

Minutes of the 102nd SEAC Meeting held on 01st February, 2018

<p>102- 07 F. 3247/2014</p>	<p>Proposed construction of residential building complex "Amity" by M/s. VGN Builders Private Limited at S.No.651/3, 651/4 & 652/2, T.S.No. 1, Ward No. 1, Block No. 81, Paruthipattu Village, Poonamallee Taluk, Thiruvallur District, Tamilnadu – Activity 8(a) & Category "B2"- Building & Construction Projects - EC - Regarding</p>
	<p>The project proponent M/s. VGN Builders Pvt. Ltd., represented by its Director Thiru B.R. Nanda Kumar applied to State Environment Impact Assessment Authority (SEIAA), Tamil Nadu on 18.12.2014 vide application dated 17.12.2014 for obtaining Environmental Clearance as required under EIA Notification, 2006 for the project of construction of residential development at Paruthipattu village, Poonamallee Taluk, Thiruvallur district. The project proposal comprised of development of block A with Stilt + 4 floors to accommodate 172 units (MIG units). In the block A itself the southern portion of the block will accommodate units for LIG group (8 units). The units for LIG will be accommodated in Stilt + 2 floors. The Block B with Stilt + 4 floors will accommodate 91 units. There will be a total of 271 dwelling units in a land area of 12480.48 sq.m, with a total built-up area of 30095.97 sq.m. The project cost is Rs. 52.34 crores.</p> <p>After scrutinizing the application submitted for the residential project, it was found that the proponent has made substantial progress in the construction work of the project without prior EC; hence it is a Violation of the EIA Notification, 2006. The Proponent was informed vide SEIAA Letter No. SEIAA-TN/F.3247/EE/2014 dated 12.01.2015 that the project proposal is included in the list of cases involving Violations of E(P) Act, 1986, it stands delisted in the lists of proposals under process in SEIAA-TN.</p> <p>The office memorandum dated 12.12.2012 and 27.06.2013 wherein guidelines to deal with the violation cases were issued by the MoEF & CC. The application preferred by the applicant also falls in the category of violation as per the provisions of EIA 2006, and hence action was taken against the applicant as per the procedure issued in the Office Memorandum. Shri.S.P.Muthuraman filed a case challenging the Office Memorandum issued by</p>


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the Ministry of Environment, Forest and Climate Change dated 16th November, 2010, 12th December, 2012 and 27th June, 2013. Vide detailed judgment of the Tribunal dated 07th July, 2015, the Tribunal had held that these office memorandum were liable to be quashed and were quashed.

After the pronouncement of the judgment the applicant filed an application being M.A. No. 351 of 2016 in Original Application No. 371 of 2016, wherein the applicant has stated that his case was similar to the builders/respondents in the case of S.P. Muthuraman Vs. Union of India & Ors. and they were accepting the judgment of the Tribunal for its implementation in their case as well. The Tribunal in term of the Judgement of S.P. Muthuraman Vs. Union of India & Ors. imposed environmental compensation of Rs. 2.61 crores upon the applicant and also directed the joint inspection expert committee to conduct an inspection of the project of the applicant and submit its report and the recommendations with regard to the precautionary and other measures that were required to be taken.

The Expert Committee constituted by the Tribunal conducted an inspection on 01st July, 2016 and submitted a detailed report before the Tribunal on 06th October, 2016. Based on the report, the Hon'ble NGT, PB, New Delhi pronounced the order dated: 27.11.2017. The Hon'ble NGT passed, among other things, the following orders:

- The State Environment Impact Assessment Authority shall consider the application of the applicants which was delisted and pass appropriate orders in regard to grant/refusal of the Environment Clearance in accordance with law.
- The State Environment Impact Assessment Authority shall take into consideration and in fact impose the condition which has been stated by the joint inspection team in its report as condition of grant of Environment Clearance, if it grants. The condition imposed in different orders shall be part of the Environment Clearance if granted to the applicant.

- The condition imposed by the Tribunal in S.P. Muthuraman shall form part and parcel of the Environment Clearance and if granted to the applicants.

Accordingly, the SEIAA directed the SEAC to appraise the project on the proposed construction of residential building complex "Amity" by M/s. VGN Builders Private Limited at S.No.651/3, 651/4 & 652/2, T.S.No. 1, Ward No. 1, Block No. 81, Paruthipattu Village, Poonamallee Taluk, Thiruvallur District, Tamilnadu.

The project proposal was placed in the 100th meeting held on 21.12.2017. Based on the presentation made by the proponent and the documents furnished, the SEAC makes the following observations:

1. The proponent says that violation is only related to the fact that construction work started before getting the EC.
2. The proponent has paid Rs. 2.61 crores as environmental compensation fund as directed by Hon'ble NGT.
3. According to the proponent, the construction work has almost been completed except for paver blocks, OSR, STP equipment and final painting coat.

The SEAC decided to make an inspection on the project site to assess the field conditions before processing the proposal further.

As per the order Lr. No. SEAC-TN/F.No.3247/2014 dated: 21.12.2017 of the Chairman, SEAC, a Technical Team comprising of the following SEAC Members was constituted to inspect and study the field conditions in the proposed construction of residential building complex "Amity" by M/s. VGN Builders Private Limited at S.No.651/3, 651/4 & 652/2, T.S.No. 1, Ward No. 1, Block No. 81, Paruthipattu Village, Poonamallee Taluk, Thiruvallur District, Tamilnadu.

1. Dr.K.Thanasekaran,
2. Dr. K.Valivittan,
3. Shri. M.S.Jayaram


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4. Shri P. Balamadeswaran
5. Shri B. Sugirtharaj Koilpillai
6. Dr.S.Rajendiran, AEE,SEIAA/SEAC (co-opted by the SEAC)

The technical team conducted the inspection on 27.12.2017 (Forenoon) and submitted the report on 03.01.2018 to the Chairman, SEAC – TN.

A summary of the observations of the technical team are as follows:

1. The Technical Team learnt that the “violation” attributed to the project is that the construction activity was started before getting the Environmental Clearance.
2. The stage of construction is: civil works completed; electrical and wiring works completed; doors and windows, plumbing works completed; sanitary and fittings due to be completed; STP civil works completed, equipments due to be installed; DG sets ordered, OWC ordered; 21 recharge pits, Rain water harvesting pits constructed and storage sump of 1 lakh litres capacity constructed. For green belt 103 trees planted.
3. The proponent was asked to furnish a certificate from revenue authorities to the effect that the project is not encroaching upon any water bodies and project will not be flooded during rainy season. The proponent was asked to submit the certificates before the end of January, 2018.
4. Water supply – It is proposed to avail water supply from local body (Avadi Municipality). The technical team asked the proponent to specifically identify the source of water supply and submit a report on the quality of water from the selected source. The water is proposed to be treated in a water treatment plant consisting of activated carbon filter and UV disinfection. This WTP will be used also for treating the rain water stored in the sump.


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5. Treated sewage disposal – The proponent proposes to discharge the excess treated sewage for avenue plantation in the nearby areas. Since this option is not sustainable, the technical team asked the proponent to transport by tankers the treated excess sewage to either Thiruverkadu STP or Avadi STP.
6. Regarding municipal solid waste management, the proponent proposes to hand over the bio-degradable part of the MSW to Chennai Corporation. However, the technical team asked the proponent to install an Organic Waste Converter for composting the MSW and using the product as manure.
7. Regarding the sewage characteristics, the proponent was asked to furnish the inlet and outlet characteristics of the sewage from the STP technology now installed. The characteristics should include Coliforms also.
8. The proponent was asked to revise the water balance diagram as per norms.
9. Regarding green belt, 2 KLD of treated sewage was proposed to be used in an area of 677.96 sq.m which amounts to 5.43% of the plot area. As per norms, the proponent should earmark 15% of plot area which amounts to 1872.07 sq.m for green belt. Hence, proponent was asked to enhance the green belt area to meet the norms. If necessary, the paver blocks already built should be removed to accommodate the additional tree plants. The proponent was asked to go for only approved tree species. The following recommendation is made regarding the species to be planted:
 - i. Azadirachta indica
 - ii. Mimosa elengi
 - iii. Derris indica
 - iv. Thespesia populnea


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- v. *Syzygium cumini*
- vi. *Calophyllum inophyllum*
- vii. *Swietenia macrophylla*

The following tree species have been planted in the project area. These are not acceptable. They should be replaced with the species mentioned above.

- i. *Delonix regia*
- ii. *Spathodea companulata*
- iii. *Lanea coromandalica*
- iv. *Peltophorum pterocarpum*
- v. *Melia dubia*

Planting beneath the power lines may be avoided.

10. There is a calculation error in estimating the stack height for the DG sets. The proponent was asked to correctly calculate the DG set stack height.
11. The rain water harvesting calculations were asked to be revised taking into consideration appropriate rain fall data and hydraulics of flow in channels.
12. The excess run off after recharging should be connected to the storm water drain existing on the Avadi – Poonamallee road which ultimately will drain into the river Coovam.
13. In the geo-technical investigation of the project site, it was stated that the medium sand horizon occurs at a depth between 2.5m and 20 m. The depth of water harvesting pit has reached a depth of 3m from the surface. It is to be ensured that the depth of the pipe should touch the permeable zone in the recharge pit.
14. The River Coovam lies 0.2 km on the southern side of the project. The occupants of the residential complex will be exposed to noxious odour from the river especially during the summer. The proponent should ensure that thick greeneries are provided

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along the southern border. Also appropriate structural measures like providing double glazed windows should be implemented.

15. Regarding OSR, 10% of the plot area has been earmarked which satisfies the norms.

16. Proponent informs that there are significant changes made in the utilities design like water supply, sewage disposal, OWC, DG set capacity, etc and they will submit a report on the revisions made.


17. The proponent was asked to furnish appropriate CSR activities for local communities in terms of infrastructure for education and sports activities. The amount earmarked for CSR activities should be 0.5% of the project cost.

Based on the above observations, the technical team asked the proponent to furnish additional particulars / proposals. Accordingly, the proponent submitted additional particulars/proposals to the technical team on 03.01.2018.

The report of the technical team was placed in the 101st meeting of SEAC held on 08.01.2018. The technical team has made the several observations and recommendations. A summary is as follows:

1. Status of the project
2. Commitment for submitting certificates related to encroachment and flooding. The proponent agreed to submit before January, 2018.
3. MSW – the proponent agreed to provide OWC
4. DG sets capacity revised to 242.5 KVA
5. Stack height correctly estimated, to be 17.5m.
6. Green belt area increased from 677.96 sq.m to 1884 sq.m which is 15.1% of the plot area, which satisfies the norms. However, the proponent should complete tree planting in the area prepared for tree planting all along the periphery before getting the EC.
7. The proponent has revised the water balance diagram as


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instructed.

8. The excess storm water will be connected to the existing drain along the Avadi – Poonamallee road.
9. Proponent has committed for adequate engineering measures related to the STP as suggested by the committee.
10. The proponent has furnished CSR activities as per norms for Rs. 26.17 Lakhs.
11. The proponent has given data/diagram to show that the rain water recharge pits have been constructed as per the technical team suggestion.

Looking at the changes required, the technical team felt that it is better to revise completely the proposal already submitted by the proponent and submit a revised project report incorporating all changes made for which the proponent agreed.

The SEAC discussed the observations of the technical team. The SEAC noted that there is a significant deficiency in the green belt development already completed by the proponent. The technical team has given directions to complete the green belt development activities by planting trees in the areas where paver blocks have already been removed before getting the EC. However, the SEAC decided that to consider the granting of EC after the proponent completes the green belt development as per the directions of the technical team. Hence, the project proposal is deferred until the green belt development is completed.

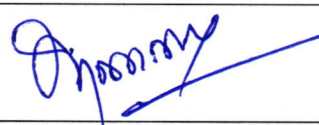

The decision of the SEAC during its 101st Meeting to direct the proponent to complete the green belt development was conveyed to the proponent through this office letter dated: 17.01.2018 by SEIAA.

The essence of the letter is as follows: "The SEAC noted that there is a significant deficiency in the green belt development already completed by the proponent. The technical team has given directions to complete the green belt development activities by planting trees in the areas where paver blocks have


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already been removed before getting the EC. Hence, the proponent is requested to complete the above and furnish the proof for completing the same to SEIAA-TN so as to take further action”.

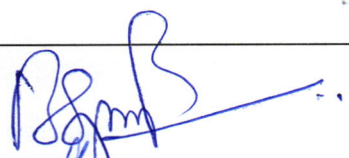
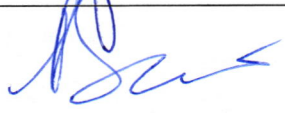
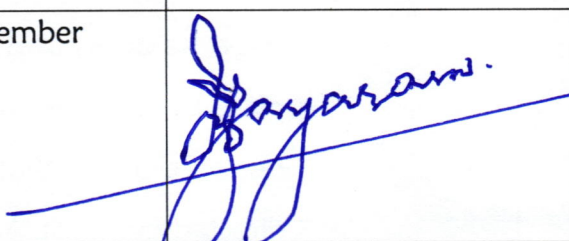
In response to the above SEIAA direction, the proponent has submitted his response on 31.01.2018. The response sheets submitted by the proponent were placed before the 102nd SEAC Meeting held on 01.02.2018. A perusal of the response shows that the proponent has completed green belt development as directed by the SEIAA (as seen by the photographs enclosed by the proponent). The proponent also orally mentioned that he has completed green belt development as per the direction given by the SEIAA. Since, the proponent has complied with the directions of the SEIAA, the SEAC decided to recommend the proposal for the grant of Environmental Clearance to SEIAA. The proponent should comply with the conditions as listed in the proceedings of the technical committee report, in addition to normal conditions.

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. Sivasubramanian	Member	
7	Shri V. Shanmugasundaram	Member	



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8	Shri B. Sugirtharaj Koilpillai	Member	
9	Shri. P. Balamadeswaran	Co-opt Member	
10	Shri. M.S. Jayaram	Co-opt Member	


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