

**F. No. 11-74/2009-IA.III**  
**Government of India**  
**Ministry of Environment & Forests**  
**(IA-III Division)**

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi - 110 003.

Dated: 18<sup>th</sup> May, 2012

To  
M/s Kapstone Consultants Pvt. Ltd.,  
702, Natraj, M.V. Road Junction,  
Western Express Highway, Andheri (East)  
Mumbai - 400 069

**Subject: Environmental and CRZ Clearance for the construction of Residential and Commercial Complex - Rustomjee 100 Acres - at village Majiwadi Thane Municipal Corporation District Thane, Maharashtra by M/s. Kapstone Construction Pvt. Ltd. - Reg.**

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This has reference to your letter dated 13.07.2009, 13.08.2009, 12.01.2010, 17.02.2010, 18.02.2010, 14.04.2010, 17.06.2010, 01.07.2010, 15.9.2011, 13.01.2012 and 18.04.2012 seeking Environmental Clearance under the Environment Impact Assessment Notification, 2006 and Coastal Regulation Zone (CRZ) Notification, 1991/2011. The proposal has been appraised as per prescribed procedure in the light of provisions under the Environment Impact Assessment Notification, 2006 and Coastal Regulation Zone Notification, 1991/2011 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP, and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meetings held on 27<sup>th</sup> - 28<sup>th</sup> August 2009, 27<sup>th</sup> - 28<sup>th</sup> January 2010, 25<sup>th</sup> - 26<sup>th</sup> March 2010 and 28<sup>th</sup> - 29<sup>th</sup> June 2010.

2. It is interalia, noted that the proposal involves construction of Residential and Commercial Complex -Rustomjee 100 Acres on a plot area of 2,01,436.62 Sqm. at village Majiwadi, Thane Municipal Corporation, District Thane. 1,45,834 sq.m is affected by the CRZ and 55,602.43 sq.m is outside CRZ. The total built up area of the project including the CRZ area is 1, 63,446 sq.m. There will be 2 commercial buildings (1, 02,677 m<sup>2</sup>) of 10 and 17 storey, 4 residential buildings with built up area of 50,896.35 sq.m one school building with built up area of 9490 m<sup>2</sup>. The total cost of the project proposed is Rs. 310.00 Crores. The Thane Municipal Corporation has assured the water supply for the project. The water requirement for the proposed project is about 1,089 KLD (fresh water requirement will be 217 KLD). The capacity of 6 STPs proposed is 1000 KLD. The Flushing and the Gardening requirement of water are met by the water recycled from the STP. 242.7 m<sup>3</sup>/day of rain water will be harvested from the roof top area of 11,503.58 Sq.mt. Provisions of 7 rain water harvesting tanks of various capacities are made to collect the roof top rain water. Solid waste generation will be about 5,970 kg/day of which 3,585 kg/day is biodegradable. MSEDCL Ltd. has assured the project with electricity supply. 2500 KVA DG set backup is proposed for the project. A provision of 440 Nos. of Solar Heating Panels is made to provide hot water to the residential population and for Food court in commercial buildings. Solar lights will be provided for street lighting and garden lighting.





3. As per CZMP of Maharashtra and as well as CRZ map prepared by CESS, under CRZ Notification 1991/2011, the site under reference falls in CRZ-1(i) and CRZ II. The proposed development is falling in CRZ II. The MCZMA has recommended the project to MoEF for CRZ clearance vide letter No. MCZMA 2009/CR.103/TC.3, dated 3<sup>rd</sup> July, 2009. The environmental clearance for the Phase I area has been issued by SEIAA of Maharashtra on 6.7.2009.

4. The Expert Appraisal Committee, after due consideration of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations, site visit report of the sub-committee, have recommended for the grant of Environmental and CRZ Clearance for the project. Accordingly, the Ministry hereby accords necessary Environment Clearance and CRZ Clearance for the above project as per the provisions of Environment Impact Assessment Notification, 2006 and its subsequent amendments and CRZ Notification, 1991/2011, subject to strict compliance of the terms and conditions as follows:

5. **SPECIFIC CONDITIONS :**

- (i) "Consent for Establishment" shall be obtained from Maharashtra Pollution Control Board under Air and Water Act and a copy shall be submitted to the Ministry before start of any construction work at the site.
- (ii) As per the undertaking submitted on 13.01.2012, the area up to 10 mts from the HTL along Mangrove area, 10 mts over and above the 50 meters buffer zone shall be excluded from the development.
- (iii) Construction shall be carried out strictly as per the provisions of CRZ Notification, 2011. No construction work other than those permitted in Coastal Regulation Zone Notification 2011 shall be carried out in Coastal Regulation Zone area
- (iv) All height and coverage of the construction work shall confirm the provisions of the CRZ Notification, 2011.
- (v) There shall be no disposal of solid and liquid wastes in to the Coastal areas.
- (vi) Sewage Treatment facility should be provided in accordance with the CRZ Notification. Treated sewage shall be reused for flushing of toilets and horticulture purposes.
- (vii) The solid waste shall be properly collected, segregated and disposed as per the provision of Solid Waste (Management and Handling) Rules, 2000.
- (viii) Standby arrangements shall be made for power for the operation of STP during the electricity failure. Installation and operation of DG set if any shall comply with the guidelines of CPCB.
- (ix) Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile



toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.

- (x) A First Aid Room will be provided in the project both during construction and operation of the project.
- (xi) All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
- (xii) Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- (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) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.
- (xv) Any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms with necessary approvals of the Maharashtra State Pollution Control Board.
- (xvi) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.
- (xvii) The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from Chief Controller of Explosive shall be taken.
- (xviii) Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- (xix) 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/ MSPCB.
- (xx) Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and amended as on 27<sup>th</sup> August, 2003.





- (xxi) Ready mixed concrete must be used in building construction.
- (xxii) Storm water control and its re-use as per CGWB and BIS standards for various applications.
- (xxiii) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- (xxiv) Permission to draw ground water shall be obtained from the competent Authority prior to construction/ operation of the project.
- (xxv) Separation of gray and black water should be done by the use of dual plumbing line for separation of gray and black water.
- (xxvi) 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.
- (xxvii) Use of glass may be reduced by up to 40% to reduce the electricity consumption and load on air-conditioning. If necessary, use high quality double glass with special reflective e coating in windows.
- (xxviii) Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement.
- (xxix) Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code which is proposed to be mandatory for all air-conditioned spaces while it is aspirational for non-air conditioned spaces by use of appropriate thermal insulation material to fulfill requirement.
- (xxx) The approval of the competent authority shall be obtained for structural safety of the buildings due to earthquake, adequacy of fire fighting equipments, etc, as per National Building Code including protection measures from lightening etc.
- (xxxii) 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.
- (xxxiii) 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.

## II. Operation Phase

- i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Discharge of unused treated effluent shall conform to the norms and standards



- xii) Adequate measures should be taken to prevent odour problem from solid waste processing plant and STP.
- xiii) The building should have adequate distance between them to Allow movement of fresh air and passage of natural light, air and ventilation.
- xiv) The project proponent shall set up separate environmental management cell for effective implementation of the stipulated environmental safeguards under the supervision of a Senior Executive.
- xv) The project proponent shall take up mangrove plantation/green belt in the project area, wherever possible. Adequate budget shall be provided in the Environment Management Plan for such mangrove development.
- xvi) The funds earmarked for environment management plan shall be included in the budget and this shall not be diverted for any other purposes.
- xvii) 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 prevent regulations.
- xviii) Efforts may be made to use solar energy to the maximum extent possible.

6. GENERAL CONDITIONS :

- (i) Adequate provision for infrastructure facilities including water supply fuel and sanitation must be ensured for construction workers during the construction phase of the project to avoid any damage to the environment.
- (ii) Full support shall be extended to the officers of this Ministry/Regional Office at Bhopal by the project proponent during inspection of the project for monitoring purposes by furnishing full details and action plan including action taken reports in respect of mitigation measures and other environmental protection activities.
- (ii) Ministry of Environment & Forests or any other competent authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.
- (iii) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.
- (iv) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment and Forests.
- (v) The project proponents shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of land development work.





of the Maharashtra State Pollution Control Board. Necessary measures should be made to mitigate the odour problem from STP.

- ii) The solid waste generated should be properly collected and segregated. Wet garbage should be composted and dry/ inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.
- iii) Diesel power generating sets proposed as source of back up power for elevators and common area illumination during operation phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel. The location of the DG sets may be decided with in consultation with Maharashtra State Pollution Control Board.
- iv) Noise should be controlled to ensure that it does not exceed the prescribed standards. During nighttime the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.
- v) The green belt of the adequate width and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise.
- vi) Weep holes in the compound walls shall be provided to ensure natural drainage of rain water in the catchments area during the monsoon period.
- vii) Rain water harvesting for roof run- off and surface run- off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease.
- viii) The ground water level and its quality should be monitored regularly in consultation with Central Ground Water Authority.
- ix) 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.
- x) A report on the energy conservation measures confirming to energy conservation norms finalize by Bureau of Energy Efficiency should be prepared incorporating detgails about building materials and technology, R & U Factors etc and submit to the Ministry in three months time.
- xi) Energy conservation measures like installation of CFLs/TFLs for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Use CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the extent possible.



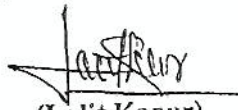
- (vi) A copy of the clearance letter shall be marked to concerned Panchayat/local NGO, if any, from whom any suggestion/ representation has been made received while processing the proposal.
- (vii) Maharashtra Pollution Control Board shall display a copy of the clearance letter at the Regional Office, District Industries Centre and Collector's Office/Tehsildar's office for 30 days.
7. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification 1994, including the amendments and rules made thereafter.
8. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.
9. The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the Maharashtra Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Bhopal.
10. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.
11. Any appeal against this Clearance shall lie with the National Environment Appellate Authority, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.
12. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parisad/Municipal Corporation, Urban Local Body 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.
13. 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.
14. 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.

15. The environmental statement for each financial year ending 31<sup>st</sup> 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.

  
(Lalit Kapur)  
Director (IA-III)

Copy to:

1. The Secretary, Department of Environment, Govt. of Maharashtra, Mantralaya, Mumbai - 400 032.
2. The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32.
3. The Chairman, Maharashtra Coastal Zone Management Authority, Room No.217 (Annexe), Mantralaya, Mumbai - 400 032.
4. The Chairman, Maharashtra Pollution Control Board.
5. The Chief Conservator of Forests, Ministry of Environment and Forests, Regional Office, Western Region, Kendriya Paryavaran Bhavan, Link Road No. 3, Ravishankar Nagar, Bhopal - 462016 (M.P.)
6. Guard File.
7. Monitoring Cell.

  
(Lalit Kapur)  
Director (IA-III)