

**MINUTES OF THE 34<sup>TH</sup> MEETING OF GOA STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (GOA-SEIAA) HELD ON 04<sup>TH</sup> OCTOBER 2016 AT 03.30 P.M. IN THE CONFERENCE HALL OF , GSPCB, 1<sup>ST</sup> FLOOR, DEMPO TOWER, PATTO, PANAJI.**

The thirty-fourth meeting of the Goa-SEIAA (*hereinafter referred as 'Authority'*) was held on 4<sup>th</sup> October 2016 at 3.30 p.m. in the conference hall of GSPCB, Patto-Panaji. The list of members present during the meeting is annexed (*refer Annexure – 1*).

At the outset, Member Secretary welcomed the Members and brief the chairman and member in respect of the agenda items .Thereafter the following agenda items / matters were taken up for discussion and suitable decision as referred in (*Annexure – 2*).

**Agenda item No. 1:-**

**To discuss / deliberate and consider Goa-SEAC's observation / recommendation w.r.t. a proposal submitted by M/s Gera Developments Pvt. Ltd., development project (i.e. Building Construction Project 'Enchanted woods' proposed at survey no.33/1, Candola village, Ponda, Goa).**

The Authority perused the project proposal and documents placed on record including the application (*i.e. Form-1, Form-1A*) dated 8<sup>th</sup> February 2016 seeking prior Environmental Clearance (EC) as mandated in the EIA Notification, 2006 (*as amended till date*) for proposed construction of a premium housing and commercial development '**(Enchanted woods)**' in the property bearing survey no. 33/1, Candola village, Ponda Taluka, Goa. The Authority noted that the proposal has been appraised under '**8(a) – B2 category**': *Building and construction project* .Subsequently, the Goa State Expert Appraisal Committee (*Goa-SEAC - hereinafter referred as 'Committee'*) conducted the site-inspection on 01<sup>st</sup> March 2016 and was followed by project-specific presentation by the NABET/QCI-accredited environmental consultant (*M/s Sadekar Enviro Engineers Pvt. Ltd, Panaji, Goa*) on behalf of the Project Proponent (PP) before it during its 64<sup>th</sup> meeting held on 21<sup>st</sup> April 2016. Thereafter, the Goa-SEAC ascertained / verified the compliances during its subsequent meetings i.e. (66<sup>th</sup>/5<sup>th</sup> May, 68<sup>th</sup>/16<sup>th</sup> June, 69<sup>th</sup>/12<sup>th</sup> July, 70<sup>th</sup>/26<sup>th</sup> July -2016) and during 73<sup>rd</sup> Goa-SEAC meeting held on 1<sup>st</sup> September 2016, the aforementioned proposal was forwarded to Goa State Environment Impact Assessment Authority (*Goa-SEIAA – hereinafter referred as "Authority"*).

**The Authority noted the following details:-**

Project details and salient features of the proposed developmental activity, as submitted by the proponent, is as under –

**A. Details of property and project**

1. Total plot area – 1, 26,040 Sq.mts.
2. Proposed built up Area – 1, 01,147.69 Sq.mts.
3. Total No. of Flats---782 numbers
4. Total No. Of Villas---44 numbers
5. Total No. of Shops----44 numbers
6. Total no. of offices—13 numbers
7. Total Car Parking provided=1056 cars.

**B. Water requirement:**

**Source-PWD tankers, Ground water and STP treated water.**

- a) **During construction phase – 150 CMD** (15CMD for domestic and 100 CMD for construction).
- b) **During operational phase – 494 CMD** (463 CMD residential complex and 31 CMD for Commercial complex)

**C. Wastewater generation** – Total sewage generated during construction phase-12 CMD. During Operation phase sewage generated will be treated in a full fledged 3 STP (150 KLD x 2 nos) and (100 KLDx1 no).

**D. Solid waste generation** –

- a. During construction phase – 75 kg of solid waste /day
- b. During operational phase – 1937 kg/day of solid waste.

**E. Power requirement** –

- a. Construction phase – **50 KW (Source- GSEB) 2 DG sets of 150 KVA.**
- b. Operation phase – **7595 KW (Source- GSEB) 2 DG sets of 150 KVA.**

Authority, on perusal of observation / recommendation of the 73<sup>rd</sup> Committee meeting held on 1<sup>st</sup> September 2016 in respect of the above-referred proposal, deliberated on the said matter and decided to consider the proposal for grant of prior environmental clearance (EC) in terms of the EIA Notification 2006, as amended and various guidelines issued by the Ministry of Environment Forest (MoEF) & Climate Change (CC) from time to time subject to mandatory compliance to the following '**Specific Conditions**' prior to initiate any construction activity/work on site by the Project Proponent (PP).

- a. The approach road leading to the site should be constructed prior to commencement of any construction activity at site as per the regulations of the Town and Country Planning Department.

- b. Areas which are referred to as **No Development Zone (NDZ)** should be earmarked / demarcated on site by way of cement columns of 1.5 mt height above ground which will be verified at the site. Further no construction activity shall be carried out in the NDZ area.
- c. No construction shall be carried out in the property which is identified as private forest, if any.
- d. PP should obtain all the requisite permissions / NOCs / Licenses, etc., from all the competent authorities before commencement of any activity at site and the copy of the said correspondence be submitted to this office.

**Further, the Authority also reiterated that compliance to above-referred conditions ((a) to (d) above), as and when submitted by PP, will be verified /ascertained by the Committee/Authority to propose imposition of additional conditions, if any, as deemed fit. In addition, it was decided to review the progress after six months (*minimum 3 times in a year*) depending upon status of proposed development.**

Further, the Authority while granting the prior environmental clearance (EC) to the said project under the provision of the Environment Impact Assessment (EIA) Notification, 2006; decided to imposed following “**General Conditions**”:-

- a. The PP should use Ready-Mixed Concrete (RMC) to minimize air / water / land pollution and water usage during the construction phase.
- b. *Solar power generation* - Every major consumer of conventional power will have to generate and opt for certain percentage of power generation from the non-conventional sources. In this context, Project Proponent (PP) should necessarily make appropriate provision while constructing the roof-tops at the time of construction stage only to enable installation of solar panels as and when made applicable in future. In addition, south-facing walls to be utilized to install solar panels to harness optimum solar energy. Use of solar panels may be done to the extent possible like installing solar street lights, common solar water heater system. PP should install, after checking feasibility, solar-plus-hybrid non-conventional source as source of energy.
- c. PP should adopt roof-top rainwater harvesting / conservation measures to optimally utilize the water availability by constructing sumps for collection of rainwater as per the site-specific location details provided.
- d. PP should prioritize the issues related to health and hygiene in complying with the matters related to waste disposal and treatment / air and water pollution / wastewater management.
- e. PP should not disturb the natural drainage and as far as possible and maintain the original topography while designing for landscape development by planting local plant species and which are not alien to the prevailing environment.

- f. PP should clarify any issue related to public objections, if any, and should not conceal the scientific facts in light of the proposed developmental activity vis-à-vis its land use categorization / zoning.
- g. PP should submit half-yearly compliance report(s) in hard as well as soft copy format to the Authority for the period upto project completion.
- h. The environmental clearance shall be subject to land use verification. Local authority / planning authority should ensure this with respect to Rules, Regulations, Notifications, Government Resolutions, Circulars, etc. issued if any, from time to time. Judgements / Orders issued by Hon'ble High Court, NGT, Supreme Court regarding DCR provisions, environmental issues applicable in this matter should be verified by the competent authorities.
- i. PP should ensure and ascertain that 'civil plans' which were submitted to the Committee/ Authority during the process of project appraisal be submitted to other line Departments / agencies concerned while seeking NOC / Consents/ Permissions, as applicable. If any discrepancy is found in the plans submitted or details provided may be reported to this Authority. Further environmental clearance is issued with respect to the environmental considerations and it does not mean that Goa-SEIAA approved the proposed land.
- j. PP needs to ensure that no treated water or any waste sewage shall be discharged into any water body. STP of suitable capacity shall be installed considering the quantity / quality of waste water generation.
- k. E-waste if any shall be disposed through Authorised vendor as per E-waste (*Management & Transboundary Movement*) Rules, 2016.
- l. The environmental clearance shall be subject to obtaining NOC from the Forestry & Wildlife angle including clearance from the Standing Committee of the National Board for wildlife, if applicable. The grant of environmental clearance does not necessarily imply that Forestry & Wildlife clearance has been granted to the project, which has to be dealt separately by the competent authorities in accordance with law.
- m. The height, construction gross built up area of proposed construction is **1, 01,147.69 Sq.mts** shall be in accordance with the existing FSI/ FAR norms of the local body and planning authorities and it should ensure the same along with survey number before approving layout plan and before according commencement certificate to proposed work, Plan approving authority should also ensure the zoning permissibility for the proposed project as per the approved development plan of the area.
- n. All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.

Further, the PP is required to comply with the following “**General Conditions**” during construction phase:-

- a. 'Consent to Establish' shall be obtained from the Goa State Pollution Control Board (GSPCB) under Air Act and Water Act, as applicable and a copy shall be submitted to the Authority within 30 days of starting construction work at site.
- b. Permission to draw groundwater, as applicable, shall be obtained from the Groundwater Cell of the Water Resources Department (WRD) Government of Goa.
- c. Project proponent shall not make any change in the Surface Layout Plan / Civil Plan submitted to the Authority without its prior permission. **In case of any change(s) in the scope of the project and/or otherwise, the project proponent needs to inform this Authority.**
- d. Project proponent shall make suitable provisions for sewage / wastewater disposal and storm water release independently.
- e. The diesel generator sets (D.G. set) to be used during construction / after commissioning should be low-sulphur diesel type and should conform to Environment (*Protection*) Rules prescribed for air and noise emission standards as laid down by the Goa State Pollution Control Board (GSPCB).
- f. The installation of the Sewage Treatment Plant (STP) if any should be certified by the GSPCB and a report in this regard should be submitted to the Authority before the STP is commissioned.
- g. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche and first aid room etc.
- h. Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of waste water and solid waste generated during the construction phase should be ensured.
- i. The solid waste generated should be properly segregated. Dry /inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.
- j. Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved site with the approval of competent authority.
- k. Arrangements shall be made that waste water and storm water do not get mixed.
- l. All the top soil excavated during construction activities should be stored if or use in horticulture/landscape development within the project site.

- m. Additional soil for levelling of the proposed site shall be generated within the sites (to the extent possible) so that natural drainage system of the area is protected and improved.
- n. Green-belt development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the State Forest / Agriculture Department.
- o. Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
- p. Construction spoils, including bituminous material and other hazardous materials must not be allowed to contaminate water courses and the dump sites for such materials must be secured so that they should not leach into ground water.
- q. Any hazardous waste generated during construction phase should be disposed off as per applicable rules and norms with necessary authorisation of the GSPCB.
- r. The diesel requires for operating DG sets shall be stored in underground tanks and if required, Clearance from concerned authority shall be taken.
- s. Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standard and should be operated during non-peak hrs.
- t. Ambient noise levels should conform to residential standards both during day and night. Incremental pollution load on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level construction phase, so as to conform to the stipulated standard by CPCB/ GSPCB.
- u. The approval of competent authority shall be obtained for structural safety of the buildings due to any possible earthquakes, adequacy of fire fighting equipments etc. as per National Building Code (NBC) including measures from lighting.
- v. Storm water controlled and its re-use as per Central Ground Water Board (CGWB) and Bureau of Indian Standards (BIS) for various applications.
- w. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- x. The groundwater level and its quality should be monitored regularly in consultation with ground water authority of the Water Resources Department (WRD), Government of Goa.
- y. The installation of the sewage treatment plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the GSPCB before the project is commissioned for operation. Treated effluent released from

STP shall be recycled / refused to the maximum extent possible. Discharge of this unused treated effluent, if any should be discharged in the sewer line. Treatment of 100% grey water through the centralised treatment should be done. Necessary measures should be adopted to mitigate the odour problem from STP.

- z. Use of glass may be reduced upto 40% to reduce electricity consumption and load on air-conditioning. If necessary, use high quality double glass with special reflective coating in windows.
- aa. Roof should meet prescriptive requirement as per energy conservation building code by using appropriate thermal insulation material.
- bb. Energy conservation measures like installation of LEDs' for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Use of CFLs / TFLs, if any, should be properly collected and disposed off / sent for recycling as per the prevailing guidelines / rules of the regulatory authority to avoid mercury contamination.
- cc. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during operation phase should be of enclosed type and conform to rules made under the environment (protection) Act 1986. The height of stack of DG sets should be equal to the height needed for the combine capacity of all proposed DG sets.
- dd. Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.
- ee. Traffic congestions near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalised and no public place should be utilised.
- ff. opaque wall should meet prescriptive requirement as per energy conservation board which is proposed to mandatory for all air conditioned spaces while it is aspiration for non- air conditioned spaces by use of appropriate thermal insulation material to fulfil requirement.
- gg. The buildings should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.
- hh. Regular supervision of the above and other measures for monitoring should be in placed all through the construction phase, so as to avoid disturbance to the surroundings.
- ii. Six monthly compliance reports should be submitted to the MOEF with copy to the Goa-SEIAA and GSPCB.

Further, the Authority decided to direct the PP to comply with the following  
**“General Conditions” during post-construction phase:-**

- a. PP shall ensure completion of STP, MSW disposal facility, green belt development prior to occupation of the buildings. The PP to explore possibility of utilising excess treated water in the adjacent area for gardening before discharging into sewer line. No physical occupation of allotment will be given unless all above said environmental infra structure is installed and made functional including water requirement prior certification from appropriate authority shall be obtained.
- b. Wet garbage should be treated by organic waste convertor and treated waste (manure) should be utilise in the existing premises foe gardening. And no wet garbage will be disposed outside the premises. Local authority should ensure compliance to this.
- c. A complete set of all the documents submitted to Goa-SEIAA should be forwarded local authority, GSPCB and Planning authority.
- d. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the Goa-SEIAA.
- e. Separate funds shall be allocated for implementation of environmental protection measures /EMP along with item wise breaks-up. The funds earmarked for the environment protection measures shall not be diverted for other purposes.
- f. A copy of the environmental clearance letter shall be sent by PP to the concerned village Panchayat and planning authority as applicable, from which suggestions / representation, if any, were received while processing the proposal. The EC letter shall also be put on the company's website by PP within one week time period from date of issue.
- g. The PP shall upload the status of the compliance of the stipulated EC conditions, including results of monitoring data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MoEF & CC, the respective zonal office, CPCB and the GSPCB. The pollutant levels in respect of SPM, RSPM, SO<sub>2</sub> and NO<sub>x</sub> (*ambient levels as well as D.G. stack emissions*) shall be monitored.
- h. The environmental statement for each financial year ending 31<sup>st</sup> March in Form-V is to be submitted to the GSPCB as prescribed under the Environment (*Protection*) Rules 1986 (as amended) and subsequently shall also be put on the company's website along with the status of the compliance of the EC conditions and shall also be sent to the respective Regional Office of the MoEF & CC.

Further the EC to be issued without prejudice to the action initiated in the Environment (*Protection*) Act or any court case pending in the court of law. As such, it does not mean that the PP has not violated any environmental laws in the past and whatever decision under the said Act by the Hon'ble Court will be binding on the PP.



**Hence, the environmental clearance does not give immunity to the PP in the case complaint is filed against, if any, or action initiated under the said Act.** In case of submission of false document and non-compliance to any of the stipulated conditions, this Authority will revoke or suspend the EC without any intimation and initiate appropriate legal action under the Environment (*Protection*) Act, 1986 (*as amended till date*).

**The Authority decided to impose following conditions:**

**Operation Phase of project:-**

- (i) Consent to Operate shall be obtained from GSPCB before operation, failing which the Environmental Clearance herein shall be deemed to be withdrawn.
- (ii) Sewage Treatment Plant (STP) shall be installed at site. The STP should be certified by an independent expert and adequacy report in this regard should be submitted to GSPCB before the project is commissioned for operation. Necessary measures should be made to mitigate the odour problem from STP.
- (iii) The solid waste (dry as well as wet garbage) generated should be properly collected and segregated. Organic Waste Converter shall be installed by RWA for the treatment of biodegradable (wet) garbage generated within the housing complex. Non-Biodegradable waste should be outsourced properly after recovery of recyclable material. Adequate measures should be taken to prevent odour problem.
- (iv) Utilization of Diesel power generating sets is subject to power failure condition only. The DG sets proposed as a source of power back up during operation phase should be of enclosed type, low sulphur diesel run and conform to rules made under the Environment (Protection) Act, 1986. The DG sets should be subjected to periodic noise and stack monitoring in consultation with GSPCB. Waste/used diesel should be stored and managed as per the Hazardous and other Wastes (*Management & Transboundary Movement*) Rules, 2016 as amended till date.
- (v) Noise should be controlled to ensure that it does not exceed the prescribed standards both during day & night time.
- (vi) The ground water drawl from existing/proposed bore wells if any should be done only with the prior permission of Ground Water Board. The ground water level and its quality should also be monitored regularly both during construction and operation phase in consultation with Ground Water Board.
- (vii) Traffic congestion near the entry and exit points from the roads adjoining the project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- (viii) Energy Conservation measures such as solar lighting for common areas, solar water heating system, CFLs/TFLs for lighting of areas, LED lights for signage, solar inverters on the etc should be adopted.
- (ix) Used CFLs/TFLs should be properly collected and disposed off/ sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination.

- (x) A Report on energy conservation measures conforming to energy conservation norms finalized by Bureau of energy Efficiency should be prepared incorporating details about building materials and technology, R & U factors etc and submit to the State Expert Appraisal Committee and a copy to GSPCB in three months time.

**Furthermore, in addition,** the following conditions shall be specifically complied with:

- i. Project proponent shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the Konkani or Marathi language within **seven days** of receipt of this communication, informing that the proposed project has been accorded prior Environmental Clearance (EC) and the copies of the clearance letter will be available on the PP website.
- ii. **Validity of the Environmental Clearance (EC) accorded shall be for a period of 07 (seven) years from the date of its issue.**
- iii. These stipulations would be enforced among others under the provisions of Water (Prevention and Control) Pollution Act, 1974, the Air (Prevention and Control) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.
- iv. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by State Environment Impact Assessment Authority
- v. Status of compliance to the various stipulated environmental conditions and environmental safeguards will be uploaded by the project proponent in its website.
- vi. Any appeal against this prior environmental clearance shall lie with the National Green Tribunal (NGT), if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010 (*Central Act 19 of 2010*).

**Agenda item No. 2:-**

**To peruse and deliberate various correspondences received from project proponents addressed to the Authority for suitable response / comments, as applicable.**

Subsequently, following communications received from various firms / project proponents were taken up for deliberations and suitable decision in the matter so as to suitably respond / comment on the subject matter concerned, as applicable.

1. **M/s Deveshri Nirman Limited Liability Partnership** (*i.e. M/s Devashri Real Estate Developer, Panaji*) vide letter no. Nil dated 30<sup>th</sup> August 2016 has requested to transfer

the environmental clearance (EC) issued during June 2007 by the Ministry of Environment & Forests (MoEF), New Delhi.

**The Authority**, on perusal of the said communication, **noted** that the proposed developmental activity has been completed and the validity of the EC has already expired in June 2012 and as such, **no further action is mandated** as the Said EC is invalid at present.

2. **M/s Nestle India Limited**, Usgao Industrial Area, Tisk, Ponda vide letter no. Nil dated 23<sup>rd</sup> September 2016, *in response to Show Cause Notice – SCN issued by the Authority during August 2016*, has requested to extend the time period to submit the compliance / respond to the said SCN issued.

**The Authority decided to accept the request** and wait till **15<sup>th</sup> October 2016** for submission of suitable response prior to initiating further action in the matter.

3. **Mr. Barma S. Vadar , resident of Chandel, Pernem, Goa**, vide letter no. Nil dated 28<sup>th</sup> September 2016 has requested to re-consider the application for proposed renewal of a minor mineral (*Basalt*) lease located in survey no. 38/0, Allorna Village, Pernem Taluka, Goa.

**The Authority**, on perusal of the said communication, **decided to refer the matter to North Goa District Collector (NGDC), Panaji to initiate further action in the matter**. Further, Authority also decided not to consider any such proposal requesting for re-consideration of partially-appraised minor-mineral lease proposals (*with lease area upto 5 Ha.*) seeking environmental clearance (EC) for new / renewal of such leases in light of the MoEF & CC Notification published during February 2016.

4. A communication of **M/s K. Raheja Corporation Pvt. Ltd., Mumbai**, with letter no. *MOEF/Verna/16/01 dated 14<sup>th</sup> July 2016 seeking extension of validity of environmental clearance granted to IT park proposed at Verna Industrial Estate, Verna by the MoEF during 2009*, was considered for discussion during the meeting, although the letter was not addressed to this Authority.

Accordingly, **the Authority noted** that the validity period of the EC granted by the MoEF, New Delhi has already expired in August 2014 and **no action can be taken in the matter**.

5. A letter from **Adv. Clovis Da Costa, Margao, Goa**, vide letter no. Nil dated 14<sup>th</sup> September 2016, conveying 'Notice' under section 80 of C.P.C., w.r.t. illegalities involved during purchase of land by Anand Chandra Bose from co-owners in property

bearing Survey No. 215/1 of Sancoale village, Marmugao, Goa and to revoke environmental clearance (EC) granted to Anand Chandra Bose for development in the said plot area.

**The Authority**, *after discussion on the said matter*, noted that said issue which pertains to property dispute which does not come under the purview of EIA Notification 2006 and as such, **decided to inform the complainant/applicant accordingly.**

Meeting concluded with a vote of thanks to the chair.

*Sd/-*

Mr. Vivekanand L. Sawkar  
**Member, Goa-SEIAA**

*Sd/-*

Mr. Srinet N. Kothwale  
**Member Secretary, Goa-SEIAA**

*Sd/-*

Dr. Pramod V. Pathak  
**Chairman, Goa-SEIAA**

Place: Patto, Panaji

Date: October, 2016.

## **ANNEXURE-I**

### **List of Members who attended the 34<sup>th</sup> Goa-SEIAA meeting held on 04<sup>th</sup> October 2016**

- |                             |                             |
|-----------------------------|-----------------------------|
| 1. Dr. Pramod P. Pathak     | Chairman, Goa-SEIAA         |
| 2. Mr. Vivekanand L. Sawkar | Member, Goa-SEIAA           |
| 3. Mr. Srinet N. Kothwale   | Member Secretary, Goa-SEIAA |
| 4. Dr. Mohan Girap          | Secretary, Goa-SEAC         |

