

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE BENCH, CHENNAI)  
IN  
ORIGINAL APPLICATION NO. 128 OF 2021 (SZ)**

**JOINT COMMITTEE REPORT FILED BY THE DISTRICT FOREST  
OFFICER (DFO), PATHANAMTHITTA**

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Dated at Chennai on this the 23<sup>rd</sup> day of November 2021.

**M/s. E.K.KUMARESAN**

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

PETITION FILED BY SRI IBRAHIM KARIM, PALLIVASAL ESTATE, FACTORY  
DIVISION, MUNNAR.

OA No.128/2021

BY

THE JOINT COMMITTEE CONSTITUTED BY NGT VIDE ORDER DATED 17.06.2021

IN

OA. No.128/2021

REPORT OF THE JOINT COMMITTEE CONSTITUTED BY HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI IN OA NO. 128 OF 2021 FILED BY SHRI IBRAHIM KARIM, MUNNAR DISTRICT & OTHERS VS STATE OF KERALA & OTHERS.

**1. PREAMBLE**

The Hon'ble National Green Tribunal (NGT) in its order dated 17<sup>th</sup> June 2021 in OA No. 128 of 2021, issued following direction:

"7. In order to ascertain the genuineness of the allegations made, the nature of construction, its impact on the environment and the violation if any, committed, we feel it appropriate to appoint a joint committee comprising of (1) The District Collector, Pathanamthitta District, (2) a Senior officer from Ministry of Environment, Forest and Climate Change, (MoEF & CC) Regional Office, Bangalore, (3) a Senior Scientist from Ministry of Environment, Forest and Climate Change, (MoEF & CC) Regional Office, Bangalore, (4) a Senior Officer from State Environmental Impact Assessment Authority (SEIAA), Kerala, (5) The District Forest Officer (DFO) Pathanamthitta District, (6) a Senior Officer from the Kerala State Pollution Control Board (KSPCB), and (7) a senior officer from the Irrigation Department, Pathanamthitta District, Government of Kerala to inspect the area in question and submit a factual as well action taken report if there is any violation found.

8. The Committee is directed to ascertain as to:

- i. Whether the project of the third respondent requires environmental clearance and whether they have obtained the same?
- ii. Whether the 3rd respondent had obtained all necessary clearances and permissions for proceeding with the project which is required under the EIA Notification, 2006 and other environmental laws,
- iii. Whether the construction of the present project falls within the flood- plain of the stream namely, 'Klappana-Madatharuvi stream- cum- wetland basin',
- iv. Whether necessary permission if any required has been obtained from the Irrigation Department for construction of any building in the flood- plains of the stream or river?
- v. Whether this will have any impact on forest ecology as the applicant claims the area to be a wetland,
- vi. What is the nature of impact that is likely to be caused on environment on account of such construction?
- vii. What is the nature of damage caused to the environment and what are all the remedial measures to be taken for the purpose of restoration of damaged caused to the environment.
- viii. If any, damage has been caused to the environment, then the committee is also directed to assess the environmental compensation required for the restoration of the damage caused to the environment,

9. The District Forest Officer (DFO) Pathanamthitta District will be the nodal agency for co-ordination and for providing necessary logistics for this purpose."

## 2. COMPOSITION OF THE JOINT COMMITTEE

In compliance of above-mentioned order, the District Forest Officer (DFO) Pathanamthitta District, vide letter No C2-3608/21 dated 09.07.2021 has requested the District collector, Pathanamthitta; MoEFCC, Integrated Regional Office, Bangalore; SEIAA, Kerala; KSPCB, Kerala and Department of Irrigation, Kerala to nominate Senior official for the Committee to complete the task as assigned by the Hon'ble NGT. On receipt of the nomination, following Committee has been constituted:

Sl. No.	Name and Designation	Organization/ Department
1	Smt. Divya S Iyer, IAS	District Collector, Pathanamthitta
2	Dr. S Prabhu, Scientist -C/Dy. Director	Ministry of Environment and Climate Change, Integrated Regional Office, Bangalore
3	P K Jayakumar Sharma IFS	Divisional Forest Officer, Ranni & Nodal Agency in the joint Committee
4	Er. M Dileep Kumar, Member-SEAC,	State Environmental Impact Assessment Authority (SEIAA), Kerala
5	Smt. Suchithra V, Environmental Engineer	Kerala State Pollution Control Board, Pathanamthitta
6	Smt. Sreelekha S, Assistant Executive Engineer,	Minor Irrigation, Sub Division, Pathanamthitta

All the members have gathered requisite information related to the project based on available records and a site visit was undertaken on 28<sup>th</sup> July, 2021 to ascertain the facts in the matter officials from PWD and Village Administrative Officer was also present.

## 3. DELIBERATIONS OF THE JOINT COMMITTEE

Hon'ble National Green Tribunal in the order dated 17<sup>th</sup> June, 2021 directed the Joint committee to look into the following:

- I. *Whether the project of the third respondent requires environmental clearance and whether they have obtained the same?*
- II. *Whether the 3rd respondent had obtained all necessary clearances and permissions for proceeding with the project which is required under the EIA Notification, 2006 and other environmental laws,*
- III. *Whether the construction of the present project falls within the flood- plain of the stream namely, 'Klappana-Madatharuvu stream- cum- wetland basin',*
- IV. *Whether necessary permission if any required has been obtained from the Irrigation Department for construction of any building in the flood- plains of the stream or river?*

- 4
- V. Whether this will have any impact on forest ecology as the applicant claims the area to be a wetland,
  - VI. What is the nature of impact that is likely to be caused on environment on account of such construction?
  - VII. What is the nature of damage caused to the environment and what are all the remedial measures to be taken for the purpose of restoration of damaged caused to the environment.
  - VIII. If any, damage has been caused to the environment, then the committee is also directed to assess the environmental compensation required for the restoration of the damage caused to the environment,

In order to deliberate on the above given Terms of References (ToR), the Joint Committee after inspection of the site and nearby area examined relevant documents and inputs from committee members. Based on the above, each ToR has been deliberated in detail and following are the observations/comments:

**3.1. Whether the project of the third respondent requires environmental clearance and whether they have obtained the same?**

The Joint Committee noted that as per schedule 8(a) of Environmental Impact Assessment (EIA), notification 2006, all Building and construction projects with a built-up area of more than 20000 Sq.M are required to the obtain prior Environmental Clearance from Kerala State Environment Impact Assessment Authority (SEIAA).

It is reported by District Collector, Pathanamthitta that vide order no.CE/GL/A1/PTA/415/2019 Dated.03.12.2019 and CE/BL/PTA/A1/5266/2018 dated.03.01.2020 of Chief Engineer (Buildings), the construction of 10<sup>th</sup> & 11<sup>th</sup> floor of the building have been cancelled thereby reducing the plinth area to 18720 M<sup>2</sup>. As per the order no: CE/GL/A1/PTA/415/2019 dated 03/12/2019 of Chief Engineer (Buildings), the construction of 10th & 11th floor of proposed building has been cancelled. (Copy of the above order is also enclosed). Since, the total plinth area of the building is less than 20,000 sqm has been reduced to 18720 M<sup>2</sup>. Hence, the project does not attract EIA Notification, 2006 and no prior environmental clearance is required.

**3.2. Whether the 3<sup>rd</sup> respondent had obtained all necessary clearances and permissions for proceeding with the project which is required under the EIA Notification, 2006 and other environmental laws,**

Since, the total plinth area of the building is less than 20,000 sqm has been reduced to 18720 M<sup>2</sup>. Hence, the project does not attract EIA Notification, 2006 and no prior environmental clearance is required. Clearances/ Permissions required to be obtained by the project proponent are, (1) building permit from the town and Country Planning Department, (2) building permit from Grama Panchayath, (3) Integrated Consent to Establish (ICE) from the State Pollution Control Board and (4) permit from the State Fire and Safety Department. During the site visit, it is understood that the project proponent has not obtained, any of the above-mentioned clearances and permissions.

**3.3. Whether the construction of the present project falls within the flood- plain of the stream namely, 'Klappana-Madatharuvi stream- cum- wetland basin',**

Yes, as per reports received from Minor Irrigation Department, 'Klappana-Madatharuvi stream flows 800 M north west from the proposed construction site. But the site falls within the flood plain of Meenmuttupara-Althala stream, passing along southern border of the project area. No streams or water flow is obstructed by the filling of the project area.

**3.4. Whether necessary permission (if any required) has been obtained from the Irrigation Department for construction of any building in the flood-plains of the stream or river?**

Since no structure / streams / water body of Irrigation department comes in the project area, it is not necessary for the project authorities to obtain any specific sanction / permission from Irrigation department.

**3.5. Whether this will have any impact on forest ecology as the applicant claims the area to be a wetland,**

Nearest reserve forest area is about 7 KM from the proposed project site. The proposed project site is not a reserve forest or forest owned land. So there appears no impact on forest ecology on account of the project.

**3.6. What is the nature of impact that is likely to be caused on environment on account of such construction?**

The Joint committee noted that the impacts likely to be caused on account of construction are (1) Habitat loss, (2) Possibility of flood and change in ground water levels, flow regimes, (3) Air, Water and Noise pollution due to construction activities and land filling, (4) Agriculture loss, if agriculture was done in the site, (5) Erosion and surface water contamination due to silt run off from construction site. There are no habitat and agricultural activities at the site.

**3.7. What is the nature of damage caused to the environment and what are all the remedial measures to be taken for the purpose of restoration of damaged caused to the environment.**

Only preliminary activities such as earth filling and piling works (partially) have been done in the proposed project site. The Joint committee noted that for the construction purpose the project proponent have converted the wetland (which is recorded in Revenue Records) into normal plain land. The nature of impact likely to be caused on environment was conversion of wetland to normal plain land, which seems unavoidable even if the project proponent area is below 20000 M<sup>2</sup> or above it.

**3.8. If any, damage has been caused to the environment, then the committee is also directed to assess the environmental compensation required for the restoration of the damage caused to the environment,**

Based on the records made available and also as noted by the Joint Committee on the day of inspection (28.07.2021), it is noted that project proponent has initiated the construction activities like leveling of the land and dumping of mud and other materials for the land filling.


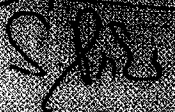
The District Collector, Pathanamthitta (Member of Joint Committee) Reported that the construction of Sabarimala Pilgrim Centre in the said land was on the basis of G.O (Rt) 1184/2009/GAD Dated





18.09.2019 of Commissioner of Forests, Hon'ble High Court of Kerala vide judgment in WP (C) 13713/2019 has already stayed the construction of the project. The Hon'ble High Court in the order against the construction of the project has directed the concerned departments to submit an Environmental Impact Assessment study. The Hon'ble High Court has also directed that the case is pending before the Hon'ble High Court.

The only damage seen caused to the nature due to the initial work of the construction is the conversion of wetland to normal plain land. As per the pollution pay principles environmental compensation has been calculated which is amounting to Rs. 48,875/- (Rupees Eighty Five Lakhs Forty Six Thousand Eight Hundred and Seventy Five Only). The Hon'ble HGT may decide whether the environmental compensation can be charged from the concerned department.

**4. CONCLUSION AND RECOMMENDATIONS**

1. The proposed building project was not materialized.
2. Only partial filling of the area and some pling works only have been carried out in the proposed project area.
3. The plinth area of the building was reduced to 18720 M<sup>2</sup>, instead of initial 22351.50 M<sup>2</sup>. The question of environmental clearance does not arise in cases where it is less than 20000 M<sup>2</sup>.
4. No violations of any act or rules or any damages caused or environmental compensation for damages etc. on account of the proposed project has been demanded by Forests, Forest and Wildlife departments.
5. The Hon'ble High Court of Kerala vide judgment dated 28.09.2019 in WP (C) 13713/2019 has already stayed the construction of the project and the case is pending before the Hon'ble High Court in the issue of Environmental Impact Assessment studies. The verdict of Hon'ble High Court is yet to come.
6. The only damage seen caused to the nature due to the initial work of the construction is the conversion of wetland to normal plain land. As per the pollution pay principles environmental compensation has been calculated which is amounting to Rs. 48,875/- (Rupees Eighty Five Lakhs Forty Six Thousand Eight Hundred and Seventy Five Only). The Hon'ble HGT may decide whether the environmental compensation can be charged from the concerned department.

Sl. No.	Name of members of joint committee with designation	Signature
1	Smt. Divya Sayer, District Collector, Pethanamthitta	
2	Dr. S Prabh, Deputy Director, (S)/Scientist 'C' Ministry of Environment and Climate Change, Integrated Regional Office, Bangalore	

3	P.K. Jayakumar, Siddhanta IPS, Divisional Forest Officer, Ramd & Nodal Agency in the Joint Committee	
4	Sr. M. Dilip Kumar, Member, SEAC	
5	Smt. Suchithra V, Environmental Engineer, KSPCB, Pathanamthitta	
6	Smt. Sreeleksha S, Assistant Executive Engineer, Minor Irrigation, Sub Division, Pathanamthitta	

Enclosures:

- 1 : Report no. C4-181431/18 Dtd.02.08.2021 of District Collector, Pathanamthitta
- 2 : Report no. Eno. EP/D27/PB/NGT/KEB/340 Dtd.03.08.2021 of Deputy Director (S)/Scientist 'C', Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Bangalore.
- 3 : Report of Member, SEAC, C/o Office of Kerala State Environment Impact Assessment Authority (SEIAA), State Environment and Climate Change Department.
- 4 : Report no. PCB/PTA/TG/352/2021 Dtd.02.08.2021 of Environmental engineer, Kerala State pollution Control Board, Pathanamthitta.
- 5 : Report no. E2-110/2012 Dtd.03.08.2021 of Assistant Executive Engineer, Minor Irrigation Sub Division, Pathanamthitta.
- 6 : Photographs

**ചീഫ് എൻജിനീയറുടെ കാര്യാലയം, പൊതുമരാമത്ത് വകുപ്പ്  
കെട്ടിട വിഭാഗം തിരുവനന്തപുരത്തിന്റെ നടപടിക്രമം  
(പരാമർശ: ഹൈജിൻ ആൽബർട്ട്)**

വിഷയം :- റാന്നി ഇട്ടിയപ്പാറ പിൽഗ്രിം സെന്ററിന്റെ നിർമ്മാണത്തിന് പാരിസ്ഥിതികാനുമതി നൽകുന്നത് - സംബന്ധിച്ച്

- പരാമർശം:-
1. 08/11/2019-ലെ ദക്ഷിണമേഖല-കെട്ടിടവിഭാഗം സൂപ്രണ്ടിംഗ് എൻജിനീയറുടെ കത്ത് നമ്പർ ഡി8/പൊ.മ.വ.(ബി)എസ്.സി-തിരു/3299/2013
  2. ശ്രീ. കെ.ഡി. ജോണി റായ്ക്ക് ചെയ്ത WP(C) No. 13713/2019
  3. 23/03/2014-ലെ റാന്നി എം.എൽ.എ. രാജു എം.പി.യുടെ കത്ത്

ഉത്തരവ് നമ്പർ സി.ഇ./ബി.എൽ/വി.റ്റി.എ./എസ്/5266/2018 തീയതി 03.04.2020

റാന്നി ഇട്ടിയപ്പാറ പിൽഗ്രിം സെന്ററിന്റെ നിർമ്മാണത്തിനുള്ള ഫണ്ടിന്റെ അപര്യാപ്തത മൂലം കെട്ടിടത്തിന്റെ 10, 11 എന്നീ നിലകളുടെ നിർമ്മാണം സ്വയം (3) ന്റെ അടിസ്ഥാനത്തിൽ ഒഴിവാക്കിയാൽ ടോട്ടൽ ഏരിയ 18720/൩൩ മതമേ വരികയുള്ളുവെന്നും ആയതിനാൽ പാരിസ്ഥിതികാനുമതി ആവശ്യമില്ലെന്നും സൂചന (1) പ്രകാരം സൂപ്രണ്ടിംഗ് എൻജിനീയർ, കെട്ടിടവിഭാഗം ദക്ഷിണമേഖല അറിയിച്ചിട്ടുള്ളതാണ്. കൂടാതെ 23/03/2014-ലെ ബഹു. എം.എൽ.എ.യുടെ കത്തിൽ ഗൗണിമല പിൽഗ്രിം സെന്ററിന്റെ 10, 11 നിലകൾ ഒഴിവാക്കി പുനക്രമീകരിക്കണമെന്ന് അഭ്യർത്ഥിച്ചിട്ടുണ്ട്. ആയതിനാൽ കെട്ടിടത്തിന്റെ 10, 11 നിലകളുടെ നിർമ്മാണം ഒഴിവാക്കി ടോട്ടൽ ഏരിയ 18720/൩൩ ആയി നിജപ്പെടുത്തിക്കൊണ്ട് ഇതിനാൽ ഉത്തരവാകുന്നു.

  
ചീഫ് എൻജിനീയർ

സ്വീകർത്താവ്  
സൂപ്രണ്ടിംഗ് എൻജിനീയർ, കെട്ടിടവിഭാഗം, പൊതുമരാമത്ത് വകുപ്പ്,  
ദക്ഷിണമേഖല, തിരുവനന്തപുരം

No. C4-181431/18

Collectorate, Pathanamthitta

Dated: 02/08/2021

District Collector

Pathanamthitta

Divisional Forest Officer Ranni &

Nodal Officer, Joint Committee constituted by the NGT (SZ) in OA 128/2021

Sub: Report to the Joint Committee constituted by the NGT (SZ) in  
OA 128/2021 dated 17-06-2021

Ref: 1. Judgment dated of the NGT (SZ) dated 17-06-2021

2. Decision taken by the Meeting of the Joint Committee dated  
28-07-2021

An extent of 34.03 ares of land comprised in resurvey number 260/2, 22.85 ares in resurvey number 258/6, 05.40 ares in resurvey number 258/7, 06.75 ares in resurvey number 258/8, 14.40 ares in resurvey number 258/9, 02.25 ares in resurvey number 258/8-1-1, 08.32 ares in resurvey number 258/9-1-1, 05.70 ares in resurvey number 258/10, 04.50 ares in resurvey number 258/8-1, 06.08 ares in resurvey number 258/9-1 (altogether 01.10.28 hectares) of Block number 9 of Pazhavangadi Village, Ranni Taluk, Pathanamthitta District is owned by Pazhavangadi Grama Panchayat for and on behalf of the KSRTC bus stand. The lands were acquired by the order of the Tahsildar (LA) vide order no. 65/12/D dated 11.01.2012 for the construction of KSRTC Bus Stand Ranni. The land in which the proposed construction lays adjoining to the KSRTC Bus stand and the concrete road connecting Ittiyappara junction bypass road. In the village records the lands mentioned as 'Nilam'. At present the lands are filled and the KSRTC Bus stand is functioning at southern side of the land. Sri. K.O. Johny filed WP(C) 13713/19 before the Hon'ble High Court of Kerala praying to prohibit the Construction of

20000M<sup>2</sup> building without properly assessing environment Impact. The proposed Construction of Pilgrims Amenity Centre ('idathavalam') was deferred by the Hon'ble High Court of Kerala vide judgment WP(C) 13713/2019 dated 24/06/2019.

Mr. K.O Johny filed a complaint before the District Collector, Pathanamthitta stating that no environmental impact assessment study has been conducted before the construction of the multi utility centre in the said land. District Collector conducted an enquiry through the Sub Collector, Thiruvalla, Secretary, Pazhavangadi grama Panchayat and obtained the report that land was acquired for the construction of KSRTC bus stand and the land is owned by Pazhavangadi Grama Panchayat on behalf of the KSRTC bus stand. The construction of the multi utility centre at the place was under the supervision of Public Works Department of Kerala State. The Construction of the Sabarimala Pilgrim Centre in the said land was on the basis of GO (RT)1184/09/ GAD dated 08/09/09 of Government of Kerala. Hon'ble High Court of Kerala vide its Judgment in WP(C) 13713/2019 dated 24/06/2019 issued an interim stay order against the construction of the multi utility complex in the said land before assessing the Environment Impact Assessment study. PWD Executive Engineer filed a Counter Affidavit in this case. The case is pending before the Hon'ble High Court of Kerala, Executive Engineer, PWD (Buildings), Pathanamthitta reported as per the letter number D3-3054/2012 dated 11/01/2021 that the Chief Engineer (Buildings) vide order CE/GL/A1/PTA/415/2019 dated 03/12/2019, the construction of 10 and 11<sup>th</sup> floors of the proposed building have been cancelled due to the lack of fund availability. Hence the total plinth area of the building will be only 18,720 M<sup>2</sup> and the environmental assessment and clearance is not required as it is below the limit.

Sr. Ibrahim Karim filed the Original Application no 128/2021 before the Hon'ble Green Tribunal (SZ) with grievance against the ongoing construction of the Multi Utility Complex in the said area. In his application it has been stated that the total construction area 22351.90 M<sup>2</sup>

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Chief Engineer (Buildings) vide order CE/GL/A1/PTA/415/2019 dated 03/12/2019 the construction of 10 and 11th floors of the building have been cancelled due to the lack of fund availability. Hence the total plinth area of the building will be only 18,720 M<sup>2</sup>.

The entire land was recorded as 'nilam' (Wet Land) in the village records and 'Meen muttu para- Aithala' stream passing through southern border of the land. The flow of the stream is is not restricted by the filling of the land for the proposed construction in the said land. The 'Madatharuvi-Clappana thodu' flows at about 800 metres north west from the proposed construction and the stream known as ' Ranni Valiya Thodu' and flow of the stream and its tributary 'Meen Muttupara -Aithala stream' are not obstructed by the filling of the property and the proposed construction. The same is reported before the Joint Committee constituted by the Hon'ble Green Tribunal (SZ).

Yours faithfully

  
District Collector



भारत सरकार / GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE  
एकीकृत क्षेत्रीय कार्यालय, बेंगलुरु / INTEGRATED REGIONAL OFFICE, BANGALORE

4<sup>th</sup> Floor, E & F- Wings, Kendriya Sadan, 17<sup>th</sup> Main Road, II Block, Koramangala, Bangalore- 560 034

F. No. EP/12.7/76/NGT/KER/ 340

03.08.2021

To,

Shri. Jayakumar Sharma, IFS  
Divisional Forest Officer (DFO),  
Ranni-689 672  
Pathanamthitta District, Kerala.

Sub: Inputs from MOEF&CC Regional Office, Bangalore after Joint Committee Inspection in OA No. 128 of 2021-Reg.

Ref: Your letter No. C2-3608/2021 dated 15.07.2021 regarding the scheduled Field Inspection on 28.07.2021.

Sir,

Pursuant to the Joint Inspection conducted in OA No.128 of 2021 on 28.07.2021, and also after evaluation of key inputs received from other Members of the Joint Committee, the following are the inputs from the MoEF&CC Regional Office, Bangalore for incorporation in the Joint Committee Report to be finalized and submitted to Hon'ble NGT, Chennai through the Nodal Agency (DFO, Ranni).

S. No	Issue Raised and Clarification Sought by Hon'ble NGT Vide Its Order Dated 17.06.2021	Remarks
1	Whether the Project of the 3 <sup>rd</sup> Respondent requires Environmental Clearance and Whether they have obtained the same.	<p>1. As per Schedule 8 (a) of Environmental Impact Assessment (EIA), Notification 2006, all <b>Building and Construction Projects with a Built-up Area of more than 20,000 Sq. M are required to obtain Environmental Clearance from Kerala State Environmental Impact Assessment Authority (SEIAA).</b></p> <p>2. During the visit, Project Authorities (PA) have not provided any Detailed Project Report (DPR). Based on the Building Plan made available along with the Petition, it is noted that <b>the total built up area of the Project is 22,351.90 Sq.Mtrs for which EC is required from Kerala SEIAA.</b></p> <p>3. As per information provided by Kerala SEIAA Vide Letter No. 1456 / A-1 /2018 /SEIAA dated 30.07.2018, it is noted that PA has not obtained Environmental Clearance for the aforesaid project prior to start of construction activities.</p>
2	Whether the 3 <sup>rd</sup> Respondent had obtained all necessary clearances and permissions for proceeding with the project which is required under EIA Notification, 2006 and other Environmental Laws	<p>During the visit, Project Authorities (PA) have not provided copies of relevant permissions which are required for building projects like the following:</p> <p>1. EC from Kerala SEIAA</p>

S.P.L

		<ol style="list-style-type: none"> <li>2. Consent for Establishment (CFE) from Kerala State Pollution Control Board</li> <li>3. Fire NOC from Fire Department</li> <li>4. Ground Water/ Bore Well Water Permission from Central/ State Ground Water Authority</li> <li>5. Building/ Town Plan Approval from Concerned Department</li> <li>6. Panchayat Approval from Village Panchayat etc.</li> </ol> <p>Since, PA has not produced any of these documents during the visit on 28.07.2021, the Nodal Agency (DFO, Ranni) is requested to collect these documents if available from PA else to be considered as <b>Not Obtained and accordingly may be intimated to the Hon'ble NGT in the Joint Committee Report.</b></p>
3	<p>If any damage has been caused to the environment, then the Committee is also directed to assess the Environmental Compensation required for restoration of the damage caused to the environment.</p>	<p>Based on the records made available and also as noted by the Joint Committee on the day of inspection (28.07.2021), it is noted that PA has initiated the construction activities like levelling of the land and dumping of mud and other materials for land filling without obtaining prior EC from Kerala SEIAA which is a Violation under EIA Notification, 2006.</p> <p>As per the guidelines issued by the Central Pollution Control Board (CPCB), environmental compensation for violating the Provisions of E(P) Act, 1986 has been calculated as per the formula below:</p> <p style="text-align: center;"><b>Environmental Compensation Formula</b>  <math>EC = PI \times N \times R \times S \times LF</math></p> <p>Whereas:</p> <p>EC - Environmental Compensation  PI - Pollution Index of Industry Sector  N - Number days of Violation took place  R - A factor in Rs for EC  S - Factor for scale of operation  LF - Location factor</p> <p>The industrial sectors have been categorized into Red, Orange and Green based on their pollution index in the range of 60-100, 41-59 and 21-40 respectively. It was suggested that the average pollution index of 80, 50 and 30 may be taken for calculating the Environmental Compensation for Red, Orange and Green Categories of industries respectively.</p> <p>N number of days for which violation took place is the period between the day of violation observed/due date of directions compliance and the day of compliance verified by PCB/SPCB/CPCB.</p> <p>R is a factor in rupees, which may be minimum of 100 and maximum of 500.</p> <p>S is based on small/medium/large industries categorization which may be 0.5 for micro or small, 1 for medium and 1.5 for large units.</p>

D.P.S

LF (Location Factor), is based on the population of the city/town

S. No	Population (Million)	LF
1	1 to < 5	1.25
2	5 to < 10	1.5
3	10 and above	2

Since no definite date for start of the project is available, the letter issued by SEIAA on 30.07.2018 stating that No EC has been obtained by the PA is considered as the date of violation and date of inspection is considered as the last date of violation (i.e., 28.07.2021).

Since this building project is in Orange Category PI is taken as 50; and the number of days from 30.07.2018 to 28.07.2021 are 1094 days; R factor is taken as Rs. 250 (Min 100 and Max 500); S is considered as Small (0.5) and since the population of Ranni is less than 5 Million LF is taken as 1.25

$$EC = 50 \times 1094 \times 250 \times 0.5 \times 1 \times 1.25$$

$$= \text{Rs. } 85,46,875/-$$

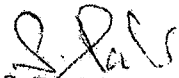
**(Rupees Eighty-Five Lakhs Forty-Six Thousand Eight Hundred and Seventy-Five Only).**

#### FINAL REMARKS

In view of the above, based on the observations of the Joint Committee and documentary evidence produced by the project authorities, it is noted that PA has initiated the construction activities without obtaining EC from Kerala SEIAA which is a Violation under EIA Notification 2006 and accordingly Environmental Damage Assessment has been done and Environmental Compensation for an amount of Rs. 85,46,875/- is proposed to be imposed by the Hon'ble NGT.

These issues with approval of Competent Authority.

Yours faithfully,



(Dr. S. Prabhu)  
Deputy Director (S)/ Scientist 'C'

**Report for submission before the Hon'ble NGT on site the visit conducted on 28.7.2021 to the Building Construction Site of Building Complex having a total construction area of 22,351.90 square meters, In Ittiyappara Town of Ranni in Pathanamthitta District, Kerala.**

As per the orders of Hon' National Green Tribunal, Southern Zone, Chennai in the Original Application No. 128 of 2021 (SZ), a Joint Inspection was conducted to the Building Construction site at Ittiyappara Town in Ranni on 28.7.2021.

I have been assigned with the responsibility to look into Point No 1, 2 and 8 of the task assigned by the Hon'ble NGT to the Committee. The following observations/ findings, are made at the time of site visit, on the points assigned by the Hon'ble NGT.

**Point No 1: Whether 3<sup>rd</sup> respondent requires Environmental Clearance, whether they have obtained the same.**

- i) Yes the project requires Prior Environmental Clearance (EC). As per the latest information verified from the SEIAA Office, the project proponent has not submitted application for obtaining prior EC, for construction of the above mentioned building project. Thereby the project proponent has not applied/ obtained Prior EC, for the construction activity.

**Point No 2: Whether the 3<sup>rd</sup> Respondent had obtained all necessary clearances and permissions for proceeding with the project, which is required under EIA notification 2006 and other environmental laws.**

- i. No.
- ii. The proposed building is a Utility Complex, having a total built up area of 22,351.90 square meters, in Ittiyappara Town of Ranni in Pathanamthitta District, Kerala.
- iii. As per schedule 8 (a), of the EIA notification 2006, Building and Construction Projects  $\geq$  20000 sq.m requires, prior Environmental Clearance (EC) from the State Environment Impact Authority (SEIAA), before starting construction activity. The project proponent has not obtained prior EC.
- iv. It is legally required that the project proponent, have to submit an application before the SEIAA, in Form I, Form IA and with a Conceptual Plan of the

Building Project, for obtaining Prior EC. As the project is coming under B2 category of EIA notification 2006, and the built up area of the building is < 1,50,000 sq m Prior EC from SEIAA, is required to be obtained.

- v. Clearances/ permissions required to be obtained by the project proponent are, (i) Prior Environmental Clearance (EC) from SEIAA, (ii) Building Permit from the Town and Country Planning Department, (iii) Building permit from the Grama Panchayat, (iv) Integrated Consent to Establish (ICE) from the State Pollution Control Board and (v) permit from the State Fire and Safety Department. During the site visit, it is understood that the project proponent has not obtained, any of the above mentioned Clearances and permissions.

**Point No 8:** If any damage has been caused to the environment, then the Committee is also required to assess the environmental compensation required for restoration of damage caused to the environment.

The representative of Ministry of Environment, Forests and Climate Change (MoEF&CC), Govt. of India, Regional Office, Bangalore, has agreed to submit details of this aspect.

The above report is submitted herewith.



**M. Dileep Kumar**

Member, SEAC

C/o Office of SEIAA,

State Environment and Climate Change Department.

Govt. of Kerala

email: kspcbpta@gmail.com

Phone/ fax: 0468-2223983



കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

KERALA STATE POLLUTION CONTROL BOARD

മണ്ണിടപ്പ്, OPP മനോജ്ജനറൽ, KK Nair Road, ക്വട്ടർമോട്ടോർസിലിന്റേപ്പിൻ്റെ പിൻ്റെ, പാതനാമത്ത്-689 645  
DISTRICT OFFICE, OPP.GENERAL HOSPITAL, KK NAIR ROAD, BEHIND AVG MOTORS, PATHANAMTHITTA-689645

web site: www.keralapcb.nic - for Online registration, visit-krocmmms.nic.in/KSPCB



PCB/PTA/TG/352/2021

02.08.2021

From  
Environmental Engineer

To  
The Divisional Forest Officer  
Divisional Forest Office  
Ranni, Pathanamthitta - 689 672.

Sub:- O A No. 128/2021 before the Hon'ble NGT regarding construction of multi-utility building in Ranni- reg.

Ref:- 1) Joint inspection and meeting conducted on 28.07.2021 by the committee constituted as per order dated 17.06.2021 in O.A 128/2021 of the Honble NGT  
2) Minutes of the meeting conducted on 28.07.2021.

Sir,

As decided in the meeting conducted on 28.7.2021, I am to submit the report as follows.

Building constructions having built up area more than 2000 m<sup>2</sup> come under the consent purview of the Board and have to obtain Consent to Establish/Consent to Operate of the Board under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986. Application for Consent to Establish for the multi utility project mentioned in the above OA has not been submitted so far in this office.

The impacts likely to be caused on a account of construction are 1) Habitat loss 2) Possibility of flood and change in ground water levels, flow regimes. 3) Air, Water and Noise pollution due to construction activities and land filling. 4) Agriculture loss, if agriculture was done in the site. 5) Erosion and surface water contamination due to silt run off from construction site.

During joint inspection conducted on 28.07.2021 it was noticed that land filling was done and piling works just started. Report on nature of damage, if any caused to the environment and remedial measures to be taken for the purpose of restoration of damage to the environment will be submitted by the member from MoEF & CC.

Yours faithfully,

ENVIRONMENTAL ENGINEER

No. E2-110/2012

Office of the Assistant Executive Engineer  
Minor Irrigation Sub Division, Pathanamthitta.  
Email ID- plamisubdivision@gmail.com  
Dated: 03/08/2021

From

Assistant Executive Engineer

To

The Divisional Forest Officer,  
Ranni

Sir,

Sub: - 1. Order of Honorable NGT in the matter of OA 128/2021 filed by  
Sri Ibrahim Karim - reg :-

Ref:- 1. Meeting held on 28/07/2021 and field visit on the same day.  
2. This office Email Even No. Dated: 02/08/2021  
3. Minutes of the Joint Committee meeting on 28/07/2021.

This is in continuation of above reference (2). As per the 3<sup>rd</sup> reference  
I am submitting the reply on the action points arised.

1. Whether the construction of the project falls within the flood plain of stream - Clappana -  
Madatharuvi stream cum Wetland basin?

Ans. Yes, the site falls within the flood plains of Meenmuttupara - Aithala  
stream. Passing through Southern border of the land which merges with Ranni Vallyathodu.  
Ranni Vallyathodu is a tributary of Pampa river. The Clappana - Madatharuvi thodu flows at  
about 800m North West from the proposed site also joins Ranni Vallyathodu. Both the  
streams are not obstructed by the filling of the property and the proposed construction.

2. Whether necessary permission if any required has been obtained for the construction of any  
building in the flood plain of the stream or river?

Ans. No permission has been taken from Irrigation Department for  
construction of any building in the flood plains of the stream or river.

Submitted for further necessary action.

Yours faithfully,



Assistant Executive Engineer

Counter Signed by

The Executive Engineer, Minor Irrigation Division, Pathanamthitta.

No. E2-110/2012

Office of the Assistant Executive Engineer  
Minor Irrigation Sub Division, Pathanamthitta.  
Email ID- ptamisubdivision@gmail.com  
Dated: 02/08/2021

From

Assistant Executive Engineer

To

The Divisional Forest Officer,  
Ranni

Sir,

Sub: - 1. Order of Honorable NGT in the matter of OA 128/2021 filed by  
Sri. Ibrahim Karim - reg -

Ref: - 1. Meeting held on 28/07/2021 and field visit on the same day -  
Report Submitted - Reg -

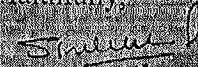
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With reference to above, I have been asked to submit a report on the point 8(IV) of the order of Honorable NGT. I have enquired and discussed with Assistant Executive Engineer, Irrigation Sub Division, Pathanamthitta (Major Irrigation) and our field officer Assistant Engineer, Minor Irrigation Section, Ranni and report as follows:-

8 (IV): No permission has been taken from Irrigation Department for construction of any building in the flood plains of the stream or river

Submitted for further necessary action


Yours faithfully,



Assistant Executive Engineer

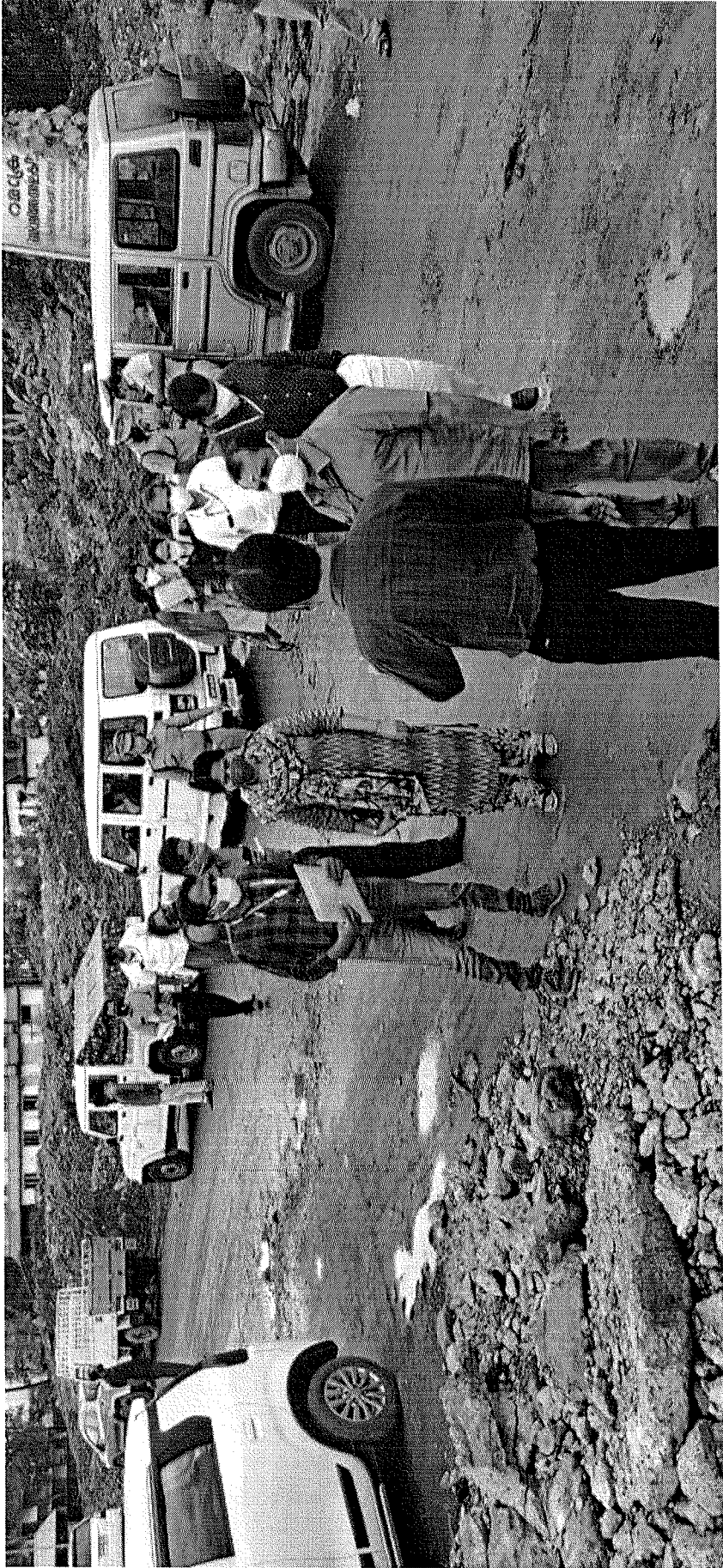
28/8/21

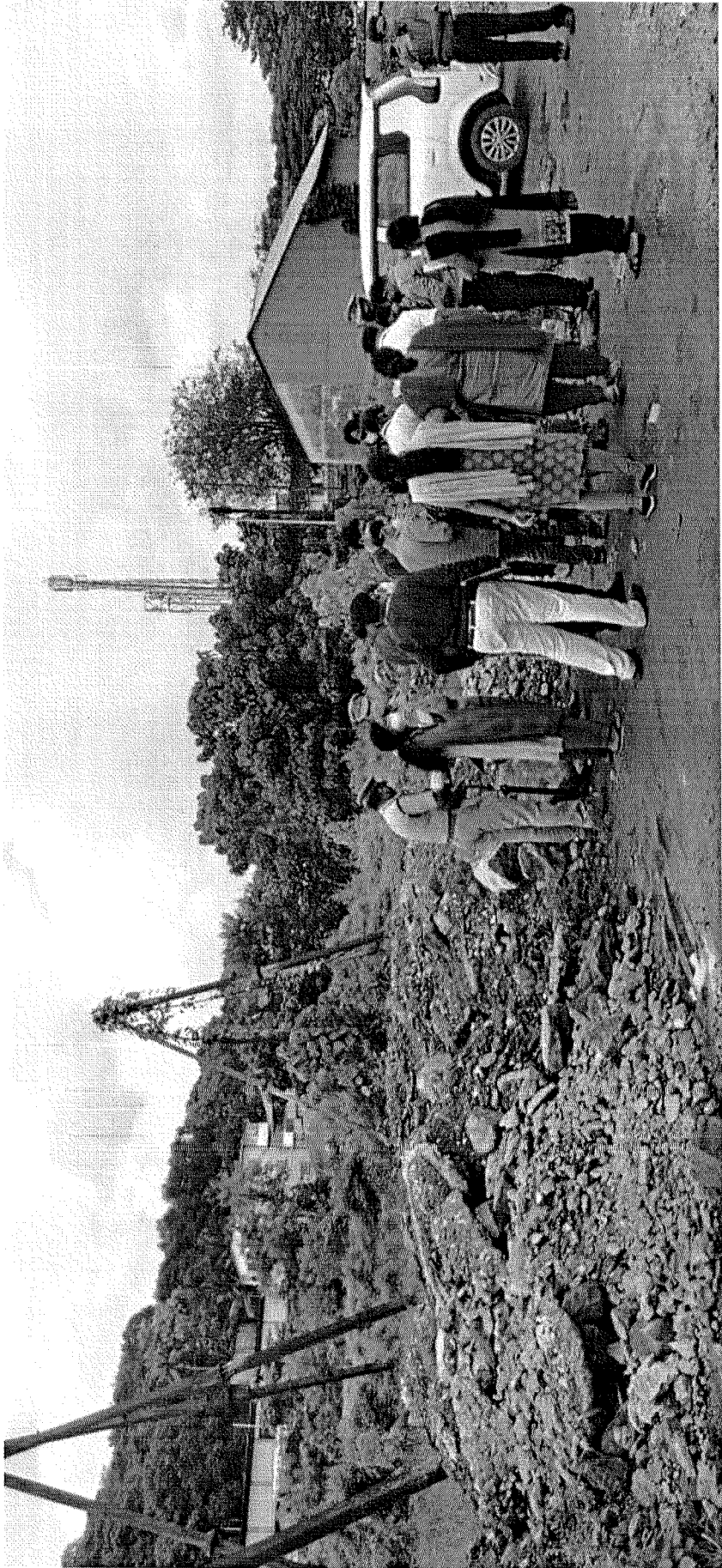
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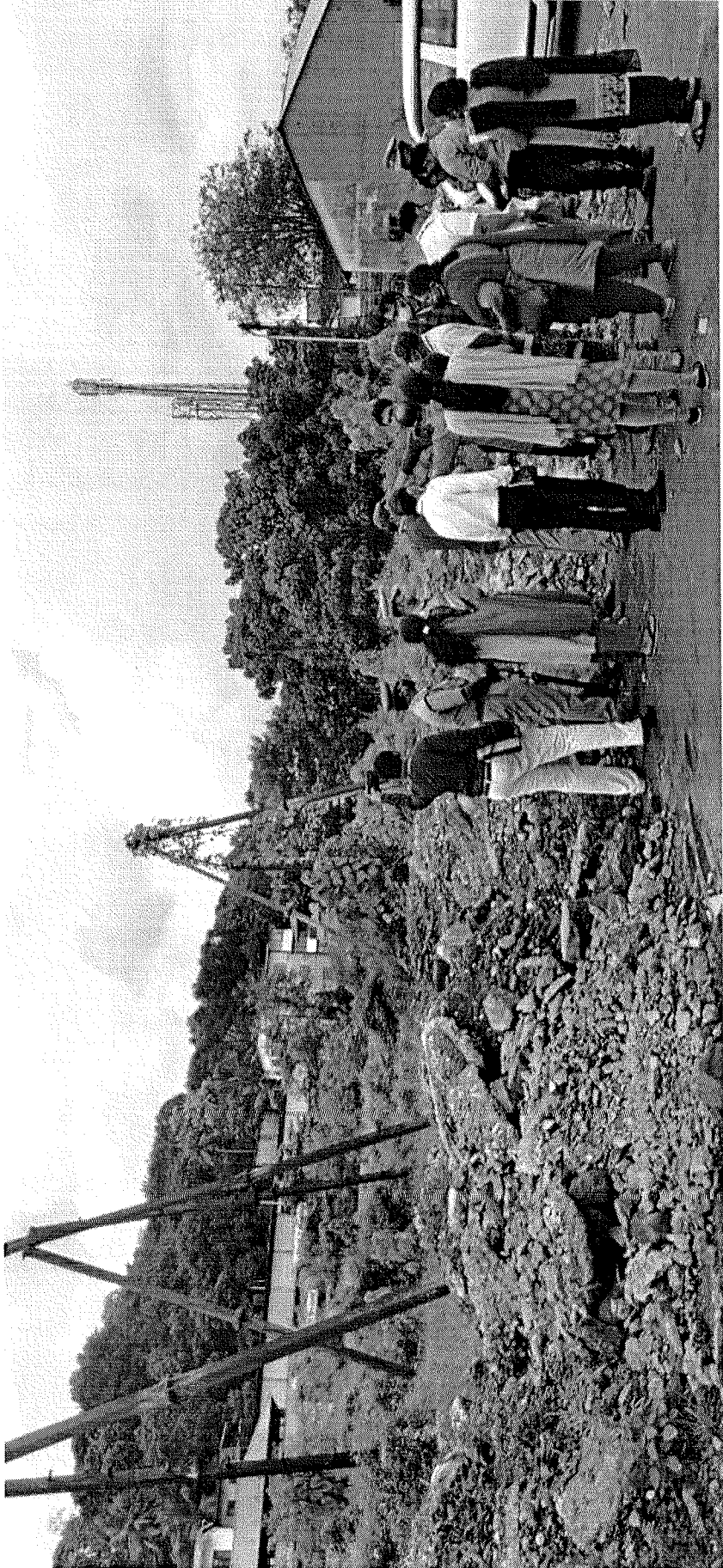


The Executive Engineer, Minor Irrigation Division, Pathanamthitta











ANNEXURE VII

SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
1		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
v "1(a)	(i) Mining of minerals.  (ii) Slurry pipelines (coal lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.	≥ 50 ha. of mining lease area in respect of non-coal mine lease.  > 150 ha of mining lease area in respect of coal mine lease.  Asbestos mining irrespective of mining area  All projects.	<50 ha ≥ 5 ha .of mining lease area in respect of non-coal mine lease.  ≤ 150 ha ≥ 5 ha of mining lease area in respect of coal mine lease.	General Condition shall apply Note: Mineral prospecting is exempted.";
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		Note Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
1(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	v "General Condition shall apply. Note: Irrigation projects not involving submergence or interstate domain shall be appraised by the SEIAA as Category 'B' Projects.";

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
1(d)	Thermal Power Plants	√ " ≥ 500 MW (coal / lignite / naphtha & gas based); ≥ 50 MW (Pet coke diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW (based on biomass or non hazardous municipal waste as fuel).";	< 500 MW (coal / lignite / naphtha & gas based); < 50 MW ≥ 5MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW > 15 MW (based on biomass or non hazardous municipal waste as fuel).";	√ "General Condition shall apply. Note: (i) Power plant up to 15 MW, based on biomass and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (ii) Power plant up to 15 MW, based on non-hazardous municipal waste and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (iii) Power plants using waste heat boiler without any auxiliary fuel are exempt.";
1(e)	Nuclear power projects and processing of nuclear fuel	All projects		
2		<b>Primary Processing</b>		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	< 1 million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2(b)	Mineral beneficiation	≥ 0.1 million ton/annum mineral throughput	< 0.1 million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3 Sub-section (ii) No. 20021 New Delhi Tuesday, November 1, 2009; an amendment to EC

3				
(1)	(2)	Materials Production		
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	a) Primary metallurgical industry All projects b) Sponge iron manufacturing $\geq 200$ TPD c) Secondary metallurgical processing industry All toxic and heavy metal producing units $\geq 20,000$ tonnes /annum	Sponge iron manufacturing $< 200$ TPD Secondary metallurgical processing industry i.) All toxic and heavy metal producing units $< 20,000$ tonnes /annum ii.) All other non-toxic secondary metallurgical processing industries $> 5000$ tonnes/annum	v "General condition shall apply. Note: (i) The recycling industrial units registered under the HSM Rules, are exempted. (ii) In case of secondary metallurgical processing industrial units, those projects involving operation of furnaces only such as induction and electrical arc furnace, submerged arc furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance. (iii) Plant / units other than power plants (given against entry no. 1(d) of the schedule), based on municipal solid waste (non-hazardous) are exempted."
3(b)	Cement plants	$\geq 1.0$ million tonnes/annum production capacity	$< 1.0$ million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply
4				
(1)	(2)	Materials Processing		
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	$\geq 2,50,000$ tonnes/annum	$< 2,50,000$ & $\geq 25,000$ tonnes/annum	v "General Condition shall apply."
4(c)	Asbestos milling and asbestos based products	All projects	-	-

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
4(d)	Chlor-alkali industry	≥300 TPD production Capacity or a unit located out side the notified industrial area/ estate	√ "(i) All projects irrespective of the size, if located in a Notified Industrial Area/ Estate. (ii) <300 tonnes per day (TPD) and located outside a Notified Industrial Area/ Estate."	√ "General as well as specific condition shall apply. No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this notification."
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/ estate	√ "General as well as specific condition shall apply."
5		<b>Manufacturing / Fabrication</b>		
5(a)	Chemical fertilizers	√ "All projects except Single Super Phosphate."	√ "Single Super Phosphate."	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects	-	-
5(d)	Manmade fibers manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	√ "General as well as specific condition shall apply."

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 20021 New Delhi. Tuesday November 1, 2009; an amendment to EC

(1)	(2)	(3)	(4)	(5)
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	v "General as well as specific condition shall apply."
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries $\geq 30$ KLD	All Cane juice / non-molasses based distilleries - <30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Pulp & Paper manufacturing industry	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	$\geq 5000$ tcd cane crushing capacity	General Condition shall apply
5(k)	v Omitted			
6		<b>Service Sectors</b>		
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks / sanctuaries / coral reefs / ecologically sensitive areas including LNG Terminal	All projects		-

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7		<b>Physical Infrastructure including Environmental Services</b>		
7(a)	Air ports	√ "All projects including airstrips, which are for commercial use."	-	√ "Note: Air strips, which do not involve bunkering/ refueling facility and or Air Traffic Control, are exempted."
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area.  Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	Industrial estates housing at least one Category B industry and area <500 ha.  Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	√ "General as well as special conditions shall apply."  Note: 1. Industrial Estate of area below 500 ha. and not housing any industry of Category 'A' or 'B' does not require clearance. 2. If the area is less than 500 ha. but contains building and construction projects > 20,000 Sq. mts. And or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be."
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii). No. 20021 New Delhi. Tuesday November 1 2009; an amendment to EC

(1)	(2)	(3)	(4)	(5)
(e)	v "Ports, harbours, break waters, dredging."	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	v "General Condition shall apply. Note: 1. Capital dredging inside and outside the ports or harbors and channels are included; 2. Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management Plan (EMP) was prepared and environmental clearance obtained."
7(f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	v " i) All State Highway Project; and ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas."	General Condition shall apply. Note: Highways include expressways."
7(g)	Aerial ropeways	v(xvi)(a) "(i) All projects located at altitude of 1,000 mtr. And above. (ii) All projects located in notified ecologically sensitive areas."	v(xvi)(b) "All projects except those covered in column (3)."	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	++All projects under Item 8(b) shall be appraised as Category B1

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006