
State Environment Impact Assessment Authority
West Bengal
Minutes of SEIAA Meeting

Subject:- 15th meeting of SEIAA

Venue:- Conference Room of Environment Department, Prani Sampad Bhavan, 5th Floor, LB - Block, Sector - III, Salt Lake, Kolkata - 700 106.

From :- 29 Jan 2021

To :- 29 Jan 2021

(1.) Proposal No. :- **SIA/WB/NCP/28697/2017** File No- **IA/WB/NCP/71728/2017**

Type- **EC**

INTRODUCTION

The proponent made online application vide proposal no. **SIA/WB/NCP/28697/2017** dated **31 Aug 2018** along with copies of EIA/EMP seeking environment clearance under the provisions of the EIA Notification, 2006 for the above mentioned project. The proposed project activity is listed under Category "B1" of EIA Notification 2006 and the proposal is appraised at State level.

The Expansion of Calcutta Riverside Township, Batanagar of M/s **RIVERBANK DEVELOPERS PRIVATE LIMITED** located at 1, New Bata Road, Batanagar, Maheshtala Municipality, Ward No. 27 & 28, Kolkata – 700140, West Bengal was initially received in the Ministry on 21 Dec 2017 for obtaining Terms of Reference (ToR) as per EIA Notification, 2006. The Project proposal was transferred to SEIAA by MoEF&CC and subsequently ToR was issued on 07.06.2018 by SEAC vide Memo No. 312-2N-11/2008(E) to the project for undertaking detailed EIA study for obtaining Environmental Clearance.

PROJECT DETAILS

The project of M/s **RIVERBANK DEVELOPERS PRIVATE LIMITED** located in as follows :

S. No.	State	District	Tehsil
(1.)	West Bengal	South 24 Parganas	Thakurpukur Mahestola

DELIBERATION IN SEIAA

The SEIAA considered the recommendation of SEAC and observed that the EC for the said project was issued on 19.06.2008 which was further extended on 13.05.2013 for a further period of five years which has expired on 18.06.2018. SEIAA considered the submissions made by the project proponent vide their letter Ref. RDPL/SEIAA/AC/20-21/045 dated 18.01.2021. SEIAA also considered the submissions made by the project proponent vide their letter Ref. RDPL/SEIAA/AC/20-21/045 dated 18.01.2021.

RECOMMENDATIONS OF SEIAA

SEIAA decided that the project proponent is to submit the following documents : 1. The original master plan (262 acres of land) based on which the initial EC No. EN/1283/T-II-1/066/2008 dated 19.06.2008 was issued. 2. Detail site plan for the entire land area in possession of the project proponent approved by the Competent Authority showing the existing project as well as the proposed project. 3. A Mobility plan as per Ministry of Housing & Urban Affairs best practices guidelines, Urban and Regional Development Plans Formulation and Implementation (URDPFI) of the entire project. 4. Documents showing the access to the parcels of land given to other agencies. 5. a) Necessary documents consequent in the change in the status of SEZ Notification with regard to change in land use from 'IT & ITES' to 'any other' use. As per the Development Agreement, 25 acres of land was earmarked for IT & ITES use. b) Mutation certificate from the Municipality of the total land in possession of the project proponent. c) The distribution of land supported by the latest Govt. Orders d) Document showing conversion / relocation of the water bodies within the project area along with the plan demarcating the water bodies. 6. It is found from the document that Bata India Ltd. (BIL) is the owner of the project. Development Agreements were made from time to time between multiple parties. Therefore, the latest documents (Development Agreement / Power of Attorney) showing the project proponent as the sole agency responsible for developing the project.

Conclusion

Deferred for additional information.

(2.) Proposal No. :- **SIA/WB/NCP/94691/2019** File No- **EN/T-II-1/022/2019**

Type- **EC**

INTRODUCTION

The proponent made online application vide proposal no. **SIA/WB/NCP/94691/2019** dated **04 Mar 2019** along with copies of EIA/EMP seeking environment clearance under the provisions of the EIA Notification, 2006 for the above mentioned project. The proposed project activity is listed under Category "B2" of EIA Notification 2006 and the proposal is appraised at State level.

PROJECT DETAILS

The project of M/s **MERLIN PROJECTS LTD.** located in as follows :

S. No.	State	District	Tehsil
(1.)	West Bengal	North 24 Parganas	Rajarhat

DELIBERATION IN SEIAA

SEIAA had considered the matter in its 9th meeting held on 10.11.2020 and had asked the project proponent vide their letter dated 12.11.2020 to submit the following clarifications/documents and referred the application back to SEAC for re-appraisal : a) The location as well as total area of the water bodies within the project area has changed considerably in the sanctioned plan as compared to the initial concept plan submitted by the project proponent at the time of getting stipulated conditions. Documents for change of land use from competent authority and revised list of Dag Nos. with classification need to be submitted by the project proponent. b) Total water requirement of the project has changed to 144 KLD as compared to 174 KLD as mentioned in the stipulated condition issued earlier which shows a difference of about 20% in water requirement. c) Exclusive tree plantation area has reduced in the sanctioned plan while the ground coverage area including road and paved area and the water body area have increased. The project proponent submitted their reply to SEAC which was considered in their 8th meeting held on 22.12.2020. Thereafter, SEAC recommended to SEIAA that Environmental Clearance may be issued.

RECOMMENDATIONS OF SEIAA

SEIAA considered the recommendation of SEAC and accepted the same. The application for EC is approved based on the BMC Building Permit No. BMC/BPN/A/776(3/12) dated 28.01.2020.

Conclusion

Recommended for EC.

(3.) Proposal No. :- **SIA/WB/IND2/56258/2020** File No- **EN/T-II-1/021/2020**

Type- **TOR**

INTRODUCTION

This has reference to online application vide proposal no. **SIA/WB/IND2/56258/2020** dated **09 Sep 2020** along with the copies of EIA/EMP seeking Terms of reference (TOR) under the provisions of the EIA Notification, 2006 for the above mentioned proposed project. The proposed project activity is listed at S.No. 5(f) Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates) under Category B of EIA Notification, 2006 and the proposal is appraised at state level.

PROJECT DETAILS

The project of **M/S INTIM LAMINATES PVT. LTD.** located in as follows :

State of the project				
S. No.	State	District	Village	Tehsil
(1.)	West Bengal	Howrah	Serpur	Amta - I

The salient features of the project submitted by the project proponent is available at [Report](#) under online proposal no. **SIA/WB/IND2/56258/2020**

DELIBERATION IN SEIAA

SEIAA considered the recommendations of SEAC for issuance of ToR.

RECOMMENDATIONS OF SEIAA

SEIAA approved the ToR as recommended by SEAC with the additional condition - Land conversion for industrial use is to be obtained prior to application for EC.

Conclusion

Recommended for ToR.

MISCELLANEOUS :

1. Application for Environmental clearance for the proposed expansion of Residential cum Commercial Complex “Saltee Spacio” by **M/s Shree Bishnu Nirman Pvt. Ltd.** at 1, Khudiram Bose Sarani, South Dum Dum Municipality Ward No. 21, P.S. Dum Dum, Kolkata – 700 028, West Bengal. **Earlier EC No. EN/3282/T-II-1/79/2008 dated 21.12.2009.**

The project had received EC vide No. EN/3252/T-II-1/079/2008 dated 21.12.2009 for 2 Blocks of G+7 storied residential building and 1 Block of B+G+5 storied commercial building with total built up area 24599.78 sqm.

Thereafter the project proponent applied for vertical expansion by an additional floor on all three blocks with a total built up area of 26842.43 sqm. on 19.12.2014. During presentation before SEAC on 04.02.2015 it was noted that the project proponent had started construction without obtaining EC. As the project proponent had not applied under Violation category within the stipulated time the application for vertical expansion could not be processed.

The project proponent moved Calcutta High Court. In compliance of the order dated 11.02.2020 by Hon’ble Calcutta High Court in the W.P. No. 1370(W) of 2020, and the submission made by the project proponent vide their letter no. Nil dated 25.02.2020. SEIAA decided that the SEAC is required to process and appraise the case under violation category.

SEAC has recommended for issuance of Terms of Reference for conducting EIA/EMP under Violation category vide No.261-2N-52/2008(E)-Part-I dated 21.09.2020. However, as it is a case of vertical expansion, a field inspection is necessary to assess the compliance of conditions of the previous EC vide No. EN/3252/T-II-1/079/2008 dated 21.12.2009 and also to determine the extent of violation in the instant application.

SEIAA decided that the WBPCB may be requested to submit a field inspection report in this regard before considering the issuance of ToR.

The inspection report was submitted on 14.12.2020. After perusal of the inspection report it is found that many of the conditions contained in the EC issued vide No. EN/3252/T-II-1/079/2008 dated 21.12.2009 have not been complied with.

Therefore, SEIAA decided to refer the matter back to SEAC for reappraisal.

2. Application for Environmental Clearance for the proposed expansion of the residential complex ‘SWARNAMANI’ by **M/s. Mani Square Ltd** at Premises No. 163 B, Manicktala Main Road, Kolkata – 700 054, West Bengal. **(SIA/WB/NCP/74801/2018) Earlier EC No. 484 /EN/ T-II-1/057/2010 dated 26. 02.2016.**

The SEAC has considered the case in their 5th meeting held on 12.11.2020 and found that the project proponent had already initiated the construction activity for the proposed expansion project without obtaining EC. Thus, the project proponent has violated the provisions of EIA Notification, 2006 and its amendments. The said application cannot be considered even under violation category in terms of MoEF&CC’s O.M. No. 22-10/2019-IA.II dated 09.09.2019 since the application was submitted on 28.04.2018 which is after the cut-off date of 13.04.2018.

SEIAA accepted the recommendation of SEAC and rejected the application for the proposed expansion.

3. Environmental Clearance for the residential complex 'SWARNAMANI' by **M/s. Mani Square Ltd** at Premises No. 163 B, Manicktala Main Road, Kolkata – 700 054, West Bengal.

It is noted that the project proponent, by initiating further construction, has violated the Conditions of the existing EC issued vide No. 484 /EN/ T-II-1/057/2010 dated 26. 02.2016. Therefore, the project proponent is asked to show cause why penal action should not be initiated against him under the provisions of Section 5 of E.P. Act, 1986.

4. NABET Accreditation of the Environmental Consultants.

It was observed that some Environmental Consultants do not have NABET Accreditation. However they have been allowed to act as consultants in view of stay orders given by the Hon'ble Calcutta High Court in the past. Recently the Hon'ble Supreme Court of India has ruled that a stay granted by any court in the country automatically expires in six months unless extended. Therefore, it was decided by SEIAA in its 9th meeting held on 10.11.2020 that the matter may be referred to the Law Officer of Environment Department to give his considered opinion in this regard.

The Law Officer has opined that '*Hon'ble High Court at Calcutta vide its order dated 14.05.2015 disposed of the case stating in an identical case Gujarat High Court vide its order dated 24.01.2013 imposed a stay on the operation of the impugned. As per status shown in the Gujarat High Court website, it is still pending. Meanwhile, Hon'ble Supreme Court in its order dated 15.10.2020 passed in connection with criminal appeal no. 1375 of 2013 ordered "whatever stay has been granted by any court including the High Court automatically expires within a period of six months and unless exemption is granted for good reason". Under such circumstances, in light of direction of Hon'ble Supreme Court, the stay granted by Gujarat High Court should expire long ago*'.

Therefore, SEIAA decided that henceforth environmental consultant without NABET accreditation shall not be allowed to act as consultant for any project being submitted for EC. Member Secretary, SEIAA is requested to inform all concerned.

Sd/-

Sd/-

Sd/-

**(Ujjwal Kumar
Bhattacharya)
Chairman**

**(Prof. Madhumita Roy)
Member**

**(Niraj Singhal)
Member Secretary**