

**MINUTES OF THE 31ST GOA STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (GOA-SEIAA) HELD ON 8TH JULY 2016
AT 03.00 P.M. IN THE CHAMBER OF ITS MEMBER SECRETARY, EIA-
GOA STATE SECRETARIAT, PATTO.**

The thirty-first meeting of the Goa-SEIAA (*hereinafter referred as 'Authority'*) was held on 8th July 2016 at 03.00 p.m. in the conference room of the Goa State Pollution Control Board (Goa-PCB) under the Chairmanship of Chairman, Dr. Pramod Pathak. The list of members present during the meeting is annexed (*refer Annexure – I*).

At the outset, Chairman welcomed the members and informed about the purpose of convening the said meeting in light of the decision taken during its previous meeting (*i.e. 30th*) held on 5th May 2016 and to continue the personal hearing in respect of the following two project proposals.

1. The matter pertaining to a complaint filed by M/s Colva Civic and Consumer Forum (CCCF) w.r.t. issuance of post-facto EC to **M/s Akar Creations Pvt. Ltd., Margao** (*Project Proponent – PP*) was taken up for discussion / deliberations following the site-inspection conducted by the Goa State Expert Appraisal Committee (*Goa-SEAC – hereinafter referred as 'Committee'*) as per directions of the Authority. However, the representative advocate appearing on behalf of CCCF was not present at the scheduled time (*i.e. 03.00 p.m.*) as per the 'Notice' issued by the Authority *vide letter no. 3-181/2010/STE-DIR/14 dated 30/06/2016* to all the parties. Based on the request from the CCCF and with the consent from representatives of the PP, said hearing was postponed and accordingly was taken at 03.40 p.m.

Advocate appearing on behalf of the CCCF took objection to the decision of the Goa State Expert Appraisal Committee's (*Goa-SEAC, hereinafter referred as "Committee"*) joint-inspection of the project area on 26th May 2016 which was conducted in the presence of parties concerned and requested that Authority needs to take a decision on this prior to initiate any further proceedings in the matter. To this, Authority replied that the report / minutes of SEAC will be reviewed by the members and revert back with the decision in the matter. Accordingly, the minutes of the 67th Committee meeting held on 7th June 2016 (*during which post-inspection observations were discussed by the Committee*) was placed before the Authority. On perusal / review of the said report, Authority clarified that a joint inspection by the Committee in the presence of the project proponent (*M/s Akar Creations Pvt. Ltd.*) and complainant (*M/s Colva Civic and Consumer Forum*) was directed with a view to point out any type of

violation in EC conditions. Both the parties were present on site and as such, Committee interacted with both the parties w.r.t. ascertaining any EC violations to which complainant submitted that she has nothing to say.

As regard to withdrawal of EC demanded by the complainant w.r.t. the NGT Order pronounced on 7th July 2015, the complaint does not stand in the present instance as the EC was issued to the PP much earlier (*i.e. January 2015*). In the absence of any EC violation complaint, it is beyond the scope of this Authority to take any action. Also, the effect of said NGT Order – issue of post-facto EC is prospective in matter and is not applicable to the present case in dispute. Further, NGT has not given any directions as to its applicability to the ECs' already granted prior to the said judgement. As such, the ratio as laid down by the said NGT Order dated 7th July 2015 is not applicable in the instant case. In view of the above, **the Authority resolved that the complainant's request to withdraw EC in the instant case cannot be agreed to by the Authority.**

2. Complaint against the issuance of the environmental clearance (EC) to **M/s Sociedade de Fomento, Goa** for proposed construction of Rail Freight Terminal at Xic-Xelvona / Assolda / Chandor villages by village panchayat concerned and individuals.

All the parties concerned (*i.e. M/s Sociedade de Fomento / Village panchayat of Xic-Xelvona and Assolda / individual complainants*) in response to the Notice issued by the Authority, *vide letter no. 3-181/2010/STE-DIR/13 dated 30/06/2016*, were present during the said hearing along with their respective legal representatives / advocates.

M/s Soceadade de Fomento submitted the official compliance to observations made during the last meeting held on 5th May 2016 and the advocate appearing on behalf of the project proponent (PP) briefed the same w.r.t. the queries raised by complainants to the members. Advocate appearing on behalf of village panchayat of Xic-Xelvona / Assolda informed that the panchayat is still awaiting a reply from authorities concerned (*i.e. Forest Dept. etc.*) in response to information sought by the Authority during its last meeting (*i.e. land-use / forest classification*) and would be submitted on its receipt by the Panchayat. Thus, they requested additional time for collection and subsequent submission of relevant data. In addition, advocate appearing on behalf of other individual complainants submitted written request to adjourn and postpone the personal hearing in the absence of availability of project-specific information / documents. Authority also suggested that the EMP-related information be made available to parties concerned which can be collected, on written official request, from EIA Goa State Secretariat by early next week.

In view of the above, the **Authority has decided to continue the personal hearing during its next meeting which has been scheduled on 20th July 2016**, about 2-weeks in advance of the scheduled NGT hearing on 3rd August 2016, to which all the parties agreed.

3. **M/s Mahadhan Real Estate LLP., Vasco-da-Gama** – the proposal (*which has been revised and re-submitted as the said proposal was earlier appraised in 2014*) is for construction of residential-cum-commercial building in survey nos. 99/1 & 2, 105/1, 2&3 – C3 in Taleigao village, Tiswadi Taluka.

The Authority noted that the project-specific presentation was made during 62nd Committee meeting held on 5th April 2016. Subsequently, based on the post-presentation discussions / deliberations during its 63rd meeting held on 7th April 2016 and 66th meeting held on 5th May 2016, the Committee made the following project-specific observations for consideration of the Authority -

- a. 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.
- b. 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 based on seismic considerations.
- c. Considering the site-specific characteristics of the project location and its topography, the PP need to 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.

Accordingly, the Authority perused above observations and noted that –

1. The proposed site / area is low-lying agricultural field and as such, forms water catchment for rain-water / storm-water.
2. Although it is a marshy land, it has a varied biodiversity and locals still continue to grow local vegetable in patches wherever feasible.
3. 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 at site.

Accordingly, **the Authority decided to refer the proposal to the Town and Country Planning (TCP) Department** to ascertain and clarify, with adequate hydrological and rainfall data, practical feasibility whether it is permissible / advisable to undertake such a land-filling / reclamation for the construction activity proposed by the Project Proponent (PP). The Authority will decide after receiving suitable feedback from the TCP.

Meeting concluded with a vote of thanks to the chair.

Sd/-
Mr. Vikas Gaunekar,
Member Secretary, Goa-SEIAA

Sd/-
Mr. Vivekanand L. Sawkar
Member, Goa-SEIAA

Sd/-
Dr. Pramod V. Pathak
Chairman, Goa-SEIAA

Place: Patto, Panaji
Date: 8th July 2016

ANNEXURE – 1

List of Members who attended the 31st Goa-SEIAA meeting held on 8th July 2016

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|-----------------------------|------------------|
| 1. Dr. Pramod P. Pathak | Chairman |
| 2. Mr. Vivekanand L. Sawkar | Member |
| 3. Mr. Vikas Gaunekar | Member Secretary |

Further, Dr. Mohan Girap, Secretary-Goa-SEAC was also present during the meeting.