117- F. 2723/2014	**Construction of Information Technology Park by M/s. Karuna Sesh at S.F.No. 412, 412/2B, 413/2, 418/1A, 420/1B, 421/3A, 412/2C, 418/1A3, 420/1C & 421/3B MTH Road, Ambattur Industrial Estate, Ambattur Taluk, Ambattur District, Tamil Nadu – Activity 8(a) & Category "B2"- Building & Construction Projects – Environmental Clearance (EC) to be issued under violation notification dated: 08.03.2018 of MoEF & CC – Regarding.**
	The Project Proponent **M/s. Karuna Sesh** has applied for Environment Clearance for the construction of Information Technology Park with a total built up area of 36440 Sq.m at S.F.No. 412, 412/2B, 413/2, 418/1A, 420/1B, 421/3A, 412/2C, 418/1A3, 420/1C & 421/3B, Ambattur Industrial Estate, Ambattur Village, Ambattur Taluk, Ambattur District, Tamil Nadu on 13.11.2007. The developments that followed are listed below: 1. The application for EC was initially applied to MoEF & CC, GOI on 13.11.2007 as the SEIAA-TN was not constituted. After the constitution of SEIAA – TN, the file was transferred from MoEF & CC to SEIAA-TN. 2. The proposal was appraised by the SEAC on 21.05.2009 and the committee decided to recommend for environmental clearance to SEIAA - TN. 3. Subsequently, the proposal was placed in the 44th SEIAA Meeting held on 31.12.2010, the Authority decided to defer the proposal for want of additional details 4. While scrutinizing, it was found from the photographs furnished by the proponent, which shows that the construction activity was started without prior Environmental Clearance. Hence it was considered as violation of EIA Notification, 2006. 5. The proponent was requested to furnish the 'Letter of Commitment and Expression of Apology' vide SEIAA-TN letter dated: 14.12.2012. 6. As per the guidelines issued for dealing with the projects involving violation vide MoEF & CC OM dated: 12.12.2012 & 27.06.2013, the project proponent furnished 'Letter of Commitment and Expression of Apology' vide letter dated 21.01.2013 and also resolved in the form of a

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formal resolution assuring that such violation will not be repeated.

7. The same was sent to the State Government vide SEIAA letter dated 04.02.2013 for initiating credible action on the said violation by invoking powers under Section 19 of the Environment (Protection) Act, 1986.
8. The State Government forwarded the same to the Tamil Nadu Pollution Control Board (TNPCB) for initiating legal action on the violation under the EIA Notification, 2006 in the commercial project.
9. TNPCB vide their letter dated: 14.02.2014 has informed SEIAA that a complaint was filed against the proponent for the violation of EIA Notification, 2006 before the Judicial Magistrate Court, Ambattur.
10. The Proponent was informed vide SEIAA letter dated 19.11.2014 that the project proposal is included in the list of cases involving violations of Environment (P) Act, 1986 and that the project stands delisted in the lists of proposals under process in SEIAA-TN.
11. The project proposal was included in the list of cases involving violations of Environment (P) Act, 1986 and the project stood delisted in the lists of proposals under process in SEIAA-TN.
12. As per the MoEF & CC Notification dated: 14.03.2017, the cases of violation will be dealt strictly as per the procedures specified in the following manner

    "In case the project or activities requiring prior EC under EIA Notification, 2006 from the concerned regulatory authority are brought for Environmental Clearance after starting the construction work or have undertaken expansion, modernization and change in product mix without prior EC, these projects shall be treated as cases of violations and in such cases, even Category B projects which are granted EC by the SEIAA shall be appraised for grant of EC only by the EAC and Environmental Clearance will be granted at Central level only". Accordingly, the proponent was addressed to submit the proposal to MoEF & CC for EC under violation category vide SEIAA letter dated: 19.06.2017.

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13. Then, the proponent has filed the application to MoEF & CC under violation on 10.08.2017.
14. Subsequently, MoEF&CC issued another notification S.O.1030 (E) dated 08.03.2018, stating that "the cases of violations projects or activities covered under category A of the Schedule to the EIA Notification, 2006, including expansion and modernization of existing projects or activities and change in product mix, shall be appraised for grant of Environmental Clearance by the EAC in the Ministry and the Environmental Clearance shall be granted at Central level, and for category B projects, the appraisal and approval thereof shall vest with the State or Union territory level Expert Appraisal Committees and State or Union territory Environment Impact Assessment Authorities in different States and Union territories, constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986".
15. The application was transferred from MoEF & CC to SEIAA-TN.
16. The proponent resubmitted the hard copy of the proposal to SEIAA-TN on 31.03.2018 for the consideration of ToR under violation notification.

The Committee noted that the project proposal is to be appraised under violation category as per MoEF & CC notification S.O. 1030 (E) dated: 08.03.2018. Since the project has been considered under violation category, the Committee felt that it is necessary to make an on the spot assessment of the status of the project execution for deciding the further course of action.

As per the order Lr. No. SEAC-TN/F.No.2723/2013 dated: 14.04.2018 of the Member Secretary, SEAC, a Technical Team comprising of SEAC Members was constituted to inspect and study the field conditions. The technical team inspected the project site on 08.05.2018 and submitted the report to SEAC on 24.05.2018.

The report of the technical team was placed before the 112th SEAC Meeting held on 28.05.2018.

A summary of the review of the checklist and the actual field inspection is as follows:

(i) The Technical Team learnt that the "violation" attributed to the project

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	is that the construction activity was started before getting the Environmental Clearance. (ii) Prior to construction the area was a vacant land which falls under SIDCO Industrial Estate, Ambattur. (iii) The project is exclusively for housing IT projects in the premises. (iv) This is a construction of IT building with total built up area of 36440.00 sq.m in a land area of 11147 sq.m consist of Stilt + 10 floors. (v) The stage of construction is that civil engineering works completed but finishing work pending. Building has not been occupied. Similarly the construction and erection of STP, OWC & DG sets are pending. The area for STP has been earmarked and also the civil and equipment installation have been completed which are underground. The equipments for OWC & DG sets are still to be procured. (vi) According to the proponent, there is no change in the land area, built-up area and cost of the project. There is no change in the project components, land area utilization for different purposes, parking area, occupancy load, water supply and sewage generation. (vii) The proponent has arranged for water supply from CMWSSB. The treated sewage water of 144 KLD will be utilized for toilet flushing - 101 KLD, 8 KLD for green belt development & 35 KLD HVAC makeup. Hence, it is ZLD system (Zero Liquid Discharge). (viii) As seen from the filled in pro forma, the project has NOC from Fire and rescue services department, Civil Aviation & Traffic. (ix) The building plan is approved by CMDA. (x) Rain water harvesting structures with 19 recharge pits out of 24 pits have been completed so far. The proponent informed that the balance 5 recharge pits will be completed before submitting the EIA report. The Technical team has asked the proponent to submit photographs and also the documentary evidence for the Rain water harvesting pits. A sump of capacity 200 KL capacity has been constructed to store roof top rain water. (xi) The proponent informed that high quality ready mix concrete was used

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for the construction. Towards reducing the electricity consumption and load on the Air conditioning, glass was used for the windows.

(xii) Towards green belt, it was observed during the inspection that the green belt earmarked area has not been planted. The proponent was directed to submit a plan for the green belt encompassing 15% of the total area which was shown at the site. The project proponent was also directed to plant 140 trees of native species and produce the photographs before submitting the EIA report. The proponent was asked to plant 140 numbers of the following species

a) Pongamia glabra (Pungan)
b) Thespesia populnea (Poovarasu)
c) Azadirachta indica (Vembu)
d) Syzygium cumini (Naval)
e) Mimusops elengi (Magilam)
f) Ficus retusa (Athi)
g) Calophyllum inophyllum (Punnai)
h) Ficus religiosa (Arasu)
i) Madhuca longifolia (Iluppai)
j) Terminalia arjuna (Neermarudhu)
k) Terminalia bellarica (Thani)

(xiii) The proponent has provided an area of 1116 Sq.m.(10% of the total area) under OSR, as per CMDA norms.

(xiv) Towards the structural stability and design of the blocks, a certificate has to be obtained from Anna University.

(xv) The stack height for the DG generator will have to be provided as per CPCB norms and also should provide acoustic enclosure to minimize noise pollution.

(xvi) The Technical Team asked proponent to ensure that there is smooth movement of vehicles from the project area to the main road and vice versa.

(xvii) The proponent was directed to give details of the estimated E-waste (types and quantities) and the methodology for managing the generated

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e-waste. The e-waste should be managed as per e-waste management rules, 2016.

(xviii) For CER activities, the proponent should submit CER activity for a sum of Rs. 14 Lakhs (0.5% of the project cost) towards local community development while submitting EIA report.

(xix) The proponent was asked to furnish the updated information with respect to the following checklist provisions:

i. Site plan showing all details
ii. Plan showing e-waste storage area
iii. Fire NOC/ Airport NOC
iv. Site plan with existing number of trees
v. Certificate for structural safety from Anna University/IIT
vi. Plan with colour coding showing pipe line conveying the treated effluent for green belt development, toilet flushing, HVAC, Water supply pipeline, power cables, Storm water drains and Rain Water Harvesting system.
vii. RWH pits & sumps
viii. STP adequacy report
ix. Proposed CER activities
x. Proposal for OWC
xi. Revised green belt plan
xii. Environmental Management Cell
xiii. Photographs of the First aid room during construction.
xiv. Evidence for reduction of energy consumption by providing solar panels one third of the roof area.
xv. Latest traffic survey report along MTH Ambattur road.
xvi. Certificate from SIDCO to the effect that there is no channel/canal passing through the plot.

The proponent was asked to furnish the particulars as discussed above and as per the check list already provided, to the Technical Team on 18.05.2018. Accordingly the proponent has submitted the revised check list with enclosures on 18.05.2018.

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	The proponent submitted the revised check list with enclosures on 18.05.2018. The annexure contains the extract of the revised checklist. The revised checklist contains old and supplementary data/information. In the revised checklist, the following activities are reported to be completed: 1. 158 trees species have been planted and the evidence in the form of photograph has been enclosed in the report. It is observed that Spathodea campanulata & Polyalthea longifolia are exotics and hence may be replaced with indigenous species. A total of 72 trees have to be replaced. 2. The proponent has committed that there will be a 2- lane entry/exit between the project site and Madras Thiruvallur highroad (MTH). From the perusal of the original proposal of the proponent, initial checklist submitted by the proponent, site inspection of the construction site, revised checklist submitted by the proponent, the technical team makes the following observation: 1. The proponent has made a procedural violation in the sense that the proponent has started construction of the IT building before getting the Environmental Clearance from the competent authority. 2. When the technical team assessed whether the proponent has actually followed in the past, the normal condition stipulated in the EC for all conditions, pre-construction & construction stages, the team is of the opinion that the proponent has not violated any conditions that are verifiable now. But there are certain conditions such as possible air pollution, noise pollution and soil pollution that could have been caused at the time of construction which cannot be verified now. 3. The technical team recommends the proposal to SEAC to favourably process proposal for recommendation to SEIAA for the grant of ToR. However, it is to be pointed out that this proposal is not a "regular" project seeking EC but a special project to be covered under "violation category". There are guidelines set forth by MoEF & CC on how to proceed with such cases. The SEAC may decide further course of action

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in the light of the MoEF & CC notification for violation cases.

4. The proponent should complete the following activities/submit necessary documents by the time of submitting the EIA report:
    1) Building for DG set and also HVAC has been constructed and the equipments have not yet been installed. The DG set & OWC should be installed before submitting the EIA report.
    2) The proponent is directed to submit the details of the proposal for e-waste management from the IT building, as part of the EIA report.
    3) Certificate from SIDCO to the effect that there is no channel/canal passing through the plot, along with the EIA report.
    4) 72 exotic trees already planted shall be replaced with indigenous species.
    5) 5 numbers of recharge pits should be constructed
    6) Structural stability certificate / STP adequacy certificate from Anna University/IIT should be submitted.
    7) CER activities for Rs. 14 Lakhs should be completed on infrastructure projects.

The SEAC accepted the recommendations of the technical team and decided to recommend the proposal to SEIAA for considering issue of ToR in 3 parts as annexed for conducting the EIA study for the project of construction of Information Technology Park at S.F.No. 412, 412/2B, 413/2, 418/1A, 420/1B, 421/3A, 412/2C, 418/1A3, 420/1C & 421/3B, Ambattur Industrial Estate, Ambattur Village, Ambattur Taluk, Ambattur District, Tamil Nadu.

The SEAC recommendation along with the proposal for ToR was placed in the 310th SEIAA meeting held on 04.06.2018. The Authority issued the terms of reference on 04.06.2018.

Based on the ToR, the proponent submitted the EIA report to SEIAA-TN on 06.07.2018. The EIA report was placed in the 117th SEAC meeting held on 27.07.2018. The proponent made the presentation about the project proposal. Among other things, the SEAC noted that 7 activities that the proponent should

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have completed as per the time schedule prescribed there in, has completed.

The SEAC as per the MoEF & CC notification assessed the project based on Ecological damage, remediation plan and natural & community resource augmentation plan furnished as an independent chapter in the Environment Impact assessment report by the proponent. The extract from the report is as follows:

a. Ecological remediation plan and cost as proposed by the proponent :

Loss of Top soil, Loss of vegetation and habitation, Change in course of natural drainage, Loss of area for ground water, Particulate matter emission and pollution caused by vehicles and Noise emission from the equipment/machinery. Amount already spent Rs. 29.30 lakhs and amount to be spent, Rs. 4.16 lakhs (Details in the EIA report)

b. Natural resource augmentation plan and cost as proposed by the proponent:

Soil conservation, Water conservation, Energy Conservation, Prevention and control of Emission, Recycling of Waste, Use of fly ash and Safety/ security of human resources. Amount already spent Rs. 110.93 lakhs and amount to be spent, Rs. 27.17 lakhs (Details in the EIA report)

c. Community resource augmentation plan and cost as proposed by the proponent:

Plantation of native species to Govt. School in Chennai- Amount to be spent Rs 0.6 lakhs (Details in the EIA report).

Based on the inspection report and the violation notification, the SEAC classified the level of damages by the following criteria:

1. Low level Ecological damage:
    a. Only procedural violations (started the construction at site without obtaining EC)
2. Medium level Ecological damage:
    a. Procedural violations (started the construction at site without

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obtaining EC)

b. Infrastructural violation such as deviation from CMDA/local body approval.

c. Non operation of the project (not occupied).

3. High level Ecological damage:

a. Procedural violations (started the construction at site without obtaining EC)

b. Infrastructural violation such as deviation from CMDA/local body approval.

c. Under Operation (occupied).

As per the OM of MoEF & CC dated: 01.05.2018, the SEAC deliberated the fund allocation for Corporate Environment Responsibility which shall be to a maximum of 2% of the project cost.

In view of the above and based on the inspection report & the Ecological damage, remediation plan and natural & community resource augmentation plan furnished by the proponent, the SEAC decided the fund allocation for Ecological remediation, natural resource augmentation & community resource augmentation and penalty by following the below mentioned criteria.

Level of damages	Ecological remediation cost (% of project cost)	natural resource augmentation cost (% of project cost)	community resource augmentation cost (% of project cost)	CER (% of project cost)	Total (% of project cost)
Low level Ecological damage	0.25	0.10	0.15	0.25	0.75
Medium level Ecological damage	0.35	0.15	0.25	0.5	1.25
High level Ecological damage	0.50	0.20	0.30	1.00	2.00

The Committee observes that the project of **M/s. Karuna Sesh** has applied for Environment Clearance for the construction of Information

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Technology Park with a total built up area of 36440 Sq.m at S.F.No. 412, 412/2B, 413/2, 418/1A, 420/1B, 421/3A, 412/2C, 418/1A3, 420/1C & 421/3B, Ambattur Industrial Estate, Ambattur Village, Ambattur Taluk, Ambattur District, Tamil Nadu, comes under the **"Low level Ecological damage category". The Committee decided to recommend the proposal to SEIAA for grant of post construction EC subject to the following conditions in addition to the normal conditions:**

1. The amount prescribed for Ecological remediation(Rs. 6.90 lakhs), natural resource augmentation (Rs.2.76 lakhs) & community resource augmentation (Rs. 4.14 lakhs), totalling Rs. 13.8 lakhs shall be remitted in the form of bank guarantee to Tamil Nadu Pollution Control board, before obtaining Environmental Clearance and submit the acknowledgement of the same to SEIAA-TN. The funds should be utilized for the remediation plan, Natural resource augmentation plan & Community resource augmentation plan as indicated in the EIA/EMP report.
2. The project proponent shall carry out the works assigned under ecological damage, natural resource augmentation and community resource augmentation within a period of six months. If not the bank guarantee will be forfeited to TNPCB without further notice.
3. The amount specified as CER (Rs. 6.9 Lakhs as per norms but proponent proposes to spend Rs. 7.02 Lakhs) shall be remitted in the form of DD to the beneficiary before issue of EC for the following activities. A copy of receipt from the beneficiary shall be submitted before issue of EC.

Sl.No	Activities	Name and address of the beneficiary	Amount & DD favouring	Purpose
1.	Education	Govt.School-Chennai Higher Secondary school, Shenoy Nagar	Rs. 3.72 lakhs DD favouring: "Head Master, Chennai Higher Secondary school , Shenoy Nagar"	Renovation of School Building/ Construction of Toilets/Classroom Furniture
2.	Education	Govt.School-Chennai Higher Secondary school,	Rs.3.3 Lakhs DD favouring: "Head Master,	Renovation of School Building/ Construction of

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		Saidapet	Chennai Higher Secondary school, Saidapet"	Toilets/Classroom Furniture

4. Building for DG set and also HVAC has been constructed and the equipments have not yet been installed. The DG set & OWC should be installed before obtaining CTO from TNPCB.

S.No	Name	Designation	Signature
1	Dr. K. Thanasekaran	Member	
2	Dr.K.Valivittan	Member	
3	Dr.Indumathi M. Nambi	Member	
4	Dr. G. S. Vijayalakshmi	Member	
5	Dr. M. Jayaprakash	Member	
6	Shri V. Shanmugasundaram	Member	
7	Shri B. Sugirtharaj Koilpillai	Member	
8	Shri. P. Balamadeswaran	Co-opt Member	
9	Shri. M.S. Jayaram	Co-opt Member	

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