

**MINUTES OF THE 45TH GOA STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY (GOA-SEIAA) MEETING HELD ON 17TH OCTOBER 2018 AT 03.30
P.M. IN THE CONFERENCE ROOM OF THE GOA STATE POLLUTION
CONTROL BOARD.**

The Forty Fifth meeting of the Goa-SEIAA (*hereinafter referred as 'Authority'*) was held on 17th October 2018 at 03.30 p.m. in the conference room of GSPCB, 1st floor, Dempo Tower, Patto, Panaji. The list of members present during the meeting is at *Annexure – 1*.

At the outset, Member Secretary welcomed Authority members and briefed about the agenda items (*refer Annexure – 2*) to be taken up for discussion / deliberations and suitable decisions. Accordingly, the same were considered as detailed below:ó

- 1. M/s Sapna Ceramics Pvt. Ltd.,** proposed environmental clearance (EC) for capacity enhancement (i.e. from 1,250 tons per day to 2,500 tons per day) after amalgamation of three lease and one new lease . (on perusal of the said application, it was noted that prior EC was granted during March 2013 to three minor mineral leases under Renewal ó 10/basalt/93 (10,000 m²), 03/basalt/94 (29,225 m²) & 02/basalt/98 (22,000 m²) belonging to M/s Sapna Ceramics and one New lease ó 01/basalt/15 (50,000 m²) belonging to M/s Nanu Industries with total production capacity of 1,250 tons per day. The matter was taken up for discussion during 44th Goa-SEIAA meeting held on 16/07/2018 wherein the Authority perused the report from the Directorate of Mines & Geology (DMG) on the material extracted from the date of grant of leases till 31-12-2017 .However the Authority noted that there is no report on environmental damage caused by the said mining. Accordingly the Authority after detailed decision and deliberation decided to communicate to Goa-SEAC to submit environmental damage report caused due to the said extraction before taking further decision in the matter. Accordingly letter is conveyed to Goa-SEAC pertaining to same. The Goa-SEAC during its 97th meeting held on 27th September 2018 decided to call the project proponent for detailed presentation before the committee and raise the query with regards to amount of area envisaged for extraction during 1st phase of EC, at what depth the amount has been extracted and amount of area /trees have been cleared at the project site during 1st Phase of EC (*i.e. EC issued by this Authority dated 21st March 2013*). Accordingly the Proponent remained present before the Committee during its 98th meeting held on 15/10/2018 and produced the written documents and oral

submissions based on the queries raised by the committee, Accordingly Committee after hearing the proponent and after detailed discussion and deliberation decided to recommend the proposal to Goa-SEIAA for further decision in the matter.

Decision: The Authority noted the recommendations from the Goa-SEAC and submissions from the project proponent. Accordingly the Authority decided to grant the environmental clearance to the **M/s Sapna Ceramics Pvt. Ltd.**, proposed environmental clearance (EC) for capacity enhancement (i.e. from 1,250 tons per day to 2,500 tons per day) after amalgamation of three leases and one new lease as per EIA Notification 2006 (as amended) with following specific conditions :

1. **Goa Mineral Concession (Amendment) Rules, 2012** notified by the Directorate of Mines and Geology (DMG) and published in Official Gazette Series-I, No. 24 dated 17th September 2012.
2. Submission of **approved quarrying plan** by the competent officer as per Sub-rule (7) as well as specific compliance to Sub-rules 7(A) to 7(D) of the above-referred Rules, as applicable.
3. Office Memorandum (O. M.) issued by the Ministry of Environment, Forest and Climate Change (MoEF & CC) dated 20th December 2013 regarding **High Level Working Group Report on Western Ghats** *vis-a-vis* compliance to the conditions mentioned therein w.r.t. activities prohibited in the identified Ecologically Sensitive Areas (ESAs).
4. Notification S. O. 733 (E) dated 10th March 2014 issued by the erstwhile Ministry of Environment and Forests (MoEF) and published in the Gazette of India ó Extraordinary, No. 624, Part-II, Section 3, Sub-section (ii) dated 10th March 2014 **specifying the list of villages categorized as Ecologically Sensitive Areas (ESAs) in the State of Goa** (i.e. 1,461 sq.kms.) *vis-a-vis* list of projects and activities prohibited / regulated therein.
5. Various notifications dated 25th January 2015 / 17th February 2015 / 24th February 2015 / 25th February 2015 issued by the Ministry of Environment, Forests and Climate Change (*MoEF&CC*) **specifying the extent of Eco-Sensitive Zone – ESZ (i.e. buffer zone) surrounding Wildlife Sanctuaries and National Park(s) within the State of Goa** as well as details of projects and activities prohibited / regulated therein.

Further, the project proponent is required to comply with the following **‘General conditions’**:-

1. The lease holder should ascertain on-site demarcation and construction of lease boundary with cement poles / bio-fencing / barbed wire for the proposed leases in question. The lease boundary may be subsequently geo-referenced for precise positioning and ground-truth verification. As such, the lease holder should ensure that minor mineral quarrying operations are restricted within the prescribed lease boundary

and further ensure that no natural water course (*seasonal or perennial*) gets obstructed / diverted / reclaimed due to quarry-related operations.

2. Top soil from the proposed lease area shall be stacked separately and shall be utilized for plantation, as applicable. Overburden or other rejects shall be backfilled into the worked-out pit as far as possible with a view to restore the land to its original topography or desired alternate use.
3. The lease holder should ensure construction of approach road / proper access to enable transportation of quarried material from site to desired destination and/or crushing unit, as applicable. Transportation of quarried material shall be done by covering the trucks with tarpaulin so that no spillage of material / dust takes place en route.
4. The lease holder should comply with the proposed plan of action for extraction of basalt / laterite stones within the available lease boundary limits in terms of provisions of Mines and Safety Rules / Guidelines, as applicable. In addition, safety gadgets and health-care facilities should be provided to workers vis-a-vis maintain hygiene surrounding the proposed lease boundary.
5. The lease holder shall obtain the *Consent* and / or *Authorization*, as applicable, from the Goa State Pollution Control Board (GSPCB) as per the relevant provisions of the Air / Water Acts and Hazardous Waste (*Management, Handling and Transboundary Movement*) Rules, 2008 as amended.
6. The lease holder shall undertake adequate safeguard measures during extraction of basalt stone and ensure that due to this activity, the hydro-geological regime of the surrounding area shall not be affected / altered / polluted. Only controlled blasting / wet drilling shall be practiced with all necessary / preventive care and accordingly, quarrying operations should be limited to **day-hours time** (*06 a.m. to 06 p.m. only*) with specified time reserved for *blasting* as well as secured *storage facility* for explosive magazine. Regular monitoring of groundwater levels and its physico-chemical quality parameters shall be carried out around the quarry lease area (*for minimum two locations of permanent water sources / open well / borewell*). If there are no groundwater sources, then nearest perennial surface water sources (*i.e. stream / river / pond / lake / reservoir / irrigational canal*) should be monitored for similar parameters on quarterly basis and/or seasonally (*i.e. pre-monsoon / monsoon and post-monsoon*).
7. No quarrying be carried out within the safety zone of any bridge and/or embankment as well as within the vicinity of natural / man-made archaeological / heritage site(s).
8. The lease holder shall implement air pollution control measures / dust minimizing initiatives / noise control measures, wherever applicable, within the lease area as well as approach road and establish adequate buffer zone around the lease boundary to minimize dust pollution. It should be ensured that the Ambient Air Quality (AAQ) parameters as well as Noise be monitored at site and at the nearest human settlement (*at least twice during pre-monsoon and post-monsoon periods separately*) and comply with the norms prescribed by the Central Pollution Control Board (CPCB) and Noise Pollution (Control) Rules, 2000 respectively at all times.

9. Half-yearly compliance report on the conditions stipulated hereinabove shall be submitted to this Authority / DMG on 1st June and 1st December of each calendar year.
10. Green belt development shall be carried out as per CPCB guidelines including selection of local plant species and in consultation with Forest Department / Zonal Agricultural Office (ZAO), as applicable.
11. The lease holder shall obtain necessary prior permission (NOC) from the Groundwater Cell of the Water Resources Department (WRD), as applicable, for drawl of surface / groundwater from within the lease area.
12. Catch drains, garland drains shall be constructed around the excavated area, reject dumps, to prevent silts and sediments flowing into any low-lying area including agricultural fields, water body, etc.,
13. Environmental clearance (EC) is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent Authority, if applicable.
14. The mining officer / in-charge of quarrying operations on-site shall submit six-monthly report in hard and soft copy formats w.r.t. specifying the status of compliance of the stipulated environmental clearance conditions (*i.e. Specific and General conditions*) to the Directorate of Mines and Geology (DMG), Goa, this Authority as well as Goa State Pollution Control Board (GSPCB).
15. Any change (*i.e. modification / expansion / alteration*) in survey no. / lease area / quarrying operations / extraction capacity / modernization / scope of working / environment management plan (EMP) shall require re-appraisal by this Authority as per the provisions of the EIA Notification, 2006 (*as amended till date*).
16. The environmental clearance has been granted as per the provisions of the EIA Notification, 2006 (as amended) accordingly, the lease holder shall ensure compliance to any other provisions of relevant Rules, Regulations, Notifications, Government Resolutions, Circulars issued / published by State / Central Government from time vis-a-vis Judgements / Orders of Honøble Courts and NGT, etc.,
17. **The Environmental Clearance is being issued without prejudice to the court case pending in the Court of law and it does not mean that lease holder has not violated any environmental laws in the past and whatever decision of the Hon'ble Court will be binding on the lease holder. Hence, this EC does not give immunity to the lease holder in the case filed against it.**
18. The Authority reserves the right to add any stringent conditions or to revoke the EC, if conditions stipulated are not implemented / complied with to the satisfaction of the Authority or for that matter, for any other administrative reasons.
19. Any appeal against this prior environmental clearance shall lie before the National Green Tribunal, if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010 (*Central Act 19 of 2010*).

20. The proposed extraction capacity of basalt stones from the said quarry leases (*i.e. from all three leases taken together of 11.1225 Ha*) shall not exceed **2,500 tons per day.**
21. As referred to in the Environment Management Plan (EMP), dust suppression measures (*i.e. water sprinklers*) to be undertaken regularly at specific interval during the daytime / quarry-operations.

2.6“MANGLAM CASA AMORA” Proposed Group Housing and Commercial Project at Survey No. 20/3-A, Village Bainguinim, Taluka Tiswadi, Goa of **M/s. Manglam Build Developers Ltd.** During 94th Goa-SEAC meeting held on 14th June 2018 the said proposal is recommended to Goa-SEIAA for grant of EC. Authority during its previous meeting held on 16/07/2018 decided to conduct site inspection of the proposed project. Accordingly the Authority members inspected the site on 28th September 2018 and directed the proponent to submit a document on CSRI (Corporate social responsibility initiative) activity proposed if any. Accordingly the PP has submitted the letter which is placed before the Authority for discussion and deliberation.

Decision: The Authority after perusal of the documents submitted by the PP and after detailed discussion and deliberation decided to recommend the said proposal for grant of Environmental Clearance (EC) under the provision of EIA notification 2006 (as amended) with following specific conditions :

- i. 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 / waste-water management.
- ii. PP needs to ensure that no treated water or any waste sewage shall be discharged into any water body.
- iii. E-waste shall be disposed through Authorised vendor as per E-waste (*Management and Handling*) Rules, 2011.
- iv. 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 towards south facing walls as and when made applicable in future.

- v. The Project Proponent shall utilise fly ash bricks in masonry works.

- vi. The PP shall use construction debris for land filling wherever applicable.

- vii. At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.

- viii. Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC. Outdoor and common area lighting shall be LED. Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design. Wall, window, and roof u-values shall be as per ECBC specifications.

- ix. Use of water saving devices/ fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc) for water conservation shall be incorporated in the building plan.

- x. Installation of dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc and other for supply of recycled water for flushing, landscape irrigation, car washing, thermal cooling, conditioning, etc. shall be done.

- xi.** Separation of grey and black water should be done by the use of dual plumbing system. In case of single stack system separate recirculation lines for flushing by giving dual plumbing system be done.

- xii.** Solar based electric power shall be provided to each unit for at least two bulbs/light and one fan. As proposed, central lighting and street lighting shall also be based on solar power.

- xiii.** The project proponent will provide landscape bed of 600mm wide X 600mm deep along the periphery of the plot to carry out plantation of trees. The treated water from the sewage treatment plant will be pumped through high flow drips on these beds to prevent outflow of treated sewage water outside the premises.

- xiv.** PP should implement Dust mitigation measures for construction activities such as:
 - a.** Roads leading to or at construction sites must be paved and blacktopped (i.e. metallic roads).
 - b.** No excavation of soil shall be carried out without adequate dust mitigation measures in place.
 - c.** No loose soil or sand or Construction & Demolition Waste or any other construction material that causes dust shall be left uncovered.
 - d.** Wind-breaker of appropriate height i.e. 1/3rd of the building height and maximum up to 10 meters shall be provided.
 - e.** Water sprinkling system shall be put in place.
 - f.** Dust mitigation measures shall be displayed prominently at the construction site for easy public viewing.
 - g.** New serial number 1070 has been inserted which relates to Mandatory Implementation of Dust Mitigation Measures for all Construction and Demolition Activities:
 - h.** Grinding and cutting of building materials in open area shall be prohibited.
 - i.** Construction material and waste should be stored only within earmarked area and road side storage of construction material and waste shall be prohibited.
 - j.** No uncovered vehicles carrying construction material and waste shall be permitted.
 - k.** Construction and Demolition Waste processing and disposal site shall be identified and required dust mitigation measures be notified at the site.

3. **M/s Naik navare "Esmeralda"** at survey No. 14/1-B, 15/1-B at Panelim, Goa. for proposed construction of residential & commercial project "**Esmeralda**" at survey No. 14/1-B, 15/1-B at Panelim, Goa.

Background: The PP, for the proposed developmental activity, has obtained the EC from the erstwhile MoEF which had **expired in March 2015**. Thereafter, the PP submitted its request to the EIA Goa State Authority for its revalidation only during **August 2015**. (i.e. after five months of the EC validity period).

As per the aforementioned Notification, the delay in submitting a request for EC revalidation by the PP within a period of one month can be condoned by Member Secretary of the State EIA Authority and within a period of three months by the Chairman of the State EIA Authority on recommendation of the State EAC concerned.

Further, submission of EC revalidation request beyond the period of three months cannot be condoned. And accordingly, The Authority during its 39th meeting held on 10th January 2018 decided that the PP needs to resubmit the revalidation proposal afresh for further appraisal / consideration. Accordingly Project proponent submitted the fresh application for environmental clearance (EC) for proposed construction of residential & commercial project "**Esmeralda**" at survey No. 14/1-B, 15/1-B at Panelim, Goa. Goa-SEAC conducted inspection on 05th April 2018 and subsequent presentation during its 93rd meeting held on 10th may 2018 wherein the Committee raised some project specific observations which was complied by PP through official communication, accordingly the Goa-SEAC during its 94th Goa-SEAC meeting held on 14th June 2018 the said proposal is recommended to Goa-SEIAA for grant of EC. Authority deliberated the said matter in its previous meeting (i.e 44th) held on 16/07/2018 and decided to conduct site inspection of the proposed project. Accordingly the Authority members inspected the site on 28th September 2018 and directed the proponent to submit a document on CSRI (Corporate social responsibility initiative) activity proposed if any. Accordingly the PP has submitted the letter which is placed before the Authority for discussion and deliberation.

Decision: The Authority after perusal of the documents submitted by the PP and after detailed discussion and deliberation decided to recommend the said proposal for grant of Environmental Clearance (EC) under the provision of EIA notification 2006 (as amended) with following specific conditions :

- i.** 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 / waste-water management.

- ii.** PP needs to ensure that no treated water or any waste sewage shall be discharged into any water body..

- iii.** E-waste shall be disposed through Authorised vendor as per E-waste (*Management and Handling*) Rules, 2011.

- iv.** 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 towards south facing walls as and when made applicable in future.

- v.** The Project Proponent shall utilise fly ash bricks in masonry works.

- vi.** The PP shall use construction debris for land filling wherever applicable.

- vii.** At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.

- viii.** Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC. Outdoor and common area lighting shall be LED. Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design. Wall, window, and roof u-values shall be as per ECBC specifications.

- ix.** Use of water saving devices/ fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc) for water conservation shall be incorporated in the building plan.
- x.** Installation of dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc and other for supply of recycled water for flushing, landscape irrigation, car washing, thermal cooling, conditioning, etc. shall be done.
- xi.** Separation of grey and black water should be done by the use of dual plumbing system. In case of single stack system separate recirculation lines for flushing by giving dual plumbing system be done.

- xii.** Solar based electric power shall be provided to each unit for at least two bulbs/light and one fan. As proposed, central lighting and street lighting shall also be based on solar power.

- xiii.** The project proponent will provide landscape bed of 600mm wide X 600mm deep along the periphery of the plot to carry out plantation of trees. The treated water from the sewage treatment plant will be pumped through high flow drips on these beds to prevent outflow of treated sewage water outside the premises.
- xiv.** PP should implement Dust mitigation measures for construction activities such as:
 - l.** Roads leading to or at construction sites must be paved and blacktopped (i.e. metallic roads).
 - m.** No excavation of soil shall be carried out without adequate dust mitigation measures in place.
 - n.** No loose soil or sand or Construction & Demolition Waste or any other construction material that causes dust shall be left uncovered.
 - o.** Wind-breaker of appropriate height i.e. 1/3rd of the building height and maximum up to 10 meters shall be provided.
 - p.** Water sprinkling system shall be put in place.
 - q.** Dust mitigation measures shall be displayed prominently at the construction site for easy public viewing.

- r. New serial number 1070 has been inserted which relates to Mandatory Implementation of Dust Mitigation Measures for all Construction and Demolition Activities:
 - s. Grinding and cutting of building materials in open area shall be prohibited.
 - t. Construction material and waste should be stored only within earmarked area and road side storage of construction material and waste shall be prohibited.
 - u. No uncovered vehicles carrying construction material and waste shall be permitted.
 - v. Construction and Demolition Waste processing and disposal site shall be identified and required dust mitigation measures be notified at the site.
4. With regards to the matter bearing Writ petition No. 14/2018 Federation of rainbow Warriors V/s Directorate of Mines & Geology , Goa-SEIAA being respondent no 5 in the said matter this Authority had issued environmental clearance for extraction of Sand in rivers/ estuaries at by manual methods by traditional Communities in North /South Goa in the year 2015. Advocate Panjak Vernekar has submitted the terms and conditions for his appearance before the High court of Bombay on behalf of Goa-SEAC /SEIAA which was placed before the Authority for discussion and deliberation.

Decision: The Authority perused the terms and conditions as submitted by the advocate, the Authority after detailed deliberation decided to accept conditions and further decided to appoint Advocate Pankaj Vernekar to appear before the Honorable high Court on behalf of Goa-SEAC/SEIAA (Respondent no. 5) in the matter of Federation of rainbow Warriors V/s Directorate of Mines & Geology bearing Writ petition No. 14/2018.

5. Communication received from **M/s Sapna Ceramics**, NANU HOUSE, Varde Valaulikar Road, P.O. Box-125, Margao, Goa requesting for extension of EC validity bearing ref No. 3-181-2010/STE-DIR/97 dated 21-03-2013 issued to M/s Sapna Ceramics Pvt. Ltd., Margao in Survey No. 29/1, of village Conquerim in Sattari taluka.

Decision: The Authority decided to grant the extension of EC validity to M/s Sapna Ceramics Pvt. Ltd., Margao in Survey No. 29/1, of village Conquerim in Sattari taluka. Notification dated 29/04/2015 from Ministry of Environment & Forests and Climate Change (MOEF & CC) bearing S.O.1141 (E) para (ii) (a).

6. To discuss and decide on PIL WP No. 27/2018 before the High court of Bombay at Goa filed by Mr. Mangesh Gaonkar against M/s Scholar Builder Pvt. Ltd regarding illegal construction in SY. No. 51/0 at Tivrem, Marcel , Goa.

Background: The PIL WP 27/2018 has been filed by Mr. Mangesh Gaonkar against M/s Scholar Builder Pvt. Ltd. regarding illegal construction in Survey No. 51/0 at Tivrem, Marcel, Goa. Honøble High court of Goa vide order dated 18/09/2018 had directed Goa-SEIAA to look into the submission of petitioner regarding breach of EIA Notification 2006. Accordingly the said PIL is put up for discussion and decision before the Authority.

Decision: The Authority noted that the documents and plans of the project undertaken by M/s Scholar Builders as annexed in the petition shows total built up Area as **6193 Sq. mts**. It is not clear as to whether this is one phase of the project or project in its entirety. As per EIA Notification 2006 (as amended), any project whose BUA exceeds (\times 20,000Sq mts & $<$ 1,50,000 Sq. mts) requires Prior Environmental Clearance (EC) from Goa-SEIAA.

In view of the above, the Authority decided to pray before the Honøble High Court to direct M/s Scholar and Town & Country Planning Department to submit the entire details of the project to Goa-SEIAA so that the question of applicability of EIA Notification 2006 may be ascertained.

Meeting concluded with a vote of thanks to the chair.

Sd/-

Adv. Joseph Vaz
Member, Goa-SEIAA

Sd/-

Mr. Ravi Jha
Member Secretary, Goa-SEIAA

Sd/-

Mr. Vivekanand L. Sawkar
Chairman, Goa-SEIAA

Place: Patto, Panaji
Date: October 2018

ANNEXURE – I

List of Members who attended the 45th Goa-SEIAA meeting held on 17th October 2018

- | | |
|-----------------------------|-----------------------------|
| 1. Mr. Vivekanand L. Sawkar | Chairman, Goa-SEIAA |
| 2. Adv. Joseph Vaz | Member, Goa-SEIAA |
| 3. Mr. Ravi Jha | Member Secretary, Goa-SEIAA |