

MAHARASHTRA POLLUTION CONTROL BOARD



Minutes of 14th Consent Appraisal Committee Meeting of 2015-2016 held on 02.02.2016 at 2.30 p.m. at 2nd floor, Mantralaya Annexe, Mumbai-400 032.

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The Consent Appraisal Committee meeting of the Board was held on 02.02.2016. Following members of the Consent Appraisal Committee were present:

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| 1. | Smt. Malini Shankar,
Addl. Chief Secretary, Environment Dept.,
Government of Maharashtra and Chairperson, MPCB, Mumbai. | Chairperson |
| 2. | Shri. Dr. P. Anbalagan
Member Secretary, MPC Board, Mumbai | Member |
| 3. | Shri. P. P. Nandushekhar,
Technical Advisor (environment), MIDC, Mumbai | Member |

Shri. Gautam Chatterjee, Additional Chief Secretary, Home (Transport) Dept., Mumbai, Shri. Rakesh Kumar, Scientist & Head, NEERI, Mumbai & Shri. P. K. Mirashe, Assistant Secretary (Technical), MPC Board, Mumbai could not attend the meeting. Leave of absence was granted to them.

Following Officer of MPCB were present for the meeting:

1. Shri. Y. B. Sontakke, Joint Director (WPC), MPCB, Mumbai Special Invitee
2. Shri. V. M. Motghare (Joint Director (APC), MPCB, Mumbai Special Invitee
3. Technical Advisor, MPCB, Mumbai,

The meeting thereafter deliberated on the fresh agenda items (Book-let no 31 (Part-I & II) & 32 (Part-I, II, III & IV) & 33) placed before the committee and following decisions were taken.

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Sr. No.	Name of Industry	Decision on grant of consent	Consent granted up to	Remarks/Discussion (1)
(Book-let no. 33)				
Resubmission Items (Infrastructure Projects):				
1	Aamby Valley City, Village Ambavane, Pethsahapur, Kolavali, Kumbhar, Pomgaon, Deoghar, Nangaon, Visakhar, Tal-Mulshi, Dist-Pune.	Not Approved Consent to Operate	----	It was decided to defer the case and revert back to CAC along with following details: 1. Chronological details of the case. 2. Report of Satyashodhan Samittee. 3. Report from District Collector-Pune and Director, Town Planning, Pune. 4. Present status report of the project from SRO/RO. 5. Comments from Legal Section of the Board w.r.t. Court case issues.
2	Kapstone Construction Pvt. Ltd. " Rustomjee 100 acres, S.no.12(pt), 13 (pt), 84(pt) and 21(pt) of Majiwade, Dist-Thane.	Not Approved 1st Consent to Operate (Part-I)	----	It was decided to defer the case and revert back to CAC along with report of MCZMA and SEIAA regarding guidance and information on the survey nos. of Environmental Clearance & Coastal Regulation Zone (CRZ) clearance dated 18.5.2012, exactly which survey numbers are covered under CRZ and whether PP's say that the two clearances are independent are valid, so as to enable Board to take suitable decision on application of consent to operate.
3	Sheth Developers Pvt.Ltd S.no.35/4,8,9(P),10,11,48/1(P),2,3,4,5(P), 6(P),7(P),49/1, 1 to 5, 51/3(P), 4(P), 5(p), 52/1(p), 2, 53(p), 70/2,3,9,10,11, 71/1,4,5, 72/1,4, 6,7,8, 73, 85/1(p), 234(p) 5, At village Panchpakhadi, Thane (Sec.4), Vasant Lawn, Thane	Approved 1 st Consent to Operate (Part)	31.11.2017	It is noted that: As per MoEF, GOI Notification dated 21.08.2013 and SEIAA in number of cases decided that no such revalidation required for cases where EC was granted under the then EIA Notification 1994 as amended on 07.07.2004. PP has also obtained OC on 12.11.2013. Since, construction activity commenced as per provision of MoEF, Notification dated 21.08.2013 no revalidation of EC required. In view of above, it was decided to grant 1 st Consent to Operate (Part) for 6 bldg. of Residential Project (Bldg. No. 1,3,4,5,6 & 7) named as "Vasant Lawns" on total

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				<p>plot area of 35,774.59 sq.m. and FSI BUA of 48,129.36 sq.m. out of Total construction FSI BUA of 62,711.52 sq.m. (OC was issued by Thane Municipal Corporation dtd. 12.11.2013 for Bldg. No. 1,3,4,5,6 & 7) by imposing following conditions:</p> <ol style="list-style-type: none"> 1. PP shall submit Board Resolution from company Board, towards commissioning of the project without obtaining consent to operate from the MPC Board thus violated the provisions of Environmental Laws and in future, they will not do such violations and BG of Rs. 2 lakh towards submission of Board resolution within one month of issue of consent. 2. PP shall submit BG of Rs. 10 lakh towards O&M of pollution control system. 3. PP shall submit an affidavit in prescribed format regarding compliance of EC and C to O (part). <p>Consent shall be issued after obtaining:</p> <ol style="list-style-type: none"> 1. Certificate from Architect regarding BUA completed for which they have applied for 1st C to O (part) and Survey numbers of Total Plot area. 2. Lapse period consent fees if any.
4	Balaji Infra Projects Ltd. (DIGHI PORT), Gat no.71/73 for development of Port at Dighi, Dist. Raigad.	Not Approved Renewal of Consent to Operate	--	As per decision of the CAC held on 14.05.2015, it was decided to extend the Personal Hearing before MS of MPCB. Case to be resubmitted before CAC along with the minutes of the Personal Hearing and action taken report if any.
5	Navi Mumbai SEZ Pvt. Ltd. (IT Park-D), Ulwe-Node, Navi MumbaiTal. Panvel, Dist. Raigad	Approved Consent to Establish	COU or 5 years whichever is earlier	As per EIA Notification, 2006 as amended on 01.12.2009, in the Schedule at 7(c), it is mentioned that: If the area is less than 500 ha but contains building and construction projects > 20,000 Sq mtr. and or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be." Thus PP has proposed total construction BUA as 1,40,596 sq.m, PP needs to obtain

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				<p>the EC from competent authority.</p> <p>In view of above, It was decided to grant Consent to Establish under Red Category for SEZ IT Park of M/s. Navi Mumbai SEZ Pvt. Ltd. (IT Park-D), Ulwe-Node, Navi Mumbai, Tal. Panvel, Dist. Raigad on total plot area of 7.03 ha. and Total Construction BUA of 1,40,596 sq.m by imposing following conditions:</p> <ol style="list-style-type: none"> 1. PP shall not take any effective step towards implementation of the project before obtaining EC, CRZ Clearance from competent authority. 2. PP shall submit BG of Rs. 10 lakh towards compliance of EIA Notification, 2006 / EC and C to E condition. 3. PP shall submit an affidavit in prescribed format regarding compliance of EC and Consent to Establish 4. Applicant shall provide common pollution control infrastructure facility and ensure that the individual industries/units shall enter into MOU with IT Park to ensure operation and maintenance of the common STP, MSW facility/OWC and other assets.
6	Tech Mahindra Ltd., Plot No. 1, Rajiv Gandhi Infotech Park, Phase-III, Hinjewadi, Pune.	Approved Renewal of Consent to Operate	31.08.2019	<p>Application for Renewal of Consent to Operate: It was decided to grant renewal of Consent to Operate under Red category for SEZ-IT Park on Total Plot Area of 98,400 sq.m. and Total Built up Area of 80,500 sq.m. by imposing following conditions:</p> <ol style="list-style-type: none"> 1. PP shall extend earlier submitted BG of Rs. 10 lakh towards O&M of pollution control system. <p>Consent shall be issued after receipt of the requisite consent fees.</p> <p>Application for Consent to Establish for Expansion: It was decided to close the file of application for Consent to Establish for Expansion, as PP has</p>

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				communicated Board regarding the cancellation of the expansion project vide letter dtd. 06.05.2015, and inform the PP accordingly,.
7	Vijay Associates (Wadhawa), Nerul, Land bearing S. no. 24 to 29, Sec-4, Off Palm beach road, Nerul(W), Navi Mumbai	Not Approved 1 st Consent to Operate	--	It was decided to issue the SCN for refusal of application for 1 st Consent to Operate, as PP has not submitted the Occupation Certificate or letter from NMMC, as per CAC decision in the CAC meeting held on 24.02.2015.
8	Gateway Hotel, Plot No 11 & 11G, CIDCO, Ambad, Nashik	Not Approved Consent to Establish	--	It is noted that Hon'ble NGT, Pune has passed the Judgment dtd. 09.11.2015 with reference to Application No. 16 of 2014 with Application No. 58 (THC) of 2014. It was decided to call the PP for hearing and ask PP to submit the comments/NOC from Nashik Municipal Council and CIDCO authority for the establishment of Hotel project with reference to the Judgment passed by the Hon'ble NGT, Pune as noted above.
9	Mazagon Dock Limited, (A Govt. of India Undertaking), Undertaking), Dockyard Road, Mazgaon, Mumbai-10	Not Approved Consent to Operate	--	It was decided to examine the applicability of CRZ Clearance with MCZMA and revert back to CAC.
10	Lokhandwala Construction India Pvt. Ltd (Kandivali), CTS No. 171/IA/I to 171/IA/70, 190 to 195 of village Akurli, Akurli Road Kandivali (East) Mumbai.	Not Approved 1 st Consent to Operate	--	PP has submitted following two separate application for 1 st C to O (Part), hence, both application clubbed together for grant of combined 1 st C to O (part): 1) Building No. 2 on Plot 'E' CTS No. 171/1A/49 of Village Akurli on Total plot area/total area under layout 8,52,476.80 sq. mtrs (Plot area under Plot No. E as 51,081.20 sq.m., Plot area under Bldg. No. 2 as 25,167 sq.m.) and construction BUA of 1,24,197.77 sq.m.

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				<p>2) Residential Building of 3 nos. (Bldg. No. 2, 3 and 4) on Plot No. 'DH', CTS No. 171/1A/60 of Village Akurli on Total plot area/total area under layout 8,52,476.80 sq. mtrs (Plot area under Plot No. 'DH' as 21,409.30 sq.m.) and construction BUA of 81,168.79 sq.m.</p> <p>Above are the part of Construction of "Integrated Township Development project of M/s. Lokhandwala Construction India Pvt. Ltd. at CTS No. 171/IA/I to 171/IA/70, 192 to 195 of village Akurli, Akurli Road Kandivali (East) Mumbai.</p> <p>The case was discussed in 8th CAC meeting of 2015-2016 held on 09.10.2015 and it was decided to ask the PP for submission of the Area Statement certified by Municipal Corporation. Same was communicated to PP on 06.11.2015. However, it is noted that PP has not submitted the said certificate till date.</p> <p>In view of above, it was decided to return the application to PP for resubmission it along with the above said certificate from Municipal Corporation</p>
11	Sheth Developers Pvt. Ltd., 35/4, 35/8, 35/9P, 35/10P, 48/1P, 2, 3, 4, 5P, 7, 49/1, 2P, 3, 4, 5, 51/3A, 51/1, 51/4P, 51/5P, 73/1,2,3,4,6, 74P, 77/1+2, 78/1,2,3, 79/4(pt)/1, 81/1A, 82, 85/1, S. No. 526 of village Panchpakhadi, Thane	Approved Amendment in Consent to Establish as per EC and 1 st Consent to Operate (part) for Mall Building.	Amendment in Consent to Establish as per EC: upto COU or 30.06.2017 whichever is earlier 1 st Consent to Operate (Part) for Mall bldg.: upto 30.11.2017	<p>Amendment in Consent to Establish as per EC: It was decided to grant amendment in Consent to Establish as per revised EC i.e. for Residential cum Commercial project on total plot area of 93,114 sq.m. and construction built-up area of 3,13,272.64 sq. mtrs. for validity period upto COU or 30.06.2017 whichever is earlier by imposing following conditions:</p> <ol style="list-style-type: none"> 1. PP shall extend earlier submitted BG of Rs. 10 lakh towards compliance of consent condition. 2. PP shall submit an affidavit in prescribed format regarding compliance of EC and C to E.

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				<p>Consent shall be issued after receipt of the undertaking/C.A. certificate for C.I. for entire project and difference fees for C to E accordingly if any.</p> <p>1st Consent to Operate (Part) for Mall bldg.: It was decided to grant 1st Consent to Operate (Part) for Mall bldg. on plot area 93,114 sq.m. and having Construction Built-up area of 1,48,069.16 sq.m. out of Total Project Construction Built-up area of 3,13,272.64 sq.m. as per EC by imposing following conditions:</p> <ol style="list-style-type: none"> 1. PP shall submit Board Resolution from company Board, towards commissioning of the project without obtaining consent to operate from the MPC Board thus violated the provisions of Environmental Laws and in future, they will not do such violations and BG of Rs. 2 lakh towards submission of Board resolution within one month of issue of consent. 2. PP shall submit BG of Rs. 10 lakh towards O&M of pollution control system. 3. PP shall submit an affidavit in prescribed format regarding compliance of EC and C to O (part). <p>Consent shall be issued after obtaining:</p> <ol style="list-style-type: none"> 1. Certificate from Architect regarding BUA completed for which they have applied for 1st C to O (part). 2. Lapse period consent fees from date of commissioning, if any. 3. Latest Audited balance sheet for C.I.

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Table Item				
Fresh case (Infrastructure)				
1	iGate Global Solutions. Ltd Phase-1 (Part), Plot No. IT-3 & IT-4, Airoli Knowledge Park, TTC Indl. Area, Airoli, Navi Mumbai	Approved 1 st Consent to Operate (part)	Upto 28.02.2017	<p>It was decided to grant of 1st Consent to Operate (Part) under Red category for IT Park Project (office building block-1, building block-2 & building block-3 & its support services) on total plot area of 1,45,154.41 sq. m. and Built-up area of 64,117 sq. m. out of total BUA of 92,401.15 sq.m. as per EC, by imposing following conditions:</p> <ol style="list-style-type: none"> 1. PP shall submit BG of Rs. 10 lakh towards O&M of pollution control system. 2. PP shall submit an affidavit in prescribed format regarding compliance of EC and C to O (part). <p>Consent shall be granted after submission of certificate from Architect/ MIDC regarding BUA completed for which they have applied for 1st Consent to Operate (part).</p>