

<p>111- F.1651/2013</p>	<p>Construction of residential complex "606 Tamil nadu Government Servants Rental Housing Scheme (TNGRHS)" by M/s. Tamil Nadu Housing Board in S.F. No. 172 (P), 173 (P), 174 (P), 175(P), 194 (P) (T.S.No.5, Block 52) of Padi Village, Ambattur Taluk, Tiruvallur District, Tamil Nadu – Activity 8(a) & Category "B2"- Building and Construction projects- Environmental Clearance under violation notification dated: 08.03.2018 of MoEF & CC – SEAC revised recommendations-Regarding.</p>
	<p>The Project Proponent M/s. Tamil Nadu Housing Board has applied for Environment Clearance for the residential development project "606 Tamil nadu Government Servants Rental Housing Scheme (TNGRHS)" with a total built up area of 43698.48 Sq.m at S.F. No. 172 (P), 173 (P), 174 (P), 175(P), 194 (P) (T.S.No.5, Block 52) of Padi Village, Ambattur Taluk, Tiruvallur District, Tamil Nadu on 20.08.2013.</p> <p>The proposal was placed in the 107th SEAC meeting held on 14.04.2018. The proponent made a presentation about the project proposal.</p> <p>From the perusal of the office records, project proposal and the presentation made by the proponent, the following points are noted:</p> <ol style="list-style-type: none"> 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. The proponent was requested to furnish the 'Letter of Commitment and Expression of Apology' vide SEIAA-TN letter dated: 15.07.2014. 3. 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 28.7.2014 and also resolved in the form of a formal resolution assuring that such violation will not be repeated. 4. The same was sent to the State Government for initiating credible action on the said violation by invoking powers under Section 19 of

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	<p>the Environment (Protection) Act, 1986.</p> <p>5. 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 residential project.</p> <p>6. The Proponent was informed vide SEIAA Letter No. SEIAA-TN/F.1651/2013 dated 26.11.2014 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.</p> <p>7. 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</p> <p>“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.</p> <p>8. Then, the proponent has filed the application to MoEF & CC under violation on 06.04.2017.</p> <p>9. Accordingly, the MoEF & CC issued ToR vide F.No. 23-22/2017-IA-III dated: 09.04.2018.</p> <p>10. 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</p>
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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”.

11. The application was transferred from MoEF & CC to SEIAA-TN.

12. The proponent submitted the EIA report to SEIAA-TN for the consideration of EC 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.1651/2013 dated: 14.04.2018 of the Member Secretary, SEAC, a Technical Team comprising of the SEAC Members was constituted to inspect and study the field conditions in the project site for the Construction of residential complex “606 Tamil Nadu Government Servants Rental Housing Scheme (TNGRHS)” by M/s. Tamil Nadu Housing Board in S.F. No. 172 (P), 173 (P), 174 (P), 175(P), 194 (P) (T.S.No.5, Block 52) of Padi Village, Ambattur Taluk, Tiruvallur District, Tamil Nadu on 18.04.2018 and submitted the report on 03.05.2018.

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

1.The Technical Team learnt that the “violation” attributed to the project is that the construction activity was started without obtaining the Environmental Clearance.

2.Prior to construction, the existing **Housing Board** building was demolished.

3.This is a construction of residential complex with 606 flats under

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	<p>TNGRH Scheme covering a total land area of 10855.65 sq.m.</p> <p>4.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.</p> <p>5.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.</p> <p>6.The proponent has arranged for water supply from CMWSSB and also got permission for disposal of excess treated sewage.</p> <p>7.As per the direction of the SEAC during appraisal, regarding the installation of STP for the treatment of sewage for utilising the treated sewage for green belt, the proponent has shown an area for STP installation, but STP has not been installed, on the date of inspection. The proponent informed the team that the STP will be installed prior to the allotment.</p> <p>8.As seen from the filled in proforma, the project has in place NOC from Fire and rescue services department and also from Civil Aviation.</p> <p>9.The building plan is approved by CMDA.</p> <p>10.The project is outside the purview of CRZ notification, 2011.</p> <p>11.The proponent informed that during the construction stage, they have followed the procedures with regard to sanitation facilities for the workmen.</p> <p>12.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.</p> <p>13.Rain water harvesting structures with 8 recharge pits to collect 200 KL have been provided.</p> <p>14.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</p>
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	<p>within the premises.</p> <p>15.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.</p> <p>16.The proponent informed that high quality ready mix concrete was used for the construction. Towards reducing the electricity consumption and load on the Air conditioning glass was used for the windows.</p> <p>17.The proponent assured to operate and maintain the OWC for organic solid waste. However, this has not been installed.</p> <p>18.The proponent informed that the source of water for different purposes will be obtained from CMWSSB.</p> <p>19.The proponent informed that the raw sewage will be discharged into the existing sewer line of CMWSSB for treatment at Koyambedu STP. Further the proponent has allotted an area for STP construction. STP is required to augment the entire water supply to the green belt, to minimize the requirement of fresh water supplied by CMWSSB and also to reduce the load of discharge water into the sewerage. The proponent has to revise the water balance accordingly.</p> <p>20.Towards green belt, the project proponent has informed that 100 trees have been planted along the periphery of the area. As the project is spread over an area of 10855 sq.m, greenbelt should have been developed over an area of 1628 sq.m with 136 plants of indigenous species, as per norms to act as a barrier for air and noise pollution. The proponent has not allocated the required 1628 Sq.m (15%) area for green belt and has planted only 100 numbers of the following species:</p> <ul style="list-style-type: none">(i) Peltophorum pterocarpum(ii) Syzygium cumini(iii) Spathodea campanulata(iv) Thespesia populnea(v) Pongamia pinnata
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	<p>The proponent is directed to remove <i>Peltophorum pterocarpum</i> & <i>Spathodea campanulata</i> and replant with the following species.</p> <ul style="list-style-type: none">(i) <i>Mimusops elangi</i>(ii) <i>Madhuca longifolia</i>(iii) <i>Ficus religiosa</i>(iv) <i>Ficus retusa</i>(v) <i>Calophyllum inophyllum</i> <p>21.As the green belt area is found to be below the norms, the proponent is directed to remove pavers block all along the boundary to a width of 3m and cover it with greenery by planting with a minimum of 142 plants of indigenous species. The proponent is directed to submit a plan of green belt leaving 3m all along the periphery for plantation. The proponent is also directed to plant the aforesaid number of native tree saplings.</p> <p>22. The proponent has provided an area of 1086.50 Sq.m. (10% of the total area) under OSR, as per CMDA norms.</p> <p>23.Towards the structural stability and design of the blocks, a certificate has to be obtained from Anna University.</p> <p>24.The percentage of fly ash consumed has also to be submitted by the proponent.</p> <p>25.The stack height for the DG generator is as per the norms. It is of low height and will cause pollution in operation.</p> <p>26.The Parking plan is as per CMDA norms.</p> <p>27.The Technical Team asked proponent to ensure that there is smooth movement of vehicles from the project area to surrounding area and vice versa.</p> <p>28.For CSR activities the proponent was asked to commit Rs.37.3 Lakhs (0.5 % of project cost). He was also asked to spend the CSR funds on permanent infrastructure for local community like Schools on items related to health, education and sports.</p> <p>29.The proponent was asked to furnish the updated information with respect to the following checklist provisions:</p>
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| | <ul style="list-style-type: none">i. Site plan showing all detailsii. Certificate for structural safetyiii. CMDA plan approvaliv. Plan with color codingv. Institutional vetting of Building planvi. Sample medical check up report for workersvii. Photo to show that STP & DG set away from the project boundary.viii. Tanker water usage for constructionix. SPM and noise data related to construction.x. Environmental Management Cell |
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The proponent was asked to furnish the particulars as discussed above and as per the check list already provided, to the Technical Team on 19.04.2018. Accordingly the proponent has submitted the revised check list with enclosures on 24.04.2018.

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 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. As per the direction, the proponent has removed pavers block all

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	<p>along the boundary to a width of 3m and planted 200 number of tree saplings of the recommended species in a total area of 1628.35 Sq.m. (15% of the green belt area).</p> <ol style="list-style-type: none">4. As per the direction of the SEAC during appraisal, the proponent has earmarked an area for STP installation, but STP has not been installed, on the date of inspection. The proponent informed the team that the STP will be installed prior to the allotment.5. Similar to para (4) above, organic waste convertor of significant capacity should be installed and evidence shown before obtaining CTO.6. Similar to para (4) above, a small STP for treating sewage for gardening purposes should be installed and evidence shown before obtaining CTO.7. Stack of significant height should be installed before getting CTO.8. The technical team recommends that SEAC may process proposal in line with the points noted in para (4), (5) & (6) 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. <p>The inspection report was placed before the 110th SEAC meeting held on 03.05.2018. 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:</p> <ol style="list-style-type: none">a. About Ecological damage created by the proponent, Remediation plan proposed and cost-<ol style="list-style-type: none">1. Land environment- slight impact, mitigation provided.2. Water Environment-minimum impact3. Air Environment-No adverse impact
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	<p>4. Noise Environment- No adverse impact</p> <p>5. Biological Environment- No adverse impact</p> <p>b. Natural resource augmentation plan and cost:</p> <ul style="list-style-type: none"> ➤ Tamil Nadu Housing Board has proposed to enhance ground water potential by preserving and strengthening of Ambattur Lake. The Ambattur Lake is located at a distance of 5 km from the project site. ➤ Ambattur lake is a rain-fed reservoir which reaches top levels during the monsoon seasons. It also caters to the drinking water needs of the Chennai city after Poondi and Chembarambakkam Lake. Ambattur Lake is one of a chain of three water bodies, including the Korattur Lake and the Madhavaram Lake, where surplus water from one is transported to another. The total area of the lake is 3,800 Acres. ➤ We have proposed to strengthening the Ambattur lake bunds and planting Palmyrah trees at appropriate locations in consultation with Public works Department, Government of Tamil Nadu at a cost of <u>Rs. 15 Lakhs.</u> <p>c. Community resource augmentation plan and cost</p> <ul style="list-style-type: none"> ➤ To improve the wellbeing of the community, the following activities will be done as community resource augmentation plan. ➤ We will organize self-help group community meeting as and when required at our existing housing board community hall and we earmarked <u>Rs. 20,000</u> per meeting. Self-help groups will plan welfare measures for the downtrodden people like tailoring, making furniture, electrical repairs, mobile phone services etc., <p>Based on the inspection report and the violation notification, the SEAC classified the level of damages by the following criteria:</p> <ol style="list-style-type: none"> 1. Low level Ecological damage: <ol style="list-style-type: none"> a. Only procedural violations (started the construction at site without obtaining EC) 2. Medium level Ecological damage: <ol style="list-style-type: none"> a. Procedural violations (started the construction at site without obtaining EC)
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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)	Penalty (% 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. Tamil Nadu Housing

	<p>Board in S.F. No. 172 (P), 173 (P), 174 (P), 175(P), 194 (P) (T.S.No.5, Block 52) of Padi Village, Ambattur Taluk, Tiruvallur District, Tamil Nadu, comes under the "Medium 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:</p> <ol style="list-style-type: none"> 1. The amount prescribed for Ecological remediation (Rs. 71.91 lakhs), natural resource augmentation (Rs.30.81 lakhs) & community resource augmentation (Rs. 51.36 lakhs), totalling Rs.154.08 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 amount specified as penalty (Rs.102.73 Lakhs) shall be remitted in the form of DD favouring Environmental Management Authority of Tamil Nadu (EMAT), Department of Environment for the purpose of planting avenue tree saplings in Chennai, submit the receipt to SEIAA before obtaining EC. 3. Organic waste convertor for adequate capacity should be installed before obtaining CTO from TNPCB. 4. STP of 10 KLD for treating sewage for entire gardening purposes should be installed before obtaining CTO from TNPCB 5. Adequate stack height for DG sets should be provided as per CPCB norms before getting CTO from TNPCB. 6. The SEAC recommends that SEIAA may look into any other legal and regulatory issues that are applicable before issuing the post construction EC. <p>The recommendations of the SEAC as detailed above was communicated to the proponent vide office letter dated: 05.05.2018. In response, the Executive Engineer and ADO, Anna Nagar Division, in his letter dated:07.05.2018, addressed to SEIAA-TN, has informed that it</p>
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is a project of government of Tamil Nadu and requested for waiver of penalty etc. The SEIAA –TN has referred the file along with his letter back to SEAC.

The subject matter was placed in the 111th meeting of the SEAC. The proponent was present. The members interacted with the proponent regarding the significance of the recommendations and asked the proponent to comply with the recommendations especially regarding the STP, OWC, and DG set Stack. The proponent informed through their letter dated: 15.05.2018, that concrete steps are being taken to address the recommendations.

In view of the proponent's commitment, the SEAC designates and recommends the project to be considered under the category of "Low Level Ecological Damage".

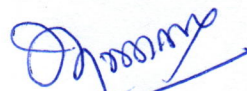
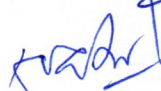
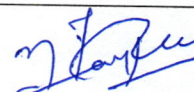
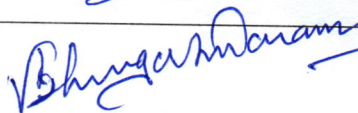
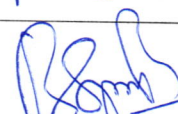
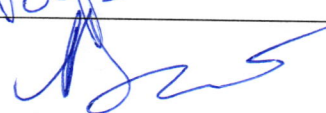
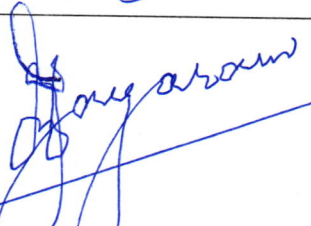
The proponent has informed that the said project is "non profitable one and meant for Tamil Nadu Government Servants on rental basis ". The SEAC taking this into consideration decided to waive the CER (previously called as penalty) component .

In view of these decisions, the revised funds that should be earmarked by TNHB are as follows:

Level of damages	Ecological remediation cost (% of project cost)	natural resource augmentation cost (% of project cost)	community resource augmentation cost (% of project cost)	total (% of project cost)
Low level Ecological damage	0.25	0.10	0.15	0.50

The revised amount prescribed for Ecological remediation (Rs. 51.25 lakhs), natural resource augmentation (Rs.20.5 lakhs) & community resource augmentation (Rs. 30.75 lakhs), totalling Rs.102.5 lakhs shall be remitted in the form of bank guarantee to Tamil Nadu Pollution Control board, before obtaining Environmental Clearance and submit

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	<p>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.</p> <p>The other recommendations remain the same.</p>		
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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