

Agenda items for 37th Goa-SEIAA meeting held on 6th September 2017.

1. **M/s Trinitas Developers India LLP, Goa** (*Inward no. 287 dated 17th February 2016*) - Proposed construction of residential-cum-commercial complex at survey no. 198 of Sancoale village in Mormugao taluka. SEAC inspected the site on 1st March 2016 by Afonso, Manoj, Hirkude, Ashwini and Savoikar. Since, BUA exceeds 1,50,000 sq.mts., ToRsø to be issued for EIA report preparation through M/s Aditya Environmental Services, Mumbai. Accordingly and as discussed during 60th / 61st SEAC meeting held on 3rd March 2016 / 17th March 2016, the PP made the project-specific presentation during 62nd Committee meeting held on 7th April 2016 and accordingly, ToRsø were finalized. The same were communicated to the PP vide letter no. 3/181/2012/STE-DIR/Part-I/EIA-GOA/ 06 dated 13th April 2016. Later, PP has submitted a request for issuance of Amendmentø dated 25th May 2016 in response to proposed revision w.r.t. increased BUA. **The said matter was discussed / deliberated during 33rd Authority meeting held on 2nd August 2016 and it was decided that the PP needs to re-submit the proposal afresh for appraisal / consideration. The PP has been communicated accordingly.**

2. **M/s Mahadhan Real Estates LLP** – Proposed construction of Residential-cum-commercial building with compound wall in S. Nos. 99/1 & 2, 105/1, 2 & 3 ó C3 in Taleigao village, Tiswadi taluka. The Project Proponent (PP) Resubmitted revised proposal on 5th June 2015 for reconsideration. Site was inspected earlier and was directed to resubmit the revised proposal with compliance to site-specific / presentation-specific observations. To be called for afresh project-specific presentation. The lease holder has cancelled the project-specific presentation which was fixed twice ó firstly on 26th November 2015 (i.e. 54th meeting) and then during 56th SEAC Meeting scheduled on 17th December 2015. Subsequently, based on the request received dated 2nd March 2016 from the Project Proponent (PP), the Committee has decided to invite the PP for project-specific presentation during its 61st meeting scheduled on 17th March 2016. However, the PP has officially communicated its inability to make presentation during the meeting on 17th March 2016 and requested for its postponement. Thereafter, PP made the project-specific presentation during 62nd Committee meeting held on 5th April 2016. Subsequently, following post-presentation discussions / deliberations held during 63rd meeting held on 7th April 2016, **the aforesaid proposal has been recommended by the Committee** with mandatory inclusion of following as Specific conditions / Mitigatory prescriptionsø

a. The top soil layer at the site upto a depth of 0.30 mt. should be removed and reused after the filling of the site with soil transported from elsewhere as submitted before the Committee by the PP. The soil to be filled should also be tested and report should be furnished to the Authority.

b. As the site is a low-lying fallow-land with sandy soil and shallow ground-water table and in anticipation of flooding conditions in heavy monsoon during construction and post construction scenarios, the storm water drainage from the site in no condition be allowed to flow in surrounding fields. The detailed design analysis of the storm water

management plan vis-à-vis extreme scenarios of heavy rainfall conditions with available data along with the proposed outfall in the nearest natural drain should be prepared and submitted.

- c. Further, considering 17 mts. deep clay layer at the site (*as per the soil investigation report submitted*), the PP should adopt appropriate foundations for the structures at the site so as to transfer the load to hard stratum and based on seismic considerations.
- d. A disaster response for flooding conditions should be prepared and submitted.
- e. Considering the site-specific characteristics of the project location and its topography, the PP should take all the remedial measures to address water drainage system so that locations around the proposed site do not get inundated / flooded during and after the project completion.

Later, compliances w.r.t post-presentation observations submitted by the PP was perused / deliberated during 66th SEAC meeting held on 5th May 2016 wherein it was noted partial non-compliance. Accordingly, PP was directed to authenticate said compliance with additional compliance to (i) submission of letter regarding appropriate foundation for the proposed developmental activity so as to transfer the load to hard stratum in response to on-site soil condition and seismic vulnerability. Further and as decided, the site was re-inspected on 20th May 2016 to ascertain / verify provisions proposed to be adapted (a) to control / manage probability of flooding likely to be caused during heavy monsoon, especially during the construction and post-construction scenarios and (b) for storm water management. During the re-inspection, it was observed that the nallah depicted on the survey plan was found to be clogged with construction debris / vegetation and has compromised drainage capacity. The follow-up of the said inspection was discussed during 67th meeting held on 7th June 2016 and considering the likelihood of inundation in the event of high precipitation as also due to high water table and hydric nature of the soil as well as proposed land-filling of low-lying area within the proposed plot, the Committee has recommended that the PP takes adequate mitigative measures prior to commencement / during as well as post-construction phases. This is with specific reference to (a) inundation of the main road, (b) water logging in the adjoining agricultural fields and (c) stagnation of water leading to public health hazards. Accordingly, the onus of ensuring a smooth drainage of storm water through the nallah as proposed shall entirely lie with the PP during pre-construction / construction / post-construction phases. As such, the Committee has recommended the proposal with observation as above.

Later, The Authority during its 31st meeting held on 8th July 2016 perused above-referred SEAC's observations with specific reference to (a), (b) and (c) and made the following observations.

- (i) The proposed site / area is low-lying agricultural field and as such, forms water catchment for rain-water / storm-water.
- (ii) It is a marshy land and sustains growing of local vegetable & biodiversity.
- (iii) There is a great apprehension that filling / reclamation of land in uncontrolled manner will lead to unprecedented flooding of nearby areas causing health-

hazards and epidemics. In addition, it may lead to instability of proposed structure considering a deep clayey layer on site.

Accordingly, the Authority decided to refer the proposal and communicated the same on 18th August 2016 to the Town and Country Planning (TCP) Department so as to ascertain and clarify with adequate hydrological and rainfall data as to whether it is advisable to undertake such a land-filling / reclamation for the construction activity as proposed by the Project Proponent (PP). The Authority will decide after receiving feedback from the TCP. **Further, the PP vide request dated 1st August 2016 has requested for personal hearing before the Authority to appraise the said matter.**

3. M/s ALCON Constructions (Goa) Ltd., Panaji (*Sukerkar mansion, 1st Floor, M.G. Road, Panaji, Goa – 403001. Ph. 0832-2224451 / 2223832 : e-mail – contact@alcongoa.com www.alcongoa.com*) 6
Revision in the outline plan in the proposed development activity (*for which EC was granted earlier by Goa-SEIAA vide no. 3/18/2010/STE-DIR/206 dated 19th May 2013 for 250-bedded hospital cum 42-room hotel*) proposed in survey no. 112/1, 112/1(P), in Taleigaoi village, Tisadi taluka. The revised proposal excludes Hospital and instead included residential development. As a result of which total Built-up area is changed from 27,958.90 sq.mts. to 22,446 sq.mts. SEAC has perusal / appraisal of the revised proposal during its 56th meeting held on 17th December 2015 has decided that PP needs to re-submit the proposal afresh in view of specific clause in the earlier EC issued by the Goa-SEIAA in 2011. Subsequently, as decided during the Authority's 29th meeting held on 10th March 2016, Authority conducted site-inspection on 1st April 2016 and the proceedings to be discussed during next Authority meeting. Subsequently, the Authority, during its 30th meeting held on 5th May 2016 has decided that the project proponent should apply afresh i.e. de novo proposal for the new activity along with fresh EIA and other documents. Further, Authority has noted that the access road to the property under reference is very narrow & passes along the St. Inez creek and accordingly decided to bring this to the notice of Planning and Local authorities concerned. Accordingly, the Project Proponent (PP) re-submitted the revised proposal dated 25th July 2016 and later, SEAC inspected the site on 16th August 2016. Subsequently, M/s Aditya Environmental Services, Mumbai & on behalf of the Project (PP), made the project-specific presentation during 75th SEAC meeting held on 22nd September 2016 during which compliance to following project/site-specific observations were sought prior to further appraise the proposal.

- 1) Provide information of existing condition on site with dated photographs and other relevant documentation.
- 2) Provide Detailed traffic management Plan including peak hour movements.
- 3) Details/Commitment on access road to be maintained during construction phase be prepared and submitted at the time of post-EC compliance.
- 4) Note on precaution proposed along with Disaster management Plan in case of urban flooding /Nallah flooding during monsoon.
- 5) Note on proposals to be undertaken for disposal of current dumped waste.
- 6) Considering the scale of the project, the PP may consider an appropriate budgetary allocation benefiting the local communities. The details of the same may be submitted to the Authority.
- 7) Provide details of Compartmentations in building by way of smoke stop doors.

Accordingly, the PP has submitted the compliance to observations vide letter no. ACPL/AP-22/336/2016 dated 24th October 2016 which was discussed / deliberated during 78th SEAC meeting held on 3rd November 2016 and was recommended to the Authority for grant of prior EC. **The Authority, during its 36th meeting scheduled on 6th December 2016, deferred the decision for want of time to peruse relevant project details in light of its validity expiring by 8th December 2016.**

4. **M/s Mahadhan Real Estate** for construction activity proposed at Chimbel, Tiswadi taluka, North Goa district. SEAC conducted the site-inspection on 9th June 2016 and thereafter, during its 68th meeting held on 16th June 2016, decided that PP needs to make presentation w.r.t. following

- (i) Empirical calculations for water / electricity requirements (% savings)
- (ii) Energy conservation measures (in figures)
- (iii) Disaster management initiatives
- (iv) CSR initiatives and proposed budget estimate
- (v) Avifaunal inventory and species listing of tall trees at the site.
- (vi) Storm-water management and groundwater recharge.
- (vii) Cut and fill-section of the proposed layout.
- (viii) Alternate access to the property from Chimbel village, if any.

Later, the PP submitted the compliance to site-inspection observations vide letter no. Nil dated 20th October 2016 (*received on 26th October 2016*). The project-specific presentation was scheduled on 75th SEAC meeting held on 22nd September 2016. However, based on the official communication conveying inability to do so, the same has been decided to re-schedule. New date is yet to be finalized. Subsequently, it was held during 77th SEAC meeting held on 20th October 2016 wherein PP was requested to submit compliance to (i) Provide a detail of modalities of treatment of potable water as of now and to the long run and (ii) Provide details of Compartmentations in building by way of smoke stop doors prior to further processing the same. Thereafter, the PP submitted the post-presentation compliance vide letter no. Nil dated 3rd November 2016. These compliances were taken up for discussions during 78th SEAC meeting held on 3rd November 2016 and was recommended to Authority with additional compliance to be submitted by the PP w.r.t. structural details of the impounding reservoir as proposed. Subsequently, the PP vide letter no. Nil dated 21st November 2016 to the said observation which was perused during 80th SEAC meeting held on 22nd November 2016. **The Authority during its 36th meeting scheduled on 6th December 2016 deferred the decision for want of time to peruse relevant project details in light of its validity expiring by 8th December 2016.**

5. **M/s Umia Developers Pvt. Ltd.,** - for the proposed developmental activity in Sancoale area. The SEAC has conducted the site-inspection on 16th August 2016. Thereafter, project-specific presentation was held during 75th SEAC meeting held on 22nd September 2016 with a request to submit compliance to following observations

- 1) Provide NOC for water supply from Public Works Department (PWD).
- 2) Provide a copy of NOC for bore-well from competent authorities with details of depth proposed for bore well based on hydro geological studies.
- 3) Note on efficiency of sanitation systems with reference to technology proposed with overall saving expected vis-a vis occupancy load scenarios.

- 4) Detailed calculation on energy conservation measures.
- 5) Furnish details on ephemeral flush vegetation once ready.
- 6) Considering the scale of the project, the PP may consider an appropriate budgetary allocation benefiting the local communities. The details of the same may be submitted to the Authority.
- 7) Labour population and camps during the construction of the project.
- 8) A detail water balance calculation for different scenarios.
- 9) Provide sectional drawings for cutting and filling operation for construction with all existing and proposed levels along with quantity of soil to be excavated and filled.
- 10) Provide Smoke exhaust details in the building (positive pressure ventilation).
- 11) Provide Disaster Management plan for evacuation of occupants.
- 12) Obtain D.G.C.A letter of consent/information about the high rise structure.
- 13) Provide details on Compartmentations in building by way of smoke stop doors.
- 14) Provide Detailed traffic management Plan including peak hour movements

The PP has submitted the compliance to above-referred observations vide letter no. Nil dated 9th November 2016 (*received on 14th November 2016*). SEAC has perused / discussed the same during its 81st meeting held on 29th November 2016 and accordingly was recommended to Authority for grant of EC. **The Authority during its 36th meeting scheduled on 6th December 2016 deferred the decision for want of time to peruse relevant project details in light of its validity expiring by 8th December 2016.**

6. **M/s John Distilleries** for proposed expansion (*i.e. doubling*) in the production capacity at a unit located at Cuncolim Industrial estate, Cuncolim. The site was visited by SEAC on 25th October 2016 and subsequently, PP made the project-specific presentation during the 80th meeting held on 22nd November 2016. Accordingly, the PP was requested to submit compliance to (a) Documentary evidence for approved boiler attendants, (b) Operational mechanism for scientific disposal of additional solid (*boiler waste / fermentation residues*) effluents generated during process and (c) Submit revised CSR Plan. Subsequently, the PP replied to these observations *vide letter no. JDPL/SEAC/16-17/003 dated 30th November 2016* which were considered during 82nd meeting held on 1st December 2016 and was recommended to Authority for grant of EC. **The Authority during its 36th meeting scheduled on 6th December 2016 deferred the decision for want of time to peruse relevant project details in light of its validity expiring by 8th December 2016.**
7. **M/s Mangalam Build Developers Ltd.,** Jaipur, Rajasthan for proposed group housing-cum-commercial project ó Mangalam Casa Amora (*total BUA – 42,882 sq.mts.*) at survey no. 20/3-A (*total plot area – 32,893 sq.mts.*), Bainguinim village, Tiswadi taluka, North Goa district. On perusal of the said proposal, it is understood that the PP has purchased the plot for which EC has been granted to M/s Rajendra Prasad Singla by the Goa-SEIAA during March 2013. Accordingly, the SEAC conducted the site-inspection on 1st November 2016 and was followed by project-specific presentation during 80th meeting scheduled on 22nd November 2016. The SEAC made the following observations (i) Reworking / re-submission on provision of rainwater collection and use of this collected rainwater in the project. In addition, re-evaluate the locations of rainwater harvesting (RWH) pits as per the contours on the site, (ii) Provide detail modalities

for treatment of potable water as of now and in the long run, (iii) Submission of drawings for change in sewage treatment facility from MBBR technology to SBR process technology, (iv) Provide detailed Traffic Management Plan including peak-hour movements, (v) Submit authorized soil investigation report, (vi) Provision of (a) smoke detectors to the staircase area and fire water tank and (b) positive ventilation for each cluster unit and fire alerting system at assembly points, (vii) Submit relevant drawings for change in the location of recharge pits, (viii) Submit revised proposed Corporate Social Responsibility (CSR). The PP submitted the compliance vide letter no. Nil dated 24th November 2016 which was perused during 81st meeting held on 29th November 2016 and noted that PP has not suitably complied to sr.nos. (iv) and (vi). Accordingly, **the Committee has decided to recommend the proposal to the Authority notwithstanding the submission of suitable compliance** to (a) Traffic Management Plan including peak-hour movements, (b) providing smoke detectors to the staircase area and fire water tank and (c) positive ventilation for each cluster unit and fire alerting system at assembly points which can be considered as -Specific conditionsø to be included, if the proposal is considered for grant of EC. **The Authority during its 36th meeting scheduled on 6th December 2016 deferred the decision for want of time to peruse relevant project details in light of its validity expiring by 8th December 2016.**

8. **M/s DLF Ltd.,** requesting for Amendment in the Environmental Clearance (EC) for proposed commercial development at EDC, Patto, Panaji vide letter no. Nil dated 13th September 2016 (*received on 26th September 2016*). The PP was issued the EC by the MoEF vide letter no. 21-626/2007-IA.III dated 8th May 2008 which had expired in June 2013. As such, in response to a request by the PP for extension of said validity *beyond its expiry* during April 2015, Authority vide letter no. 03/181/2010/STE-DIR/110 dated. 27th May 2015 has directed the PP to apply afresh for further consideration. Accordingly, SEAC conducted site-inspection on 6th October 2016 and subsequently, the PP made the project-specific to be called for project-specific presentation during 81st meeting held on 1st December 2016. SEAC made the following observations for suitable compliance ó
- a. Structural Stability certificate for the revised plan.
 - b. Detailed Traffic Management Plan including peak hour / vehicular movements patterns during construction and post-construction phases.
 - c. Submit authorized Soil investigation report.
 - d. Detailed air-conditioning load calculations and detailed heat-load calculations due to glazing of building along with measures proposed for its effective reduction.
 - e. Proposed Odour control measures and air changes.

- f. Disaster Management Plan (DMP) including safeguards proposed in the event of flooding.
- g. Drainage and Debris management plan.
- h. Proposed Corporate Social Responsibility (CSR) initiatives.
- i. Prioritize native flora for landscaping.

In addition, the Committee is of the considered opinion that the fire and safety is an area of major concern in the project proposal and hence, merits mandatory compliances to the following fire-safety and healthórelated initiatives -

- (i) Jockey pump should be 30 Horse Power, 3200 lt. capacity and stand-by pump of 2200 LPM pressure dedicated sprinkler pump connected to gravity supply from the overhead tank.
- (ii) Fire escape staircases should be pressurised and the landing enclosures should have 1-hr. fire resistance enclosures. All fire escapes should have foot light system.
- (iii) Since proposed occupancy is of a mixed type with mercantile and business group fire protection classification, fire load, occupancy load and structural load should be carried out.
- (iv) Number of fire-escapes should be specified as per occupancy load and evacuation time.
- (v) For the atrium smoke eviction IR beam smoke detector be provided, coupled with automatic smoke ventilation / eviction system.
- (vi) There shall be pictorial / fluorescent signages for exits and fire escape besides other areas of fixtures.
- (vii) All AC ducts should be coupled with photoelectric / smoke detector for automatic shutdown of fire dampers.
- (viii) All the electrical equipments should be protected with non-conducting extinguishers ó potassium bicarbonate / HCFC extinguishers.
- (ix) All the vertical openings in the building shall be sealed with the fire-resistant material.

Subsequently, the PP has complied with above-referred observations (*vide letter no. Nil dated 1st December 2016*) and was taken up for perusal during 83rd meeting scheduled on 6th December 2016. Accordingly, the proposal was recommended to Authority for consideration only after satisfactory compliance to the following observations.

1. Fire escape staircases should be pressurized and the landing enclosures should have 1-hr. fire resistance enclosures. All fire escapes should have foot light system with not less than 10 Lux.

2. Since proposed occupancy is of a mixed type with mercantile and business group fire protection classification, fire load, occupancy load and structural load should be carried out.
3. Number of fire-escapes should be specified as per occupancy load and evacuation time of 2.5 minutes.
4. For the atrium smoke eviction IR beam smoke detector be provided, coupled with automatic smoke ventilation / eviction system.
5. There shall be pictorial / fluorescent signages for exits and fire escape besides other areas of fixtures.
6. All AC ducts should be coupled with photoelectric / smoke detector for fire damper for automatic shutdown.

9. M/s Sociedade de Fomento Industrial Pvt. Ltd., - Proposed Rail River Freight Terminal (Private) in (a) Survey Nos. 33/1A, 33/1B, 34/1 to 34/9, 01/1(part), 4/1, 4/2(part), 3, 5, 6, 9, 10 in the village-Xic ó Xelvona, Taluka Qupem ; (b) Survey nos. 34/1 (part), 35/1,2,3,4,5,6,7,8 and 35/10, 27/2-L, 27/2-M, 27/2-A, 27/2-N, 22/7, 33/2, 32/3, 30/27, 30/28, 30/1 in village Assolda, Taluka Qupem and (c) Survey nos. 31/0, 33/2, 33/3, 33/4, 33/5, 33/6, 33/7, 35/1, 35/2, 35/3, 34(part), 41 (part), 36/2, 36/1, 37/1 (part), 37/2, 38/0(part) in village Chandor, Taluka Salcete, Goa.

Goa-SEAC conducted the site-inspection on 23rd September 2014. The PP has submitted the compliance on 12th February 2015 to site/project-specific observations of SEAC's visit on 23rd September 2014. Goa-SEAC during its 31st meeting held on 19th February 2015 verified the site/project-specific compliances submitted by the PP in respect of SEAC inspection conducted on 23rd September 2014. The PP made the project-specific presentation during the 34th Goa-SEAC held on 24th March 2015. Certain project-specific clarifications have been sought. The PP has partially complied w.r.t. change in project name and other by e-mail reply on 16th April 2015. However, detail official status compliance has been sought through e-mail on 17th April 2015. Accordingly, the proposal vis-a-vis the compliance submitted by the PP has been discussed and the proposal has been recommended during 36th SEAC Meeting held on 21st April 2015. The Authority during its 22nd Meeting scheduled on 11th May 2015 decided to conduct site-inspection and accordingly, inspection was conducted on 3rd June 2015 and compliance to site-specific observations were sought. Subsequently, the PP has submitted e-mail compliance dated 25th June 2015 followed by official communication dated 13th August 2015 for further consideration by the Authority. Authority, during its 26th meeting held on 30th October 2015 has decided to grant prior EC for the said project with a condition that PP need to submit an Undertaking regarding widening of access road after obtaining relevant permission / NOC, as applicable, from authorities concerned.

However, this office has received various representations from individual / MLA / Village panchayat objecting to the issuance of EC and given to understand that Xic-Xelvona panchayat has filed Appeal before NGT, Pune. The matter was discussed by Authority in its 28th meet held on 2nd February 2016 and decided to issue SCN to proponent. Accordingly, the SCN has been issued on 2nd March 2016. The matter is to heard before NGT, Pune on 28th March 2016. The Authority, during the personal hearing conducted (*in the presence of both the parties*) in its 30th meeting held on 5th May 2016 and based on consensus from both parties agreed to conduct the personal hearing on 15th June 2016 for decision in the matter. Both the parties have been directed to submit official response / say in the matter prior to

that. Accordingly, the personal hearing was continued during 31st Authority meeting held on 8th July 2016 and decided to continue the hearing further during its 32nd meeting on 20th July 2016. Accordingly, the proceedings were completed and Authority has issued following -Order/ communication.

- A. The Panchayat representatives who insisted on the existence of a perennial stream within the area was requested to substantiate the claim of existence of perennial stream.
 - a. The Project Proponent has submitted a report regarding the areas claimed as forest areas. The Panchayat people were asked to verify the report.
 - b. The 3rd party (*i.e. individual complainant*) which was insisting on pollution of the river stream requested for six weeks period for studying the project to substantiate their claim. In order to facilitate complainant's assessment of the project data submitted by Project Proponent, authority directed that data of an impact assessment report and any other needed material be made available to the complainant. Accordingly the 3rd party has collected the necessary documents under RTI from this office.
 - c. During the meeting, village Panchayat submitted letter from the Deputy Conservator of Forest officer reference No.1/SGF/RTI/2016-17/962 dated 08/07/2016 which mentions survey nos. 33/1-B, 32/1. As is noted, these survey numbers were within the proposed area from the map submitted by Project Proponent earlier. Panchayat has to clarify about the ownership status of these survey numbers. Further, as mentioned in the letter No.1/SGF/RTI/2016-17/962 dated 08/07/2016, survey no. 33/1-B consists of Mango, Acacia and cashew trees and are on the barren land. In case village Panchayat Assolda has difference of opinion on this they should submit the detail by demarcating the sub-surveys pointing out that these do not fall within the project area. The Survey no.32 falls outside the area from the project.
- B. The perennial river stream locations on and the flow area should be available with the Panchayat office. Their claim for the existence of perennial stream can be verified based on the survey nos. and location of the area on the map.
- C. During the meeting the members from village Panchayat Assolda and individual residents insisted on joint site-inspection. It is to be noted that currently the monsoon is in full stream all over the State. It is not possible to make out the location of the perennial stream. A perennial stream existence can be determined based only on marking on a map in the post monsoon season when the primary runoff from direct rains and secondary runoff from percolating water ceases and the permanent stream becomes visible as marked on the map.
- D. As regards to pollution of the river stream, the party was supposed to take the EMP report, which they have not asked. Instead, two advocates were pleading on behalf of complainants. They submitted the list of documents they would like to collect directly from the project proponent. Accordingly, the Authority directed the project proponent to furnish all the documents to the complainant as requested during this meeting. Advocates pleaded to the authority to give 06 weeks time for studying and coming out with the objections. **The period can be granted provided Hon'ble NGT permits.**

- E. The project proponent has pointed out that the project will be conducted in 2-phases. During the phase-I only the green cargo will be handed. The current EC is issued for building construction of the sheds. The green cargo will consist of baggage cargo needing shade building of 10,350 sq.mts which constitutes only about 08% of the total built up area.
- F. It is to be noted that in Goa state most of the paddy fields especially on the river banks are tenanted. Usually these are the low-lying areas. These serve as run-off passages for the heavy monsoon down to ocean.
- G. These are not allowed to be filled /reclaimed converted to prevent flooding in the highland areas.
- H. Panchayat members submitted inspection report by the BDO dated 19/07/16 bearing No. 7/BDOQ//EO(RE)/2016-17/1111. It was incomplete and vague. These observed items can be verified after being marked on the map.
- I. Proponent's advocate submitted a Google map with survey numbers marked on it. It would be acceptable only after being certified for its accuracy by Town & Country Planning (TCP) as some members had alleged that the maps submitted by the Proponents were inaccurate and misleading.
- J. The project proponent will have to demarcate these low-lying areas as the complainant has pointed out and confirm whether these areas will be coming under the future expansion. If the low-lying areas are to be filled for levelling the field, then it will be violation of the state norms. The current map submitted by the proponents extends upto survey no. 5. **It does not clarify the position of the 'Y' connection for the Rail Freight handling** and the future construction for unloading the open cargo which will have to be close to the river front. So in coordination with the railway authority, which has given conceptual approval for the rail connectivity, **the proponent should prepare a comprehensive EMP report incorporating both the phases involving handling the baggage and open cargo load.** Proponent should submit the detailed layout plan as a part of EMP report for cargo handling on the river front along with jetty construction taking into consideration various apprehensions raised by the Panchayat and individual complainants as applicable.
- K. The EMP report submitted by project proponent was prepared by Accredited Environmental Consultant. Goa State Expert Appraisal Committee, which consists of experts from various disciplines, made a detailed assessment of the report, Committee, raised various queries to which project proponent replied satisfactorily time to time and the environmental clearance, was granted for the area demarcated for the construction purpose.
- L. The village Panchayat of Assolda and the individual stakeholders have many apprehensions regarding technical aspects of report submitted by project proponent. It was suggested by the Authority that they are free to undertake their own assessment by technical experts. Authority can consider for resubmission of the EMP report by complainants for reconsideration.
- M. There were certain points raised by the complainants. The consent was given for the construction activity as per the submission of the project proponent. However taking into the consideration the future activity involving Phase-II. The project proponent will have to submit a comprehensive EMP for Phase I and Phase II as a single project.

- N. Since the Village Panchayat and proponent will be exchanging the necessary documents as per the request of the villagers it is suggested that the Project Proponent should take into consideration their objections regarding land, perennial stream, pollution of the river etc while preparing the EMPs.
- O. Some complainants raised other point stating that the public hearing should be held for this project. However this proposal does not come within the purview of this authority hence authority cannot decide anything on this suggestion.
- P. One of the advocate of complainant raised doubt about manpower stationed for the construction project work. There are some aspects of the manpower discussed and clarified in the impact assessment report. In view of the 2nd phase being considered for comprehensive EIA the labour movement, their requirement of water, electricity and residential support will have to be redrawn.
- Q. One advocate of the individual complainant expressed apprehension about the demographic changes that would occur due to this project. However, this aspect is beyond the scope of authority.

Accordingly, the Authority has decided to conclude the personal hearing and submit the proceedings to project proponent as well as complainants / individual stakeholders concerned. Further, the Authority also decided to officially communicate the decision to NGT, Pune bench Secretariat in response to the Order in matters before NGT, Pune bench. **Subsequently, NGT, Pune bench on 3rd August 2016 taking cognizance of the initiatives of the Authority has issued 'Oral Judgement' directing the Authority to seek comprehensive EMP for both phases from M/s Sociedade de Fomento and hear complainants for suitable decision thereafter. The Authority is yet to receive comprehensive EMP (comprising of both the phases) and thereafter hear BOTH the parties as per oral judgment of Hon'ble NGT, Pune.**

10. M/s Nestle India Limited - proposed project for expansion of Industrial building situated at Plot No. 294/1, 2,3,4 and 297/0, Usgao Industrial area, Tisk, Usgao, Ponda, Goa.

- a. Date of receipt of proposal is **5th August 2014**.
- b. **Goa-SEAC (hereinafter referred as 'Committee') conducted the site-inspection on 25th September 2014.**
- c. The proposal was **presented during the 29th Goa-SEAC Meeting held on 20th January 2015** wherein PP was directed to submit Concept Note on CSR-related activities and recommended the proposal notwithstanding the observations. The Committee, prima-facie, has realized that the aforementioned proposal is a post-facto case wherein the project proponent (PP) has submitted the application, seeking environmental clearance (EC), near-completion stage of project execution. Accordingly, the observations of the Committee are as under
 - (i) To penalise and impose punitive action, as deemed fit, by the Goa State Environment Impact Assessment Authority (Goa-SEIAA) as the PP has approached for post-facto environmental clearance.

- (ii) Admittedly, the existing campus due to concretization has caused habitat loss for birds and as such the same may be redeemed by proper landscape interventions to restore habitat value to the extent possible.
- (iii) In view of presence of few species of conservation values, the PP should conceptualise a sustained yearlong multi-stakeholder sensitization / awareness programme on the theme -human-wildlife conflict ó mitigation and conservation measuresø for which appropriate budgetary outlay to be provided. As this involves financial implications, the PP has sought time to communicate the same. Accordingly, a concept note referring the scope, modalities of implementation and budget outlay need to be submitted.

The Committee, notwithstanding the above observations, has recommended the proposal for grant of environmental clearance (EC).

- d. **Goa-SEIAA, during its 20th Meeting held on 19th February 2015**, has decided to conduct site-inspection.
- e. **Goa-SEIAA conducted inspection on 2nd March 2015** and sought CSR-specific compliance.
- f. **Goa-SEIAA, during its 22nd Meeting held on 11th May 2015**, requested the PP to clarify the matter w.r.t. CSR-specific compliance sought subsequent to site-inspection conducted on 2nd March 2015 as under -
 - (a)Implementation of solar PV-power generation system atleast in ten (10 nos.) of educational institutions (i.e. schools) in Goa.
 - (b)Providing a mobile van which can practically demonstrate and serve as a working model on various renewable energy gadgets for the benefit of school children.
 - (c)Submission of annual turnover and profit w.r.t Goa factory located at Usgaon for the last three years.
 - (d)Initiatives towards planning / establishing Crocodile and Peacock (*being IUCN scheduled species of conservation importance*) sanctuary in the State.

Further, the authority also deliberated on possibility of levying penalty charges, as applicable, in such cases seeking post-facto environmental clearances.

- g. **Goa-SEIAA, during its 23rd meeting held on 26th May 2015**, has noted the non-compliance to observations sought subsequent to site-inspection conducted on 2nd March 2015 and decided to await further 15 days prior to initiate any action in the matter.
- h. **Goa-SEIAA, during its 25th meeting held on 9th October 2015**, decided to initiate legal action for non-compliance for more than six months.

- i. Goa-SEIAA, during its 26th meeting held on 30th October 2015, decided to issue Show Cause Notice (SCN) as to why a legal action, including fines to be imposed, if any, or otherwise for non-compliance to observations sought subsequent to site-inspection conducted by the Authority on 2nd March 2015.
- j. Subsequently, Legal Retainer ó Adv. Raghvendra Kalangutkar has appraised that such SCN cannot be issued at this stage as such proposals seeking EC for expansion of industrial zone does not come under the purview of EIA Notification. It does not have any legal status.
- k. However, the matter was discussed during 30th Authority meeting held on 5th May 2016 and decided to issue Show Cause Notice (SCN) to the unit to show cause as to explain why order of demolition shall not be issued.
- l. Subsequently, SCN has been issued to the PP on 25th August 2016.
- m. Later, the PP has requested for extension of time upto 10th October 2016 to respond to the said SCN. The said matter was discussed during Authority's 34th meeting held on 5th October 2016 and decided to accept the request.
- n. Subsequently, the PP has responded to SCN vide letter dated 7th November 2016 which was taken up for deliberation / decision during the 36th Authority meeting scheduled on 6th December 2016. **The Authority decided** that, although as per the **Amendment** dated 22nd December 2014 under the EIA Notification 2006 (*as amended*) clarifies that an expansion of industrial shed does not come under the mandate of EIA Notification 2006, **M/s Nestle India Ltd.** undertook massive expansion exceeding (*Built Up Area=20,000 Sq. mts*) before the commencement of said Amendment and the same fact was noted by the Goa-SEAC and Goa-SEIAA during its project specific site visits. The Project Proponent (PP) PP has shown utter reluctance on replying to the queries raised by the Goa-SEAC/SEIAA like undertaking Corporate Social Responsibility (*CSR*) activities matching with unit-specific turnover. Therefore, the Authority issued a Show Cause Notice (SCN) dated 25/08/2016 and subsequent to the its reply to the Show Cause Notice (SCN) requested for its withdrawal vide letter dated 07/11/2016 and has assured for undertaking installation of Solar Plants in educational institutions for a period of two years. Also, the PP has sought time for Personal Hearing before the Authority for elucidating all facts and documents in support of the submissions.

11. Any other matter with a permission of the chair.
