117- F. 2944/2011	**Construction of 960 Slum tenements by M/s. Tamil Nadu Slum Clearance Board at S.F.No. 950/3, Anna Nagar, Madukkarai Village & Taluk, Coimbatore District, Tamil Nadu – Activity 8(a) & Category "B"- Building & Construction Projects – Environmental Clearance to be issued under violation notification dated: 08.03.2018 of MoEF & CC – Regarding.**
	The Project Proponent M/s. Tamil Nadu Slum Clearance Board, Coimbatore Division has applied for Environment Clearance for the construction of 960 Slum tenements at S.F.No. 950/3, Anna Nagar, Madukkarai Village & Taluk, Coimbatore District, Tamil Nadu on 10.09.2014. From the perusal of the office records, project proposal and the presentation made by the proponent, the following points are noted: 1. 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. 2. 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: 10.09.2014 and also resolved in the form of a formal resolution assuring that such violation will not be repeated. 3. The Proponent was informed vide SEIAA Letter No. SEIAA-TN/F.2944/2010 dated 14.11.2014 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. 4. As per the MoEF & CC Notification dated: 14.03.2017, stated that the cases of violation will be dealt strictly as per the procedures specified in the following manner 5. "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

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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.

6. Then, the proponent has filed the application to MoEF & CC under violation on 25.03.2017.
7. 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".
8. The MoEF & CC issued ToR vide F.No. 23-17/2017 - IA - III dated: 10.04.2018
9. The proponent has applied for EC to SEIAA-TN on 02.07.2018.

The proposal was placed in the 116th SEAC meeting held on 09.07.2018. The proponent made a presentation about the project proposal. Among the various features of the project, one feature which is critical is that a huge quantity of treated sewage is available for management in the form of reuse/disposal in a way which is sustainable and environment friendly.

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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 decided 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.1651/2013 dated: 10.07.2018 of the Chairman, SEAC, a Technical Team comprising of the SEAC Members was constituted to inspect and study the field conditions.

The technical team inspected the project site on 24.07.2018 and submitted the report to SEAC on 28.07.2018.

The report of the technical team was placed before the 117th SEAC Meeting held on 28.07.2018

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 is that the construction activity was started without obtaining the Environmental Clearance.

(ii) This is a construction of residential complex with 960 flats under JNNURM Scheme covering a total land area of 29,250 sq.m.

(iii) The stage of construction is that construction work completed in all respects and ready for occupation. That means that the project has not come into operation mode.

(iv) 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.

(v) The proponent has arranged for water supply from TWAD Board.

(vi) The proponent has constructed STP of 600 KLD in the SE corner of the site as per the area earmarked in the approved plan. Civil work for the STP was completed and installation of machineries is to be completed. The proponent informed the team that the STP will be installed prior to the allotment.

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(vii) Totally 524 KLD of treated sewage will be available for Environment friendly and Sustainable management. The proponent proposes to use 350 KLD for irrigation (Coconut trees) in an area of 10 Ha. The proponent has furnished the consent letters from the owners of the land (2 Persons). The proponent was directed to furnish an agreement with the land owners for atleast 10 years for using their land for irrigation.

Still 174 KLD of treated sewage remains to be managed. The proponent informed that the 174 KLD will be utilized for watering trees in the Avenue plantation in the madukkarai Town panchayat. The proponent was directed to submit an affidavit indicating the following details

a. No of trees to be covered and water utilization daily
b. Purchase of lorries for transportation.
c. Operation and maintenance expenditure annually at least for 10 years.

The slum clearance board should undertake the Operation and maintenance of lorries as informed by the Executive Engineer. Necessary amount of money should be deposited with madukkarai Town panchayat

(viii) As seen from the filled in proforma, the project has in place NOC from Fire and rescue services department.

(ix) The building plan is approved by DTCP.

(x) The proponent informed that during the construction stage, they have followed the procedures with regard to sanitation facilities for the workmen.

(xi) The Technical team has asked the proponent to submit photographs and also the documentary evidence for the labour camps with regard to necessary housing, health, drinking water, septic tank and other facilities provided.

(xii) Rain water is redirected to percolation pits (4 numbers) of size 3mX12m which is located in the NW side of the project site. A sump

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	of capacity 200 KL has been constructed for the collection of Roof top run off water. (xiii) The proponent informed that during the construction phase, the diesel generators were used with acoustic enclosures while the diesel was purchased from outside for the requirements and hence not stored within the premises. (xiv) The proponent also informed that the construction materials were transported to the project site only during non peak hours. Fly ash bricks were utilised in construction as per the provisions of fly ash notification. (xv) The proponent assured to provide and maintain the OWC for organic solid waste. (xvi) Towards green belt, the project proponent has informed that 755 trees have been planted along the periphery of the area (555) and road side (200). As the project is spread over an area of 29,250 sq.m, greenbelt should have been developed over an area of 4431.27 sq.m(15.15 %) with 755 plants.: (i) Peltophorum pterocarpum (ii) Syzygium cumini (iii) Thespesia populnea (iv) Pongamia pinnata (v) Polyalthea pendula (vi) Samanea saman (vii) Azadirachta indica Peltophorum pterocarpum (Eaiyal vagai) and Polyalthea pendula (Nettilingam – Ashoka) should be avoided in future planting. (xvii) Towards the structural stability and design of the blocks, a certificate has been obtained from Anna University. (xviii)The percentage of fly ash consumed has also to be submitted by the proponent. (xix) The stack height for the DG generator is not as per the norms. It is of low height and will cause pollution in operation. The proponent is

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directed to increase the stack height to be as per norms.

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

(xxi) For CER activities, the proponent has informed that the project itself for the rehabilitation of slum dwellers and economically weaker section. Therefore, the proponent requested that separate CER activities may please be waived.

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

i. Site plan showing all details
ii. Certificate for structural safety
iii. DTCP plan approval
iv. Plan with color coding
v. Sample medical check up report for workers
vi. Environmental Management Cell

The proponent was asked to furnish the particulars as discussed above and as per the check list already provided, to the Technical Team on 27.07.2018. Accordingly the proponent has submitted the revised check list with enclosures on 27.07.2018.

The proponent submitted the revised check list with enclosures on 27.07.2018. The annexure contains the extract of the revised checklist. The revised checklist contains old and supplementary data/information

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 residential apartment without obtaining the Environmental Clearance from the competent authority.
2. When the technical team assessed whether the proponent has

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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 and quantified now.

3. Organic waste convertor of adequate capacity should be installed and evidence shown before obtaining CTO.
4. Stack of significant height should be installed to the DG set as per the CPCB norms before getting CTO.
5. The technical team recommends that SEAC may process proposal in line with the points noted in para (3) & (4) above. Also, 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 in the light of the MoEF & CC notification for violation cases.

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 :
   Air, Water, Land, Noise and Biological Environment amount allotted, Rs. 9 lakhs (Details in the EIA report)
b. Natural resource augmentation plan and cost as proposed by the proponent:
   Improvement of water level in the region, fund allotted Rs. 3.8 lakhs (Details in the EIA report)
c. Community resource augmentation plan and cost as proposed by the proponent:

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Laying of new road and tree plantation, amount allotted Rs. 3.8 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 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	0.25	0.10	0.15	0.25	0.75

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damage					
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 **Construction of 960 Slum tenements by M/s. Tamil Nadu Slum Clearance Board at** S.F.No. 950/3, Anna Nagar, Madukkarai Village & Taluk, Coimbatore 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. 11.90 lakhs), natural resource augmentation (Rs. 4.76 lakhs) & community resource augmentation (Rs. 7.14 lakhs), totalling Rs. 23.8 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 proponent has submitted that the proposed project is for economically weaker sections of the society and hence serves a social cause. Hence, the proponent requested for exemption of the CER fund allocation from the project funds. The committee considered the request of the Tamil Nadu Slum Clearance Board and decided to exempt the board from allocating funds for CER activities.
4. Organic waste convertor of adequate capacity should be installed and evidence shown before obtaining CTO.

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	5. Stack of significant height should be installed to the DG set as per the CPCB norms before getting CTO.

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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