per direction (ii), restoration of the area to the original position, rejuvenation and reforestation etc. of the “Kaikondarahalli Lake” and its surrounding area. PP shall deposit the amount within one month with the State Wetland Authority...”

- b) Hon'ble NGT in OA no. 41 of 2019 (WZ) in the matter of Federation of River Residency Cooperative vs Pimpri Chinchwad Municipal Corporation & Ors. passed an order vide dated 30/01/2020 regarding construction of Sewage Treatment Plant (STP) by the Pimpri-Chinchwad Municipal Corporation (PCMC) in the area between the river bank and Blue Flood Line of the Indrayani River, which is a prohibited zone. Relevant extract of the paragraphs of the aforesaid order vide dated 30/01/2020 are reproduced below;

“...9. Having regard to the facts and circumstances set out above, we have no hesitation in holding that the questioned STP has been constructed within the prohibitive zone and, apart from the fact that the PCMC did not have the necessary Consent to Establish, the structure (STP in the present case) besides having been raised at a location which is not suitable for construction of STP, is also obstructing the natural flow of the river during the rainy season...”

“...10. As a consequence, we direct the PCMC to immediately demolish the STP in question and take steps to construct one at some other suitable site in accordance with law. The entire exercise shall be carried out within a period of one month under the strict supervision of the MPCB and the Irrigation Department, Government of Maharashtra...”

“...11. Since, during the construction of the STP severe damage was caused to the environment and ecology of the area, we direct the MPCB to assess the ecological damage by taking scientific support of experts and recover the same from the PCMC...”

Some of the photographs taken during the joint committee inspection is given at **Annexure-8.**

4.0 Conclusions

The joint committee carried-out inspection of the alleged area under reference on 24/08/2022. Thereafter, detailed analysis of the area under reference and based on the decisions taken during the said visit, the joint committee opined that most of the information required for compilation & report preparation has to be obtained from different agencies viz. PMRDA, Irrigation Dept. and Land Revenue Dept., Accordingly, a questionnaire was prepared and forwarded to the above concerned agencies with a request to submit desired information. Thereafter, several follow-up communications were during 24/08/2022, 15/09/2022, 04/10/2022, 10/10/2022 & 11/10/2022 & during November, 2022 respectively besides regular telephonic follow-ups, with a request to submit the desired information. Accordingly, the joint committee is in receipt of desired information from the concerned agency i.e. PMRDA through MPCB on 22/11/2022. Based on the desired information received, the joint committee compiled the information and prepared the report.

The alleged construction of approach road to the proposed residential project doesn't fall within the Blue Line of Mula River. Further, as per G.R. framed by water resource department Govt. of Maharashtra Circular No. PuRaNi-2018/(182/2018) Sin. Vya. (Revenue), dated 03/05/2018 Para no.8 point no. (ii) public road is permitted in restrictive zone. However, due to such construction of approach road (by increasing

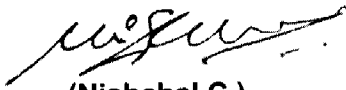
the height of road by backfilling) is affecting the flow of surface run-off from agricultural lands into riverine system during rainy season and resulting in pondage of water in agricultural lands. In order to avoid pondage of water in alleged agricultural lands and to ensure effective drainage of surface run-off, suitable cross drainage should be provided at appropriate locations.

Further, the gabion walls constructed with natural aggregates for percolation and to surpass flood water into riverine system is located within the Blue Line of Mula River.

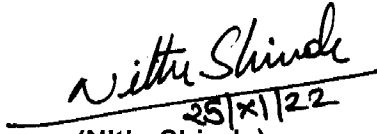
Septic tank constructed by the Mouje Nande Gram Panchayat is located between the river bank and blue flood line of Mula River, which is a prohibited zone. Hence, the said construction done in the blue flood line of Mula River should be immediately removed.

5.0 Recommendations

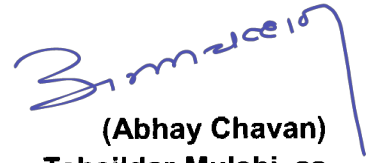
- i. In view of the above w.r.t. construction of approach roads:
 - a) Cross drainage structure should be constructed by the project proponent under the supervision of PMRDA at appropriate locations at low lying areas at nalah portion for collection & drainage of surface-run-off into riverine system.
- ii. Considering the information provided by Irrigation Department, Govt. of Maharashtra and Orders passed by Hon'ble Hon'ble NGT in similar matters i.e. prohibiting the constructions made between the river bank and blue flood line of the Indrayani River¹ and also the construction raised in the buffer zone of water bodies, the joint committee recommends the following for kind consideration of the Hon'ble Tribunal:
 - a) Demolish² the construction of septic tank illegally raised by the Mouje Nande Gram Panchayat in the area, affected by prohibited blue flood line of the Mula River.



(Nishchal C.)
Scientist 'D'
CPCB, RD-Pune



(Nitin Shinde)
Sub-Regional Officer
MPCB, Pune-II



(Abhay Chavan)
Tehsildar-Mulshi, as
representative of District
Collector, Pune

Date:-25/11/2022

¹ Hon'ble NGT in OA no. 41 of 2019 (WZ) in the matter of Federation of River Residency Cooperative vs Pimpri Chinchwad Municipal Corporation & Ors. vide order dated 30/01/2020.

² Hon'ble NGT in OA no. 281 of 2019 (PB) in the matter of Mahadevapura Parisara Samrakshane Mattu Abhivrudhi Samiti vs Union of India & Ors. vide order dated 30/07/2021

Upon Mentioning

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

(By Video Conferencing)

Original Application No. 57/2022(WZ)
I.A. No. 61/2022(WZ)

Shri Mahesh Kashinath Ranawade

Applicant(s)

Versus

The State of Maharashtra & Ors.

Respondent(s)

Date of hearing: 07.07.2022.

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant(s): Mr. Pritam Nigade, Advocate

ORDER

1. An email has been received from the Learned Counsel for the Applicant for urgent hearing in this matter.
2. We heard the Learned Counsel for the Applicant in respect of the urgency Application and find that the matter is urgent for being heard and hence, it is being taken up for hearing today itself.
3. The matter pertains to the illegal construction of road on the bank of the Mula River which is said to be adversely affecting the agricultural fields of the Applicant who has undivided agricultural land in survey no. 1/2/2 admeasuring 00 H R 54 situated at Mouje Nande, Taluka Mulshi, District Pune.

4. It is argued by the Learned Counsel for the Applicant that Respondent Nos.6 to 9 are raising the illegal construction in the area in question which is in blue line of Mula River where no construction is legally permissible.

5. The matter requires consideration. We find that substantial question of environment appears to be made out in the present matter. Therefore, we admit this Application.

6. Issue notices to the Respondents on the main Application as well on I.A. No.61/2022, returnable within one week.

7. Applicant is directed to provide copy of the Application and relevant documents to the Respondents within three days from today.

8. Respondents are directed to submit their Reply Affidavits within two weeks.

9. Applicant is also directed to take necessary steps for service upon the Respondents by both ways and also through available email.

10. We deem it just and proper to call for a report on the matter in issue in present application, from a Joint Committee consisting of:-

- (i) One Representative from the Central Pollution Control Board (CPCB);
- (ii) One Representative from the Maharashtra State Pollution Control Board (MSPCB);
- (iii) District Magistrate, District Pune.

11. The Committee is directed to visit the site and submit a factual and action taken report within one month. The Maharashtra Pollution Control Board (MPCB) will be the nodal agency for coordination and logistic support.

12. The report in the matter be filed by the Committee by e-mail at ngt-pune@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

13. Applicant is directed to supply the required documents and copy of the application to the members of the Committee within three days from today.

Put up with the report on 30.08.2022.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 07,2022
Original Application No. 57/2022(WZ)
I.A. No. 61/2022(WZ)

JG

PRITAM SURESH NIGADE
B.COM, LLB, LLM, C.S. (Executive)
ADVOCATE
9881911677

168



13/07/2022
Off-No 4, 2nd floor,
325/A, Shantai Apartment
Shanivar Peth, Near Shinde Par,
Omkareshwar Mandir, Pune
411030
zancorporatefirm@gmail.com

Date – 12/07/2022

To,

Annexure-2

- 1) Central Pollution Control Board (CPCB),
Office Address - Baner Pune
- 2) Maharashtra Pollution Control Board,
Through the Regional Officer, Pune,
Jog Centre, 3rd Floor, Mumbai-Pune Road,
Wakadewadi, Pune-411003.
Email Id – ropune@mpcb.gov.in
mpcbpune@mpcb.gov.in
- 3) District Magistrate, District Pune
Add- Collector Office, Camp Pune

Ref - BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL
WESTAERN ZONAL BENCH AT PUNE
MEMORANDUM OF APPLICATION
ORIGINAL APPLICATION NO 57 OF 2022
IN
INTERIM APPLICATION NO 61 OF 2022
DISTRICT : PUNE

Shri. Mahesh Kashinath Ranawade .. Applicant

Vs.

The State of Maharashtra & others .. Respondent

R/Sir,

Take notice that Hon'ble Mr. Justice Dinesh Kumar Singh, Judicial Member Hon'ble Dr. Vijay Kulkarni have passed Order dt 7/07/2022 in above referred Original Application bearing No 57 of 2022 along with IA No 61 of 2022 (WZ) to appoint a Joint Committee of One Representative from the Central Pollution Control Board (CPCB), One Representative from the Maharashtra State Pollution Control Board (MSPCB) and District Magistrate, District Pune. The Committee is directed to visit site and submit a factual and action taken report within one month. The Maharashtra Pollution Control Board (MPCB) will be nodal agency for coordination and logistic support.

Hence kindly requested to inform the Applicant/ ^{Advocate} before one week of spot inspection, so that Applicant can address their grievance about environment degradation and other issues perfectly.

Yours sincerely,

(Pritam Nigade)

Advocate for the Petitioner
Pritam Suresh Nigade

Advocate

B.Com, LL.B, LL.M, CS (Exe)

Office No.4, 2nd Floor, Shantai Apartment,
Shaniwar Peth, Pune-30

S. No. MAH/2666/2007

M.No.-9881911877

email-zancorporatefirm@gmail.com

For n/a, p.l.

13/7/2022

sh. NG/sd

13/7/2022
→ LA



सिंचनात वापरून देणार :

Telephone:

020-26123005/

020-29705167



**GOVERNMENT OF MAHARASHTRA
WATER RESOURCES DEPARTMENT
EXECUTIVE ENGINEER,
PUNE IRRIGATION DIVISION, PUNE-01**

New Administrative Building, B-wing, West Side, Second Floor, Pune-01
Kindly visit website of water resources department <http://wrdd.maharashtra.gov.in>



खानेबाजा जपून मरान्या

e-mail ID :

eeidpn@gmail.com

Out No./PB-1 /NGT OA No.(57/2022) / 5329 /2022

Date.10/10/2022

To,

Hon. Regional Officer
Maharashtra Pollution Control Board,
Pimpri Chinchwad Division, Jog Center,
Old Pune-Mumbai Highway, Shivajinagar, Pune.

Subject-

Original Application Number 57/2022 (WZ)

Shri Mahesh Kashinath Ranawade Vs The state of Maharashtra & The chief Engineer, Pune Irrigation Division, Govt. Of Maharashtra, Sinchan Bhavan, Barne Road, Magalwar peth, Pune

References-

- 1) Original Application Number 57/2022 (WZ)
- 2) Joint Committee Visit Conducted at Sr No. 1/2/2 village Nande Tal. Mulshi
- 3) Sub-Divisional Engineer, Khadakwasla Canal Sub-Division No. 2, Pune offices Letter No. खडक-2/प्रशा/1979/सन 2022 Dated 18/08/2022
- 4) Sub-Divisional Engineer, Khadakwasla Canal Sub-Division No. 2, Pune offices Letter No. खडक-2/प्रशा/2066/सन 2022 □□. 29/08/2022

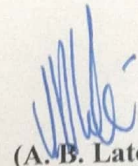
With reference to the above subject, Joint committee visit was conducted at s.no.1/2/2, Vill.Nande, Tal.Mulshi in presence of officials of PMRDA, Irrigation Department, MPCB, Tahsildar Mulshi w.r.t. order issued by hon'ble NGT dated 07/07/2022 in the OA- 57/2022 (WZ) Mahesh Kashinath Ranawade Vs The State of Maharashtra & others

Compliance of following points with regards to water resource department are given below.

	Point	Compliance
1	Survey no. along with property card of the respondent no.6 to 9, where the proposed residential building is being developed.	Joint Committee Visit was Conducted at Sr No. 1/2/2 village Nande Tal. Mulshi
2	Survey no. along with property card of the applicant where the alleged agricultural land is being located. Based on the above (a & b), Irrigation Dept. may superimpose aforesaid survey nos. of the area under consideration (based on the available land revenue map) with the irrigation plan/flood plan and provide comments whether the aforesaid survey nos. fall within the blue or red flood line measures	Survey work of marking of red line and blue line of mula river was conducted in year 2014 Road is parallel along Mula river bank, most part of the road is outside blue and red line, partly at depression where proposed cross drainage work to drain rainfall water in river is shown is within blue and red line area. At proposed location blue line R.L. 558.750 and red line R.L. 558.790 i.e. only 4 cm differen is observed. As per G.R. framed by water resource department Govt. of Maharashtra Gr No. शासन

	Point	Compliance
		परिपत्रक क्र. पुनि-2018 (182/2018) सि. व्य. (महसूल) दि. 03 मे, 2018 Para no. 7 point no. (ii) Public road is permitted in restrictive zone. Detailed Survey map is prepared and attached for submission
3	Irrigation Dept. to provide point-wise Preventive for effective management & draining of surface run-off from the alleged agriculture lands into riverine system.	Cross drainage structure can be constructed at low laying area at nalla portion to collect rain water and drain the same to river efficiently.
4	Irrigation Dept. to provide comments about the purpose & functioning of gabion structure which is being installed by the PP and also whether such structure is permitted along the periphery or in the blue or red flood line by quoting rules/notification as relevant applicable	Gabion mesh wall is constructed to retain so erosion. Gabion walls are highly permeable and are able to bleed off any hydrostatic pressure eliminating the need to install a drainage system. Gabion walls are flexible and are able to move with the natural terrain. Gabion mesh structure is constructed in masonry work in which natural stones filled for width and depth which allows water to percolate and surpass flood water. After retention of flood water gabion wall allows water to percolate from land again to river stream eventually acting as a natural structure maintaining ecological and aquatic system

For your information and further necessary action.



(A. B. Late)

Dy. Executive Engineer
Pune Irrigation Division,
Pune-01.

Copy to:

- 1) Hon'ble Commissioner, Pune Metropolitan Regional Development Authority, Pune for information and necessary action
- 2) Hon'ble Superintendent Engineer, Pune Irrigation Circle, Pune for information and necessary action.
– With Reference to this office's letter जा.क्र.पुपावि/प्रशा-1 /(धा.क्र.52/2022)/ 4532/2022 Office Order No.228 dated 23/08/2022 You are hereby requested for appointment of government attorney for representation of the subjected OA No. 57/2022 in front of Hon. National Green Tribunal (Western Zone), Pune.
- 3) Sub-Divisional Engineer, Khadakwasla Canal Sub-Division No. 2, Pune for information and necessary action.



पुणे महानगर प्रदेश विकास प्राधिकरण, पुणे
Pune metropolitan Region Development Authority, Pune

नवीन प्रशासकीय इमारत, आकुर्डी रेल्वे स्टेशन जवळ, आकुर्डी, पुणे ४११०४४

PUNEMETROPOLIS

New Administrative Building, Near Akurdi Railway Station, Akurdi, Pune 411044

Ph No. : 020- 259 33 344 / 356 / 333 / फोन. नं. ०२०- २५९ ३३ ३४४/ ३५६ / ३३३ Email: comm@pmrda.gov.in

जा.क्र. PMRDA / C.R २९५९

Dated 04/08/2022

०२/०९/२०२२

To,

Sub Regional Officer-Pune-2
Regional Office- Pune,
Maharashtra pollution Control Board, 2nd Floor, Jog Center,
Old Pune Mumbai Highway,
Wakdewadi
Pune

Subject:- Original application received through email.

With respect to subject matter and with the above references, wide original application No.57/2022 at Respected Arbitrator National green tribunal of has been received by this office by Email In that MPCB department has asked for opinion on this application by Pune metropolitan Region Development Authority, Pune office.

With Reference to the application, mauje nande, tal mulshi, survey no.1/2/2 building M/s urban life venture through partner Shri Aditya Aniruddha Deshpande and architect Gautam Atarde have Submitted a proposal for building permission for survey number 1/2/2, Nande, Tal- mulshi, Dated 08/06/2022. With respect to the said proposal after scrutinizing proposal, rejection letter outword No. 530 dated 22/07/2022 is given to applicant and proposal is not pending with PMRDA

As per request received by PMRDA regarding Joint site visit of various departments Joint site visit is on date 24/08/2022 was carried out. At that time Road Development work for making land motorable for vehical was going on, within the blue line of River. Irrigation Department officer was present during the site visit.

As on date PMRDA has not issued any Building Permission on the said land.

Deputy Metropolitan Planner

Building Permission Department

Pune metropolitan Region Development Authority, Pune



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

Infrastructure/RED/M.S.I

No:- Format1.0/CC/UAN No.0000137367/CE/2209000489

Date: 11/09/2022

To,
M/s. Urban Life ventures,
S.No 74/1+2+3/2 (P) 1/3 (P) 1/2/1(P) 1/2/2
(P) 1/2/3 (P) 1/5/1 (P) 1/6 (P) 4/1B (P) 2/24,
Nande, Tal Mulshi, Dist Pune.



Your Service is Our Duty

Sub: Consent to Establish for Residential construction project under Red Category

Ref: Minutes of 12th Consent Committee Meeting of 2022-23 held on 01.08.2022

Your application NO. MPCB-CONSENT-0000137367

For: grant of Consent to Establish under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I,II,III & IV annexed to this order:

1. **The Consent to establish is granted for period up to Commissioning of the project or 5 Yrs whichever is earlier**
2. **The capital investment of the project is Rs.197 Cr. (As per C.A Certificate submitted by industry).**
3. **The Consent to Establish is valid for residential construction project named as M/s. Urban Life ventures, S.No 74/1+2+3/2 (P) 1/3 (P) 1/2/1(P) 1/2/2 (P) 1/2/3 (P) 1/5/1 (P) 1/6 (P) 4/1B (P) 2/24, Nande, Tal Mulshi, Dist Pune on Total Plot Area of 48623 SqMtrs for proposed total construction BUA of 1,18,901.75 SqMtrs including utilities and services.**
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	964	As per Schedule - I	The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be connected to the sewerage system provided by local body

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

Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
S-1, S-2	DG Sets-2 Nos, 200 kVA each	02	As per Schedule -II

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

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Wet waste	2500 Kg/Day	Organic Waste Convertor & Composting/Biogas Digester & Composting	As Manure
2	Dry waste	1500 Kg/Day	Segregation	To Local Body
3	STP Sludge	96 Kg/Day	Dewatering	As Manure

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

Sr No	Category No.	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	100	Ltr/A	Reprocessing	To Authorized Reprocesser

8. This Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government agencies.
10. Project Proponent shall install online monitoring system for the parameter pH, SS, BOD and flow at the outlet of STP.
11. Project Proponent shall provide Organic waste digester with composting facility or biodigester with composting facility.
12. Project Proponent shall comply the Construction and Demolition Waste Management Rules, 2016 which is notified by Ministry of Environment, Forest and Climate Change dtd.29/03/2016.
13. The project proponent shall make provision of charging of electric vehicles in atleast 40 % of total available parking area.
14. The project proponent shall take adequate measures to control dust emission and noise level during construction phase.
15. PP shall obtain Environmental Clearance from competent authority for the proposed activity. PP shall not take effective steps towards construction without obtaining Environmental Clearance.
16. PP shall submit an affidavit in Boards prescribed format within 15 days regarding compliance of C to E.

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	394000.00	TXN2204003820	29/04/2022	Online Payment

Copy to:

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



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

- 1) A] As per your application, you have proposed Sewage Treatment Plant of designed capacity 1010 CMD with MBBR technology for the treatment of 964 CMD of sewage.
- B] The Applicant shall operate the sewage treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

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

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

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	1139.00
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 proposed to provide the Air pollution control (APC) system and also proposed to erect following stack (s) and to observe the following fuel pattern-

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
S-1	DG SEt-200 kVA	Acoustic Enclosure	3.00	Diesel 34.4 Ltr/Hr	1	SO ₂	16.5 Kg/Day
S-2	DG SEt-200 kVA	Acoustic Enclosure	3.00	Diesel 34.4 Ltr/Hr	1	SO ₂	16.5 Kg/Day

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

SCHEDULE-III**Details of Bank Guarantees:**

Sr. No.	Consent(C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C to E	Rs 10 Lakhs	15 Days	Compliance of Consent Conditions	upto Commissioning of the Project	upto Commissioning of the Project

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

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

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

BG Return details

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				



SCHEDULE-IV**Conditions during construction phase**

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

General Conditions:

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

- 6 Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rule 2016 & E-Waste (M & H) Rule 2011.
- 7 Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8 Applicant shall submit official e-mail address and any change will be duly informed to the MPCB.
- 9 The treated sewage shall be disinfected using suitable disinfection method.
- 10 The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 11 The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.

This certificate is digitally & electronically signed.



ENVIRONMENTAL
CLEARANCE

Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), Maharashtra)

To,

The Director
 URBAN LIFE VENTURES LLP
 City corporation LTd city chambers 917/19A FC Road pune 411004 -
 411004

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity
 under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
 in respect of project submitted to the SEIAA vide proposal number
 SIA/MH/MIS/229654/2021 dated 18 Sep 2021. The particulars of the environmental
 clearance granted to the project are as below.

- | | |
|---|---|
| 1. EC Identification No. | EC22B038MH137445 |
| 2. File No. | SIA/MH/MIS/229654/2021 |
| 3. Project Type | New |
| 4. Category | B2 |
| 5. Project/Activity including
Schedule No. | 8(a) Building and Construction projects |
| 6. Name of Project | Proposed Project at Nande,Pune by M/s.
Urban Life Ventures |
| 7. Name of Company/Organization | URBAN LIFE VENTURES LLP |
| 8. Location of Project | Maharashtra |
| 9. TOR Date | N/A |

The project details along with terms and conditions are appended herewith from page
 no 2 onwards.

Date: 25/07/2022

(e-signed)
Manisha Patankar Mhaikar
 Member Secretary
 SEIAA - (Maharashtra)

*Note: A valid environmental clearance shall be one that has EC identification
 number & E-Sign generated from PARIVESH.Please quote identification
 number in all future correspondence.*

This is a computer generated cover page.

PARIVESH

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STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

No. SIA/MH/MIS/229654/2021
 Environment & Climate
 Change Department
 Room No. 217, 2nd Floor,
 Mantralaya, Mumbai- 400032.

To

M/s. Urban Life Ventures,
 .No 74/1+2+3/2 (P) 1/3 (P) 1/2/1 (P) 1/2/2 (P)
 1/2/3 (P) 1/5/1 (P) 1/6 (P) 4/1B,(P) 2/24 ,
 Village- Nande, Taluka- Mulshi, District- Pune

Subject : Environment Clearance for Proposed Construction project at S.No 74/1+2+3/2 (P) 1/3 (P) 1/2/1 (P) 1/2/2 (P) 1/2/3 (P) 1/5/1 (P) 1/6 (P) 4/1B,(P) 2/24 , Village- Nande, Taluka- Mulshi, District- Pune by M/s. Urban Life Ventures

Reference : Application no. SIA/MH/MIS/229654/2021

This has reference to your communication on the above-mentioned subject. The proposal was considered by the SEAC-3 in its 130th meeting under screening category 8 (a) B2 as per EIA Notification, 2006 and recommend to SEIAA. Proposal then considered in 245th (Day-2) meeting of State Level Environment Impact Assessment Authority (SEIAA).

2. Brief Information of the project submitted by you is as below:-

Proposal Number	PARIVESH NO: MIS/229654	
Name of Project	Proposed Project at Nande, Pune by M/s Urban Life Ventures	
Project category	Schedule 8(a) Category B2	
Type of Institution	Private	
Project Proponent	Name	Mr. Ashwin Lunkad, M/s. Urban Life Ventures
	Regd. Office address	City Corporation Limited, City Chambers 917/19, A, Village – F C Road, Taluka – Haveli, District – Pune- 411004
	Contact number	02071017201
	e-mail	rucha@rohanbuilders.com
Applied for	New	
Details of previous EC	NA	
Location of the project	S.No 74/1+2+3/2 (P) 1/3 (P) 1/2/1 (P) 1/2/2 (P) 1/2/3 (P) 1/5/1 (P) 1/6 (P) 4/1B,(P) 2/24 , Village- Nande, Taluka- Mulshi, District- Pune, State- Maharashtra 412115	
Latitude and Longitude	18 ⁰ 33'37.97" N 73 ⁰ 42'41.36" E	
Total Plot Area (m2)	48623	
Deductions (m2)	16513.62	
Net Plot area (m2)	32109.38	

Proposed FSI area (m2)	69184.51			
Proposed Non-FSI area (m2)	49717.25			
Proposed TBUA (m2)	118901.76			
TBUA (m2) approved by Planning Authority till date	IOD by PMRDA-vide no -1162 dated 17/08/2021 FSI-69,310.63 NoN FSI-49,591.12 BUA-1,18,901.75 sqm			
Total Project Cost (Rs.)	1970000000			
CER as per MoEF & CC circular dated 01/05/2018	Activity	Location	Cost (Rs.)	Duration
	Details in CER activities annexure			
Details of Building Configuration : <Please use following legends: Floor = F , Parking = Pk, Podium = Po, Stilt =St, Lower Ground = LG, Upper Ground = UG, Basement = B, Shops = Sh>				Reason for Modification / Change
Previous EC / Existing Building	Proposed Configuration			
Building Name	Configuration	Height (m)	Building Name	Configuration
-	-	-	Wing A to Wing E	B+St+P+17 F
-	-	-	Wing F1 to Wing F4	S+8 F
-	-	-	Wing G1	B+S+5 F
-	-	-	Wing G2 to G4	B + S + 13 F
-	-	-	Club House	G + 1 F
Total number of tenements		1579		
Water Budget	Dry Season (CMD)		Wet Season (CMD)	
	Fresh Water	716	Fresh Water	716
	Recycled	423	Recycled	356
	Swimming Pool	2	Swimming Pool	2
	Flushing	356	Flushing	356
	Total	1139	Total	1072
	Waste water Generation	964	Waste water generation	964
Water Storage Capacity for Firefighting / UGT	As per NOC			
Source of water	Grampanchayat Nande			
Rainwater Harvesting (RWH)	Level of the Ground water table		15-20m	
	Size and no of RWH tank(s) and Quantity		N.A.	
	Quantity and size of recharge pits		Quantity: 15 Nos & Size: 2.75mX2.75mX1.50m	

	Details of UGT tanks if any		Domestic	NA
			Flushing	NA
			Fire	As per NOC
Sewage and Waste water	Sewage generation in CMD	964		
	STP technology	MBBR		
	Capacity of STP (CMD)	1010 KLD		
Solid Waste Management during Construction Phase	Type	Quantity (kg/d)	Treatment / disposal	
	Dry waste	3	Through authorized agency	
	Wet waste	2	Through authorized agency	
	Construction waste	5	Through authorized agency	
Solid Waste Management during Operation Phase	Type	Quantity (kg/d)	Treatment / disposal	
	Dry waste	1452	Handed over to Authorized Agency	
	Wet waste	2179	In-situ Composting	
	Hazardous waste	Negligible	Negligible	
	Biomedical waste	N.A.	N.A.	
	E-Waste	10.81	Handed over to Authorized Dismantler / Recycler	
	STP Sludge (dry)	60	In-situ Composting	
Green Belt Development	Total RG area (m2)	3795		
	Existing trees on plot	14		
	Number of trees to be planted	401		
Power requirement	Source of power supply	MSEDCL		
	During Construction Phase (Demand Load)	100 kW		
	During Operation phase (Connected load)	4636.71 kW		
	During Operation phase (Demand load)	2699.77 kW		
	Transformer	630 kVA X 6 Nos.		
	DG set	200 kVA X 2 Nos		
	Fuel used	Diesel		

Details of Energy saving	Measures to reduce energy consumption: Ø Generally we have proposed high efficiency transformer, motors etc. to reduce losses. Ø Electronic Ballasts and Energy efficient lamp source either triposphere or LED are proposedfor common area & general lighting with automatic time-based control to save power by switching ON & OFF the lights at appropriate time. The estimated saving in common lighting consumption is up to 20 % due to adopting above measures.			
Environmental Management	No.	Details	Cost	
	1	Water for Construction, Labour & Dust Suppression	Rs. 4 Lacs	
Plan budget during Construction phase	2	Site Sanitation & Health & Safety PPE Kits	Rs. 3 Lacs	
	3	Environmental Monitoring	Rs. 4 Lacs	
	4	Disinfection & Health & Safety	Rs. 3 Lacs	
	5	Health Check up	Rs. 3 Lacs	
Environmental Management plan Budget during Operation phase	Component	Details	Capital(Rs. In Lacs)	O&M (Rs. In Lacs/Yr)
	Sewage treatment	Waste Water Management	100	30
	RWH	RWH Pits	19.00	0.75
	Solid Waste	Organic Waste Composting	75.00	20
	Green belt development	Tree Plantation	20.00	2.00
	Energy saving	Energy Conservation	259.00	10.00
	Environmental Monitoring	Pollution Control	0	6
	Disaster Management	Fire & LA	287.29	14.36
	PPE Kits Health & Safety	Biomedical Waste Management	0	1
Traffic Management	Type	Required as per DCR	Actual Provided	Parking Area (m2)
	4-Wheeler	0	276	27265.1
	2-Wheeler	2072	2072	
	Bicycles	2072	2072	
Details of Court cases / litigation w.r.t. the project and project location if any	NA			

3. Proposal is a new construction project. Proposal has been considered by SEIAA in its 245th (Day-2) meeting and decided to accord Environment Clearance to the said project under the provisions of Environment Impact Assessment Notification, 2006 subject to implantation of following terms and conditions-

Specific Conditions:

A. SEAC Conditions-

1. As agreed by PP, PP to develop the internal village road to give additional access to project Site. PP & local body to ensure that, Local body to ensure that, No Occupancy should be given unless that road has been developed.
2. PP to explore the possibility to increase the ramp width so that 2 fire engine can move smoothly on podium.
3. PP to provide the acoustic barriers.
4. PP to submit note regarding the final disposal point of the local body's sewerline.
5. PP to submit the undertaking regarding no trees is proposed to be cut.
6. PP to provide minimum 30% of total parking arrangement with electric charging facility by providing charging points at suitable places.

B. SEIAA Conditions-

1. PP to keep open space unpaved so as to ensure permeability of water. However, whenever paving is deemed necessary, PP to provide grass pavers of suitable types & strength to increase the water permeable area as well as to allow effective fire tender movement.
2. PP to achieve at least 5% of total energy requirement from solar/other renewable sources.
3. PP Shall comply with Standard EC conditions mentioned in the Office Memorandum issued by MoEF& CC vide F.No.22-34/2018-IA.III dt.04.01.2019.
4. SEIAA after deliberation decided to grant EC for – FSI – 69297.79 m², Non FSI- 49641.24 m², Total BUA- 118939.03 m². (Plan approval No.537, Date –24.05.2022).

General Conditions:

a) Construction Phase :-

- I. The solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- II. Disposal of muck, Construction spoils, including bituminous material during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in the approved sites with the approval of competent authority.
- III. Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- IV. 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.

- V. Arrangement shall be made that waste water and storm water do not get mixed.
- VI. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices.
- VII. The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.
- VIII. Permission to draw ground water for construction of basement if any shall be obtained from the competent Authority prior to construction/operation of the project.
- IX. 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.
- X. The Energy Conservation Building code shall be strictly adhered to.
- XI. All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- XII. Additional soil for levelling 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.
- XIII. 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.
- XIV. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.
- XV. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.
- XVI. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.
- XVII. Vehicles hired for transportation of Raw material shall strictly comply the emission norms prescribed by Ministry of Road Transport & Highways Department. The vehicle shall be adequately covered to avoid spillage/leakages.
- XVIII. 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.
- XIX. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during construction 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 is preferred. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- XX. 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 by a separate environment cell /designated person.

B) Operation phase:-

- I. a) The solid waste generated should be properly collected and segregated. b) Wet waste should be treated by Organic Waste Converter and treated waste (manure) should be utilized in the existing premises for gardening. And, no wet garbage will be disposed outside the premises. c) Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- II. E-waste shall be disposed through Authorized vendor as per E-waste (Management and Handling) Rules, 2016.
- III. a) 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 MPCB and Environment department before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Necessary measures should be made to mitigate the odour problem from STP. b) PP to give 100 % treatment to sewage /Liquid waste and explore the possibility to recycle at least 50 % of water, Local authority should ensure this.
- IV. Project proponent shall ensure completion of STP, MSW disposal facility, green belt development prior to occupation of the buildings. As agreed during the SEIAA meeting, PP to explore possibility of utilizing excess treated water in the adjacent area for gardening before discharging it into sewer line No physical occupation or allotment will be given unless all above said environmental infrastructure is installed and made functional including water requirement.
- V. The Occupancy Certificate shall be issued by the Local Planning Authority to the project only after ensuring sustained availability of drinking water, connectivity of sewer line to the project site and proper disposal of treated water as per environmental norms.
- VI. 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.
- VII. PP to provide adequate electric charging points for electric vehicles (EVs).
- VIII. Green Belt Development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO/ Agriculture Dept.
- IX. A separate environment management cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.
- X. 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.
- XI. 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 parivesh.nic.in
- XII. 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.

- XIII. 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.
- XIV. 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 sector 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.

C) General EC Conditions:-

- I. PP has to strictly abide by the conditions stipulated by SEAC& SEIAA.
- II. If applicable 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.
- III. 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.
- IV. 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.
- V. 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.
- VI. No further Expansion or modifications, other than mentioned in the EIA Notification, 2006 and its amendments, shall be carried out without prior approval of the SEIAA. In case of deviations or alterations in the project proposal from those submitted to SEIAA for clearance, a fresh reference shall be made to the SEIAA as applicable to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.
- VII. This environmental clearance is issued subject to obtaining NOC from Forestry & Wild life angle including clearance from the standing committee of the National Board for Wild life as if applicable & this environment clearance does not necessarily implies that Forestry & Wild life clearance granted to the project which will be considered separately on merit.

4. The environmental clearance is being issued without prejudice to the action initiated under EP Act or any court case 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 under EP Act or 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, if any or action initiated under EP Act.

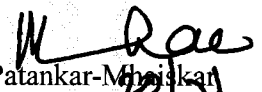
5. This Environment Clearance is issued purely from an environment point of view without prejudice to any court cases and all other applicable permissions/ NOCs shall be obtained before starting proposed work at site.

6. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environment clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.

7. Validity of Environment Clearance: The environmental clearance accorded shall be valid as per EIA Notification, 2006, amended from time to time.

8. 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.

9. Any appeal against this Environment clearance shall lie with the National Green Tribunal (Western Zone Bench, Pune), New Administrative Building, 1st Floor, D-Wing, Opposite Council Hall, Pune, if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.


Manisha Patankar-Mhaiskar
(Member Secretary, SEIAA) *per 2*

Copy to:

1. Chairman, SEIAA, Mumbai.
2. Secretary, MoEF & CC, IA- Division MOEF & CC
3. Member Secretary, Maharashtra Pollution Control Board, Mumbai.
4. Regional Office MoEF & CC, Nagpur
5. District Collector, Pune.
6. Commissioner, PMRDA
7. Regional Officer, Maharashtra Pollution Control Board, Pune.

पुराचा संभाव्य धोका टाळण्यासाठी पूररेषेच्या आत कोणतेही बांधकाम न होण्याच्या दृष्टीने पूररेषेची आखणी करणे व निषिद्ध व नियंत्रित क्षेत्राचा उपयोग करण्याबाबत मार्गदर्शक सूचना

महाराष्ट्र शासन
जलसंपदा विभाग,

शासन परिपत्रक क्र पूरनि-२०१८/(१८२/२०१८) सि.व्य.(महसूल)

मंत्रालय, मुंबई ४०००३२,

दिनांक:-३ मे, २०१८

वांचावे :- शासन परिपत्रक क्र.एफडीडब्लू -१०८९/२४३/८९/ सि.व्य.(कामे), दि. २.०९.१९८९.
दि.२१.९.१९८९

प्रस्तावना:-

पाटबंधारे विभाग शासन परिपत्रक क्र एफडीडब्लू १०८९/२४३/८९/ सि.व्य (कामे) दि.२.९.१९८९ व दि.२१.९.१९८९ अन्वये पुराचा संभाव्य धोका टाळण्यासाठी पूररेषेच्या आत कोणतेही बांधकाम न होण्याच्या दृष्टीने पूररेषेची आखणी करण्याबाबत सूचना निर्गमित करण्यात आल्या आहेत.

नदीच्या निळ्या पूररेषेच्या आत निषिद्ध क्षेत्रात व लाल पूररेषा व निळी पूर रेषा यांच्यामधील नियंत्रित क्षेत्रात शहरांच्या, गावांच्या, तिर्थक्षेत्र विकासाच्या दृष्टीने नदीवर पूल बांधणे, पूलाचे दोन्ही बाजूने पोहोच रस्ते तयार करणे, शहराच्या विकास आराखड्यानुसार नदीच्या बाजूने जाणारे रस्ते, उद्याने व जॉर्गींग ट्रॅक तयार करणे तसेच पूरसंरक्षक कामांतर्गत नदीच्या तीरालगत पूर संरक्षक भित बांधणे, घाट बांधणे या शिवाय गॅस पाईपलाईन क्रॉसिंग करणे, विद्युत वाहिनी क्रॉसिंग करणे, नदीच्या कडेने ड्रेनेज पाईप लाईन टाकणे, मलनिसारण प्रकल्पाचे काम करणे, इ. प्रकारच्या सार्वजनिक स्वरूपाच्या अपरिहार्य कामांसाठी संबंधित शासकीय / निमशासकीय संस्था, स्थानिक स्वराज्य संस्था कडून ना-हरकत प्रमाणपत्रांची वाढती मागणी, जलसंपदा विभागामार्फत राज्यातील विविध नदीनाल्यांवर पूर्ण झालेल्या प्रकल्पांची संख्या व बांधकामाधीन प्रकल्पांची संख्या, काळानुरूप बदलेले पर्जन्यमानाचे स्वरूप, पूरनियंत्रण व पुराचे अंदाज वर्तवण्याबाबत उपलब्ध अत्याधुनिक यंत्रणा इत्यादी गोष्टींचा एकत्रित पणे विचार करण्याची आवश्यकता निर्माण झाली आहे.

शासन परिपत्रक क्र न्यायप्र -२०१४ प्र.क्र.४२४/२०१४ सि.व्य (म), दि.२.३.२०१५, अन्वये जलसंपदा विभागामार्फत पूरक्षेत्र व पूररेषा नकाशे व आराखड्यांना मान्यता देण्यात येते. तथापि पाटबंधारे विभाग शासन परिपत्रक क्र एफडीडब्लू १०८९/२४३/८९/ सि.व्य (कामे), दि.२.९.१९८९ व दि.२१.९.१९८९ अन्वये नदीच्या निळ्या पूररेषेच्या (Blue Line) आत निषिद्ध क्षेत्रात (Prohibitive Zone) आणि लाल पूररेषा(Red Line) व निळी पूर रेषा(Blue Line) यांच्यामधील नियंत्रित क्षेत्रात(Restrictive Zone) सार्वजनिक सुविधांच्या दृष्टीने आवश्यक नेमकी कोणती अपरिहार्य कामे घ्यावीत याबाबत अधिक स्पष्टता आणण्याच्या दृष्टीने सुधारणा करण्याची बाब शासनाच्या विचाराधीन होती. यादृष्टीने एकत्रित सुधारित / अद्ययावत सूचनांचा समावेश करून आता खालील प्रमाणे परिपत्रक निर्गमित करण्यात येत आहे.

परिपत्रक -

१. पाटबंधारे विभाग शासन परिपत्रक क्र एफडीडब्ल्यू १०८९/२४३/८९/ सि.व्य (कामे) दि.२.९.१९८९ व दि.२९.९.१९८९ अद्ययावत करण्यात येत आहे.

२. पूरक्षेत्रातील जमिनीच्या वापराबाबत धरण सुरक्षितता संहिता (Dam safety Manual) प्रकरण ८/ १९८४ मध्ये दिलेल्या मार्गदर्शक सूचनांच्या आधारे महत्वाच्या पूररेषा ह्या मुख्यत्वेकरून दोन प्रकाराच्या आहेत. निषेधक पूररेषा (Blue Line) व नियंत्रक पूररेषा (Red Line) .

३. निळी पूररेषा (Blue Line) :-

निळी पूररेषा (Blue Line) ही खालीलपैकी येणाऱ्या जास्तीत जास्त विसर्गाच्या पाणी पातळीला आखलेल्या रेषेला संबोधण्यात यावी.

अ) सरासरीने २५ वर्षातून एकदा (१ in २५ year) या वारंवारीतेने (Frequency) येणारा पूर विसर्ग किंवा

ब) प्रस्थापित नदीपात्राच्या विसर्गक्षमतेच्या दिडपट विसर्ग.

४. लाल पूररेषा (Red Line) :-

लाल पूररेषा (Red Line) ही खालीलपैकी येणाऱ्या विसर्गाच्या पाणी पातळीला आखलेल्या रेषेला संबोधण्यात यावी.

अ) ज्या भागात धरण नसेल तेथे :- सरासरीने १०० वर्षातून एकदा (१ in १०० year) या वारंवारीतेने (Frequency) येणारा पूर विसर्ग.

ब) ज्या भागात धरण असेल तेथे :- प्रकल्पाच्या संकल्पनातील सांडव्यावरून वाहणारा संकल्पित महत्तम पूर विसर्ग अधिक धरणाखालील पाणलोट क्षेत्रातून येणारा अपेक्षित १०० वर्षातून येणारा (१ in १०० year) या वारंवारीतेने (Frequency) येणारा पूर विसर्ग.

५. निषिद्ध क्षेत्र (Prohibitive Zone) :-

नदीच्या उजव्या तीरावरील निळी पूर रेषा (Blue Line) ते नदीपात्र ते डाव्या तीरावरील निळी (Blue Line) या मधील क्षेत्राला निषिद्ध क्षेत्र (Prohibitive Zone) म्हणून संबोधण्यात यावे.

६. नियंत्रित क्षेत्र (Restrictive Zone) :-

नदीची निळी पूररेषा (Blue Line) ते त्याच तीरावरील लाल पूररेषा (Red Line) यामधील क्षेत्राला नियंत्रित क्षेत्र (Restrictive Zone) संबोधण्यात यावे.

७. निषिद्ध क्षेत्राचा (Prohibitive Zone) उपयोग फक्त मोकळ्या जमिनीच्या स्वरूपात उदा. उदयाने, खेळाची मैदाने किंवा हलकी पिके घेणे , ज्याठिकाणी पिके घेण्याचा हक्क पारंपारिक वापरामुळे प्रस्थापित झाला आहे अशा ठिकाणी (उदा. नदीपात्राजवळ करण्यात येणारी कलींगड / टरबूज / खरबूज इ.ची लागवड सार्वजनिक शौचकूप व मलनिस्सारण सुविधा) अशा सारख्या कारणांसाठीच केला जावा की जेणे करून नदी प्रवाहात कोणताही अडथळा येणार नाही , नदीची वहनक्षमता कमी होणार नाही व नदीच्या काटछेदात कोणताही बदल होणार नाही .

८. नियंत्रक क्षेत्राचा (Restrictive Zone) उपयोग खालील कारणांसाठीच केला जावा .

i) सार्वजनिक हिताच्या दृष्टीने आवश्यक व अपरिहार्य मलःस्सारण योजना .

ii) सार्वजनिक हिताच्या दृष्टीने आवश्यक व अपरिहार्य सार्वजनिक रस्ते की जेणेकरून सदर रस्त्याची माथा पातळी निळ्या पूररेषा पातळीच्या वर असेल. सदर पातळी किती वर असावी याची निश्चिती संबंधित Indian Road Congress Code मधील तरतुदीनुसार करावी.

iii) सार्वजनिक हिताच्या दृष्टीने आवश्यक व अपरिहार्य पाणीपुरवठा पाईपलाईन, गॅस पाईप लाईन , ड्रेनेज पाईपलाईन की जेणेकरून सदर पाईप लाईन भूमिगत असावी व त्यामुळे नियंत्रित क्षेत्रातील नदीच्या काटछेदात कोणताही अडथळा येऊन त्यात बदल होणार नाही.

iv) नियंत्रित क्षेत्रातील बांधकामांच्या तळमजल्याच्या जोत्याची पातळी लाल पूररेषा पातळीच्या वर सुरक्षित उंचीपर्यंत असावी की ज्यामुळे पूरपातळी नियंत्रक क्षेत्रात जास्त वाढण्यापूर्वी तेथील नागरिकांना सुरक्षितस्थळी सहजपणे जाता येईल. तसेच या क्षेत्रामध्ये येणारा संभाव्य पूर व तसेच पुरामुळे होणारी जिवित हानी व मालमत्तेचे नुकसान टाळण्यासाठी ह्या क्षेत्रातील लोकांना, जनावरांना व वस्तुंना अल्पावधीची पूरसूचना मिळताच हे क्षेत्र तातडीने सोडून सुरक्षित स्थळी जाणे शक्य होईल.

९. उपरोक्त मुद्दा क्र. ८ मध्ये नमूद उपयोगांमुळे नदी प्रवाहात कोणताही अडथळा येणार नाही , नदीची वहनक्षमता कमी होणार नाही व नदीच्या काटछेद क्षेत्रात कोणताही बदल होणार नाही , याची दक्षता घेण्यात यावी . प्रवाहाला अडथळा आणणारे बांधकामाविरुद्ध मुख्य अभियंता कारवाई करण्यास सक्षम असतील. निषिद्ध (Prohibitive Zone) व नियंत्रित क्षेत्रात (Restrictive Zone) करावयाच्या सदर सार्वजनिक कामांच्या सुरक्षिततेची संपूर्ण जबाबदारी संबंधित विभागाची / स्थानिक स्वराज्य संस्थेची असेल व संभाव्य पुरामुळे होणाऱ्या जिवीत व वित्त हानीस संबंधित विभाग/ स्थानिक स्वराज्य संस्था जबाबदार राहील व त्याअनुषंगाने उद्भवणाऱ्या न्यायालयीन प्रकरणास संबंधित विभाग / स्थानिक स्वराज्य संस्था जबाबदार असेल.

१०. वरील बाबींचा विचार करून पुराचा संभाव्य धोका टाळण्यासाठी व निषिद्ध व नियंत्रित क्षेत्राची निश्चिती करण्याच्या दृष्टीने आवश्यक पूररेषा आखून देण्याबाबत जलसंपदा विभागाकडे जिल्हाधिकारी , स्थानिक स्वराज्य संस्था अथवा अन्य विभागाकडून मागणी प्राप्त झाल्यास जलसंपदा विभागाच्या संबंधित क्षेत्रीय मुख्य अभियंता यांनी शासन परिपत्रक क्र न्यायप्र -२०१४ प्र.क्र.४२४/२०१४ सिंव्य (म), दि.२.३.२०१५ अन्वये कार्यवाही करावी.

११. जलसंपदा विभागाचे कार्यक्षेत्र नदी किनारी पूररेषेची आखणी करण्याइतपतच मर्यादित असल्याने निषिद्ध क्षेत्रातील व नियंत्रित क्षेत्रातील उपरोक्त परिच्छेदात नमूद केलेली सार्वजनिक हिताच्या दृष्टीने अपरिहार्य व आवश्यक कामांना जलसंपदा विभागाच्या ना-हरकत प्रमाणपत्राची आवश्यकता राहणार नाही .

तथापि, पर्यावरण विभाग/ इतर विभाग/ स्थानिक संस्था/ इतर शासकीय विभाग यांची वैधानिक मान्यता आवश्यक असेल तर ती स्वतंत्रपणे घेण्यात यावी.

१२. सदर शासन परिपत्रक विधी व न्याय विभागाचा अनौपचारिक संदर्भ क्र. ३८८-२०१८/E दि.१३.४.२०१८ व नगरविकास विभागाच्या अनौपचारिक संदर्भ क्र. टिपीएस -१०१८/अनौस.५/२०१८/नवि -९ दि.१९.४.२०१८ नुसार निर्गमित करण्यात येत आहे.

१३. सदर शासन निर्णय महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेतांक २०१८०५०३१८०१५९५७२७ असा आहे. हा आदेश डिजीटल स्वाक्षरीने साक्षांकित करून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने,

C. A. Birajdar

Digitally signed by C. A. Birajdar
DN: cn=C. A. Birajdar, o=Government of Maharashtra, ou=Water
Resources Department, postalCode=400011,
st=Maharashtra
E=C. A. Birajdar@maharashtra.gov.in, postalCode=400011
Serial=12099407, email=C. A. Birajdar
Date: 2018.05.03 18:06:11 +05'30'

(च.आ.बिराजदार)

सचिव (लाक्षेवि)

प्रत :- मा. राज्यपाल यांचे सचिव,

१. मा. मुख्यमंत्री यांचे कार्यालय,
२. मा.अध्यक्ष / उपाध्यक्ष, विधानसभा, विधानभवन, मुंबई,
३. मा.सभापती / उपसभापती, विधानपरिषद, विधानभवन, मुंबई
४. मा.विरोधी पक्षनेते, विधानसभा, मुंबई, यांचे कार्यालय, विधानभवन, मुंबई,
५. मा.विरोधी पक्षनेते, विधानपरिषद, मुंबई, यांचे कार्यालय, विधानभवन, मुंबई,
६. मा. मंत्री, जलसंपदा यांचे खाजगी सचिव, मंत्रालय, मुंबई,
७. मा. राज्यमंत्री (जलसंपदा) यांचे खाजगी सचिव, मंत्रालय, मुंबई,
८. महालेखापाल १ / २ (लेखा व अनुज्ञेयता) महाराष्ट्र राज्य, मुंबई/नागपूर
९. महालेखापाल १ / २ (लेखा परीक्षा) महाराष्ट्र राज्य, मुंबई/नागपूर,
१०. अ.मु.स (गृह) यांचे स्वीय सहायक, गृह विभाग, मंत्रालय, मुंबई,
११. अ.मु.स (महसूल) यांचे स्वीय सहायक, महसूल व वन विभाग, मंत्रालय, मुंबई
१२. अ.मु.स. (पर्यावरण) यांचे स्वीय सहायक, पर्यावरण विभाग, मंत्रालय, मुंबई,
१३. प्रधान सचिव (जलसंपदा) यांचे स्वीय सहायक, जलसंपदा विभाग, मंत्रालय, मुंबई,
१४. प्रधान सचिव (नगरविकास) यांचे स्वीय सहायक, नगरविकास विभाग, मंत्रालय, मुंबई,
१५. सचिव (जसंव्य व लाक्षेवि) यांचे स्वीय सहायक, जलसंपदा विभाग, मंत्रालय, मुंबई,
१६. सचिव (प्रकल्प समन्वय) यांचे स्वीय सहायक, जलसंपदा विभाग, मंत्रालय, मुंबई,
१७. सर्व मंत्रालयीन विभाग, मंत्रालय, मुंबई,
१८. माहिती व जनसंपर्क महासंचालनालय, मंत्रालय, मुंबई,
१९. सर्व महासंचालक, जलसंपदा विभाग,

पृष्ठ ५ पैकी ४

- English Translation -

Directives to demarcate flood lines
and use of Prohibitive and
Restrictive Zones to not to allow
any construction inside flood line to
avoid possible risk of floods.

**STATE GOV. OF MAHARASHTRA
WATER RESOURCES DEPARTMENT,**

Government Circular No. PuRaNi-2018/(182/2018) Sin. Vya.

(Revenue)

Mantralaya, Mumbai-32

Date: 3rd May 2018.

Read: Government Circular No.: FDW-1089/243/89/Sin Vya (Works)

Dt. 2/9/1989, Dt. 21/9/1989

FOREWORD:-

To avoid possible threat of flooding, with a view to demarcate flood lines to prohibit any type of construction inside flood lines, instructions have been given vide Irrigation Department Gov. Circular No. FDW-1089/243/89/Sin Vya (Works) Dt. 2/9/1989 and Dt. 21/9/1989.

There is increasing demand for No Objection Certificates from Gov./Semi Gov. organisations, local Gov. bodies for development of cities, towns and pilgrimage places to construct bridges, approach roads for bridges, roads on river banks as per the Development Plans, gardens and jogging tracks, flood protection wall on river edge, construction of Ghats, crossing of gas pipe lines and electrical cables, laying of drainage pipe lines on river edges, construction of sewage treatment plants etc. unavoidable works of public use on Prohibitive Zone inside Blue flood lines and on Restrictive Zone between Blue and Red Flood Lines. In light of this and also in view of various projects completed and under construction by Water Resources Dept. on streams and rivers, changes in rain pattern with time, flood control and modern flood prediction systems etc. need to be reviewed again.

T.T.
Bomblise

As per Gov. circular No. Nyaypra-2014 Pra. Kra. 424/2014SinVya (M), Dt. 2.3.2015, approval to flood zones and flood maps is given by Water Resources Dept. But it was under consideration of the government to improve and to get more clarification with respect to which public utility works should be allowed Prohibitive Zone inside Blue Flood line and on Restrictive Zone between Red and Blue Flood line as per Gov. circular No. FDW-1089/243/89/Sin Vya (Works) Dt. 2/9/1989 and Dt. 21/9/1989. Accordingly following circular is published with collectively improved/latest instructions

CIRCULAR-

1. Gov. Irrigation Department circular No. FDW-1089/243/89/Sin Vya (Works) Dt. 2/9/1989 and Dt. 21/9/1989 is being modified.
2. With respect to the land use in flood prone zones, as per the guidelines given in the Dam Safety Manual Chapter 8/1984 important flood lines will be primarily of two types. Prohibitive Flood Line (Blue Line) and Restrictive Flood Line (Red Line).
3. Blue Flood Line:

Blue Flood Line will be the line marked at the water level of the highest discharge of:
 - a) Flood discharge at the average frequency of 25 years.
 - b) One and half times the discharge of the established riverbed.
4. Red Flood Line:

Red Flood Line will be the line marked at the water level of the water discharge as under:
 - a) Where there is no dam, flood discharge at the average frequency of 100 years.
 - b) Where there is a dam, maximum flood discharge over the spill way added with flood discharge from the free catchment area at the average frequency of 100 years.
5. Prohibitive Zone:

The area between the Blue Flood line on the right bank of the river to riverbed to the Blue Flood line on the left bank of the river shall be called as Prohibitive Zone.

6. Restrictive Zone:

The area between the Blue Flood Line of the river and the Red Flood Line on the same bank shall be called as Restrictive Zone.

7. Prohibitive Zone can be used only in the form of open land e.g. gardens, play grounds, light crops; where there is established easement right to take crops (e.g. water melons, musk melons etc. public toilets and sewage discharge facilities), so that there will not be any obstruction to the flow of the river, there will not be reduction in the carrying capacity of the river and there will not be any change in the cross section of the river.

8. Restrictive Zone should be used only for the following:

- i) Sewage carrying projects unavoidable in public interest.
- ii) Public roads unavoidable in public interest; provided the top level of such road shall be above the level of Blue Flood line.
- iii) Water supply pipe lines, gas pipe lines, drainage pipe lines unavoidable in public interest provided such pipe lines shall be under ground and will not cause obstruction in the cross section of the Restrictive Zone.
- iv) The plinth level of the ground floor of the buildings in Restrictive Zone shall be safely above the level of Red Flood line so that the people could be evacuated to safe location before the flood level rises in the Restrictive Zone and it will be possible for the people and cattle to shift urgently to safe location with their belongings to avoid the loss of life and property due to floods.

9. Care shall be taken that there shall be no impediment to the flow of river, carrying capacity of the river shall not be reduced and there shall be no change in the cross section of the river due to the land used mentioned in para No. 8 above. Chief Engineer shall be

empowered to take action against the construction that causes obstruction to the flow of river. Concerned dept./Local Governing Body shall be responsible for the safety of the works done in the Prohibitive and Restrictive Zones. Concerned dept./Local Governing Body shall be responsible for the loss of life and property and possible litigations due to it because of the possible floods.

10. Considering all above mentioned points, to avoid possible flood risk, the regional Chief Engineer shall take necessary action as per Gov. circular No. Nyaypra-2014 Pra. Kra. 424/2014SinVya (M), Dt. 2.3.2015, to demarcate flood lines to identify Prohibitive Zone and Restrictive Zone as per the demand to Water Resources Dept. by Dist. Collector, Local Governing Body or other dept.
11. As the scope of work of Water Resources Dept. is limited only to demarcation of flood lines on river banks, works in Prohibitive Zone and Restrictive Zone as mentioned above shall not need No objection Certificates from Water Resources Dept. But if approval from Environmental Dept./other depts./Local bodies/other Gov. depts. is required, it shall be taken independently.
12. This Gov. circular is being issued as per Legal and Justice Dept. informal reference No. 388-2018/E Dt. 13.4.2018 and Town Planning dept. informal reference No. TPS-1018/Anaus.5/2018/Navi-9 Dt. 19.4.2018.
13. Said Gov. Resolution is made available on the Maharashtra government's website www.maharashtra.gov.in and its code No. is 201805031801595727. This order is digitally signed.

In the name and as per the orders of the Governor of Maharashtra.

C. A. Birajdar,
Secretary

T-T-
Bomkhise



Photograph-1: Alleged construction of approach road by PMRDA (adjacent to the bank of River Mula) from Nande road to the proposed project site being developed by the PP i.e. M/s Urban Life Ventures, not being affected by prohibited blue flood line of the Mula River.



Photograph-2: Gabion walls constructed with natural aggregates for percolation and to surpass flood water into riverine system by the PP i.e. M/s Urban Life Ventures, being affected by prohibited blue flood line of the Mula River.

Contd./-



Photograph-3: Alleged location of agriculture field(s) of the applicant, being affected due to construction of road by PMRDA (resulting in improper draining of surface run-off from agriculture fields into riverine system).



Photograph-4: Illegal construction of septic tank by the Mouje Nande Gram Panchayat in the area, affected by prohibited blue flood line of the Mula River.