

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
O.A. No. 240/2024/EZ

In the matter of:

Ashish Kumar

.....Applicant.

Versus

The State of West Bengal and Ors.

.....Respondent.

AFFIDAVIT ON BEHALF OF THE DISTRICT MAGISTRATE, PASCHIM BURDWAN,
THE RESPONDENT NO. 8 ABOVE NAMED

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Filed by:

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18 FEB 2025

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Ashish Kumar

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.....Respondent.

SI. No. 46/2025

AFFIDAVIT ON BEHALF OF THE DISTRICT MAGISTRATE, PASCHIM BURDWAN,
THE RESPONDENT NO. 8 ABOVE NAMED

I, Sri Ponnambalam S., Son of Sri Sonaimuthu P. aged about 39 years, by faith Hindu, by occupation Service, working for gain as the District Magistrate & Collector, Paschim Bardhaman residing at Palm Villa, Opposite Polo Ground, Asansol, District- Paschim Bardhaman, West Bengal, do hereby solemnly affirm and state as follows-

1. I am the District Magistrate & Collector, Paschim Bardhaman. I have duly consulted the records available in my office and thereafter, I have made myself well acquainted with the facts and circumstances of the case and, as such, am competent to affirm this Affidavit.

2. That the instant case is related to the alleged dumping of debris in to the river Nunia and construction projects, namely, (i) Tarang, (ii) Town House and (iii) Sangati, being constructed on the land of Asansol Durgapur Development Authority allotted for Shristinagar Township project measuring 89.67 acres approximately.

3. That this affidavit is being affirmed in pursuant to the solemn order dated 02.01.2025 passed by the Hon'ble Tribunal, whereby the Hon'ble Tribunal was pleased to direct all the respondents to file counter affidavit within four weeks and further constituted a Committee comprising of the following members and the committee has been directed to visit the site in question and submit its report on



18 FEB 2025

affidavit within four weeks with regard to the allegations made in the Original Application:-.

- (i) District Magistrate, Paschim Burdwan or his representative not below the rank of Additional District Magistrate (ADM);
- ii) Senior Scientist, West Bengal Pollution Control Board;
- iii) Senior Scientist, Central Pollution Control Board; and
- iv) Senior Scientist, State Environment Impact Assessment Authority (SEIAA), West Bengal.

4. That in accordance with the directions passed by the Hon'ble Tribunal Eastern Zone Bench, Kolkata while adjudicating the instant Original Application, a Fact Finding Committee, comprising following members has been constituted:-

- (i) Shri Aranya Banerjee, Additional District Magistrate and District Land & Land Reforms Officer, Paschim Bardhaman,
- (II) Shri Sandeep Roy, Scientist D, Central Pollution Control Board, Regional Directorate, Kolkata,
- (iii) Shri Sudip Bhattacharya, Environmental Engineer, Asansol Regional Office, West Bengal Pollution Control Board,
- (iv) Shri Rajarshi Chakraborty, Environment Officer, State Environmental Impact Assessment Authority.

The Additional District Magistrate & D.L.&L.R.O., Paschim Bardhaman has been nominated as the Authorised Representative of the deponent herein vide Memo bearing No. Law Cell/ 151(3)/DLLRO-PAB/2024 dated 10.01.2025.

Photocopy of the said Memo dated 10.01.2025 is annexed hereto and marked Annexure-"A".

5. That in compliance with the said order dated 02.01.2025, a spot enquiry/inspection of the area in question has been done on 20.01.2025 by the Additional District Magistrate & D.L.& L.R.O., Paschim Bardhaman alongwith other members of the Fact Finding Committee.

6. That the said Committee after physical verification of the area in question as per the direction of the Hon'ble Tribunal duly submitted its report dated 20.01.2025.



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X

Photocopy of the said report is annexed herewith and marked as Annexure – “B”.

7. It is therefore respectfully prayed that Hon’ble Tribunal may pass such other order or orders as it deem fit and proper in the interest of justice.

8. That the statements made in paragraph 1 to 6 are based on information derived from the record which are usually kept and maintained by the answering respondent in the ordinary course of business and which I belief to be true and rest thereof are my humble submission before this Hon’ble Tribunal.


Prepared in my office

✓ 
Advocate

✓ 
Deponent
District Magistrate
Paschim Bardhaman



Solemnly Confirmed & Declared on Oath before me on Identification


Md. Moinuddin
NOTARY Reg. No. 2/2023
Asansol Court, Govt. of W B

10 8 FEB 2025



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE
PASCHIM BARDHAMAN
Vivekananda Sarani, P.O. R.K. Mission, Asansol 713305
E-mail: dmpaschimbardhaman@gmail.com

Memo. No.: Law Cell/ 151(3) /DLLRO-PAB/2024

Date: 10/01/2025

To,

1. The Member Secretary,
West Bengal Pollution Control Board,
Paribesh Bhawan,
10A, Block-LA,
Sector-III, Salt Lake,
Kolkata - 700106.
2. The Regional Director,
Central Pollution Control Board,
502, Southend Conclave,
1582, Rajdanga,
Kolkata- 700107.
3. The Member Secretary,
State Environment Impact Assessment Authority,
Pranisampad Bhawan,
5th Floor, LB 2,
Sector-III, Salt Lake,
Kolkata -700106.

Sub.: Nomination of officer in respect of the solemn order dated 02.01.2025 passed by the Hon'ble NGT in O.A. No. 240/2024/EZ in the matter of Ashish Kumar Versus The State of West Bengal & Ors.

Sir,

The Hon'ble National Green Tribunal (NGT), Eastern Zone Bench, Kolkata in the solemn order dated 02.01.2025 in O.A. No. 240/2024/EZ in the matter of **Ashish Kumar Versus The State of West Bengal & Ors.**, has been pleased to constitute a Fact Finding Committee consisting of (i) District Magistrate, Paschim Bardhaman or his representative not below the rank of Additional District Magistrate (ADM) (ii) Senior Scientist, West Bengal Pollution Control Board, (iii) Senior Scientist, Central Pollution Control Board and (iv) Senior Scientist, State Environment Impact Assessment Authority to visit the site in question and submit its Report on affidavit within four weeks with regard to the allegations made in the Original application. Aforesaid solemn order dated 02.01.2025 passed by the Hon'ble NGT is enclosed herewith for your kind perusal.

This is also for your information that the ADM and DL&LRO, Paschim Bardhaman (Mobile No. 7719357631 and Email- dlropaschimbardhaman@gmail.com) has been nominated by the undersigned as a member of the Fact Finding Committee.

Now, you are requested to nominate Senior Scientist of your respective office as member of the committee and send his/ her name and contact details to this end and request the concerned officers, so nominated, to remain present during inspection of the committee scheduled to be held on **20.01.2025 at 2:00 pm** in compliance with the aforesaid solemn order of the Hon'ble NGT.

All logistic support for carrying out inspection will be provided from this end.

Yours faithfully,

Enclo.: As stated


District Magistrate,
Paschim Bardhaman

REPORT OF THE FACT FINDING COMMITTEE

In

Compliance with the

Hon'ble NGT Order dated 02.01.2025

In the matter of

Ashish Kumar

Versus

The State of West Bengal & Ors.

In

OA No. 240/2024/EZ

-Submitted by-

DM Paschim Bardhaman, WBPCB, CPCB and SEIAA

January, 2025

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Annexure-I: Copy of EC for Phase-1A of the “Shristinagar Township” vide Memo No. – EN/78/T-II-1/120/2007, dated 09.01.2008

Annexure-II: Copy of EC for Phase-1B of the “Shristinagar Township” vide Memo No. – EN/2696/T-II-1/153/2007(Pt-I), dated 27.10.2009

Annexure-III: Copy of ToR for TOWNHOUSE under Phase- 1C vide Memo No. – 1778/EN/T-II-1/042/2019, dated 29.12.2020

Annexure-IV: Copy of ToR for TARANG vide Memo No. – 1779/EN/T-II-1/041/2019, dated 29.12.2020

**Report of the Fact Finding Committee in Compliance with the
Hon'ble NGT Order dated 02.01.2025 in the matter of Ashish Kumar
Versus the State of West Bengal & Ors. in OA No. 240/2024/EZ**

1. Background:

The Original Application 240 of 2024 was registered at the Hon'ble NGT, Eastern Zone Bench, Kolkata based on the petition filed by Shri. Ashish Kumar on December 18, 2024. The complaint pertains to the filling of river Garui and dumping of debris into the river Nunia. Further, it is alleged that, different construction projects, namely (i) Tarang, (ii) Town House, and (iii) Sangati, all being constructed on land allocated by the Asansol Durgapur Development Authority for the Shristinagar Township project, measuring approximately 89.67 acres by Asansol Durgapur Development Authority and M/s Bengal Shristi Infrastructure Development Limited. It is claimed that these projects lack Environmental Clearance from the State Environment Impact Assessment Authority ('SEIAA'). The built-up area of 'Tarang' is more than 63,000 square meters; the built-up area of 'Town House' exceeds 114,092 square meters; and the built-up area of 'Sangati' is about 32,806 square meters. It is also alleged that due to the encroachment for construction of the said projects the long stretch of Garui river have turned into a narrow drain.

The matter was subsequently heard before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata on 02.01.2025 and the Hon'ble Tribunal has been pleased to pass the solemn order as follows:

"Considering the allegations made in the Original Application, we deem it appropriate to constitute a Fact Finding Committee comprising of the following members:- i) District Magistrate, Paschim Burdwan or his representative not below the rank of Additional District Magistrate (ADM); ii) Senior Scientist, West Bengal Pollution Control Board; iii) Senior Scientist, Central Pollution Control Board; and iv) Senior Scientist, State Environment Impact Assessment Authority (SEIAA), West Bengal.

The Committee shall visit the site in question and submit its Report on affidavit within four weeks with regard to the allegations made in the Original Application.

The District Magistrate, Paschim Burdwan shall be the Nodal office for all logistic purposes and for filing the Fact finding Report on affidavit.

If environmental violations are found, the Committee shall also suggest remedial measures and action proposed to be taken.”

2. Formation of the Fact Finding Committee:

In compliance with the aforesaid solemn order dated 02.01.2025 passed by the Hon’ble NGT, a Fact Finding Committee has been constituted comprising of the following members.

1)	Shri Aranya Banerjee, Additional District Magistrate and District Land & Land Reforms Officer	:	Paschim Bardhaman
2)	Shri Sandeep Roy, Scientist D	:	Central Pollution Control Board, Regional Directorate, Kolkata
3)	Shri Sudip Bhattacharya, Environmental Engineer	:	Asansol Regional Office, West Bengal Pollution Control Board
4)	Shri Rajarshi Chakraborty, Environment Officer	:	State Environmental Impact Assessment Authority

3. Site Visit:

The Fact Finding Committee conducted site visit at the alleged area on 20th January, 2025. The following officials were present during the field visit:

District Administration representatives:

1. Shri Aranya Banerjee, ADM and DL&LRO, Paschim Bardhaman
2. Shri Sanjoy Kumar Biswas, Dy. DL&LRO, Paschim Bardhaman

Central Pollution Control Board representatives:

1. Shri Sandeep Roy, Scientist ‘D’
2. Dr. Sangeeta Sunar, Research Associate

West Bengal Pollution Control Board (WBPCB) representative:

1. Shri Sudip Bhattacharya, Environmental Engineer

State Environmental Impact Assessment Authority

1. Shri Rajarshi Chakraborty, Environment Officer

4. Observations of the Fact Finding Committee:

In compliance with the Hon'ble NGT order dated 02.01.2025 in OA No.240/2024/EZ, the Committee conducted an inspection of the premises of Shristinagar at the alleged sites- TARANG, TOWN HOUSE and SANGATI situated under the jurisdiction of Asansol Municipal Corporation in Paschim Bardhaman district.

Major Observations

1. The **River Garui (Nunia)** and a **major drain** were observed flowing **through the Shristinagar complex**.
2. Two major establishments, **Sentrum Malls** and **Health World Hospital**, were located inside the Shristinagar Complex.
3. **Solid waste dumping (debris, Packaging materials, etc)** was found at the said major drain and the point of dumping is located near the place where the drain meets river Garui (Nunia).
4. It was found that work was going on in some individual plots in Phase IC (Town House) of the project as well as in one tower of TARANG (Phase-II) portion of the project without having Environmental Clearance (EC) or prior consent.
5. M/s. Bengal Shristi Infrastructure Development Ltd. obtained EC from SEIAA for-
 - (i) Phase-1A of the "Shristinagar Township" vide Memo No. - EN/78/T-II-1/120/2007, dated 09.01.2008 (**Annexure-I**). This Phase of the project had a land area of 22.044 acres (89208 sqm) with a total built up area of 85793.45 sqm. Phase 1A consisted of group housing having 296 flats and plotted development of 132 plots.
 - (ii) Phase-1B of the "Shristinagar Township" vide Memo No. - EN/2696/T-II-1/153/2007(Pt-I), dated 27.10.2009 (**Annexure-II**). The EC was given for the part having land area of 5 acres (20000 sqm) with a total built up area of 46316.55 sqm and consisted of Commercial Complex (1 block of 2B+G+4 storied building, 1 block of B+G+5 storied building, 1 block of G+2 storied building).

6. In addition, M/s. Bengal Shristi Infrastructure Development Ltd. applied under violation category (construction started before obtaining EC) and obtained ToR for doing EIA for-

(a) TOWNHOUSE under Phase- 1C vide Memo No. – 1778/EN/T-II-1/042/2019, dated 29.12.2020 (**Annexure-III**) and

(b) TARANG vide Memo No. – 1779/EN/T-II-1/041/2019, dated 29.12.2020 (**Annexure-IV**).

However, application for EC after completing the EIA was not done for any of those two.

The Office Memorandum dated 7th July 2021 issued by the Ministry of Environment, Forest and Climate Change (MoEF&CC) providing Standard Operation Procedure (SOP) for handling of violation cases under EIA Notification, 2006 has been stayed by the Hon'ble Supreme Court by its dated 02.01.2024 in WP(C) No 1394/2023.

7. The unit has also applied for direct 'Consent to Operate' from the WBPCB for its 'Sangati' project. The 'Sangati' project has two towers (G+XII) with a TBUA of 16258.68 sq. m. The construction of this project was observed complete. The application is under process.

5. Recommendations of the Fact Finding Committee:

1. Solid waste dumping at the drain near the point where the drain meets river Garui (Nunia) should be immediately removed.
2. Proper **waste management systems** for both domestic waste and C&D (Construction & Demolition) Waste should be implemented, including designated waste disposal and treatment facilities for domestic waste. The unit should establish regular waste collection and disposal protocols to prevent the accumulation of **debris, packaging materials**, and other waste particularly near sensitive areas such as the river.
3. Construction activities, particularly the **Town House of Phase IC and Tarang (Phase-II)**, should be halted immediately until the necessary **Environmental Clearance (EC)** and **prior consent** are obtained, as per the **Environmental Protection Act, 1986**. No construction should be done without valid EC and Consent from WBPCB. Any future processing for EC of violation projects (where construction has been started before obtaining EC) depends on the final order of the Hon'ble Supreme Court in WP(C) No 1394/2023.

4. Dumping of solid waste has been found at the drain near the point where the drain meets river Garui (Nunia). As such, this violation must be addressed by imposing appropriate **penalties** on the project proponent, who is responsible for these activities.

The Environmental Compensation (EC) is calculated based on the following formula as stipulated in the CPCB guidelines:

$$EC = PI \times N \times R \times S \times LF$$

PI (Pollution Index): The pollution index for the industrial sector is **50 (for the orange category)**.

N (Number of days of violation): **34 days**, considering from the date of filing the case before the Hon'ble NGT on 18.12.2024 until the day of the inspection i.e., 20.01.2025.

R (Rupees per unit): The compensation factor is **₹250**.

S (Scale of Operation): Given that this is a large unit, the factor is 1.5.





LF (Location Factor): **2**, considering the population being above 10 million.

Based on the equation the calculated **EC is**

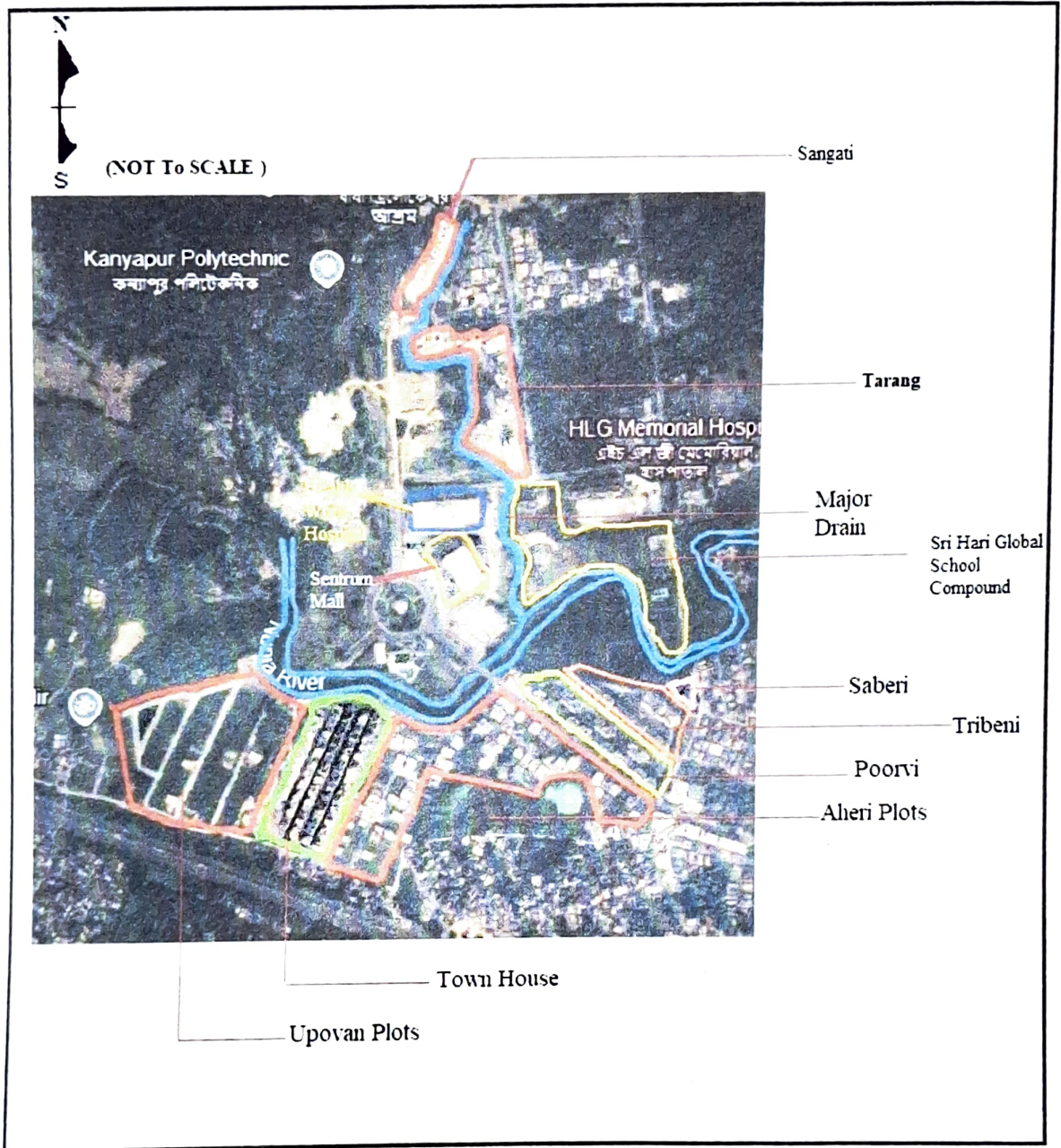
$$50 \times 34 \times 250 \times 1.5 \times 2 = 12,75,000.$$

(Rs 12,75,000/-)

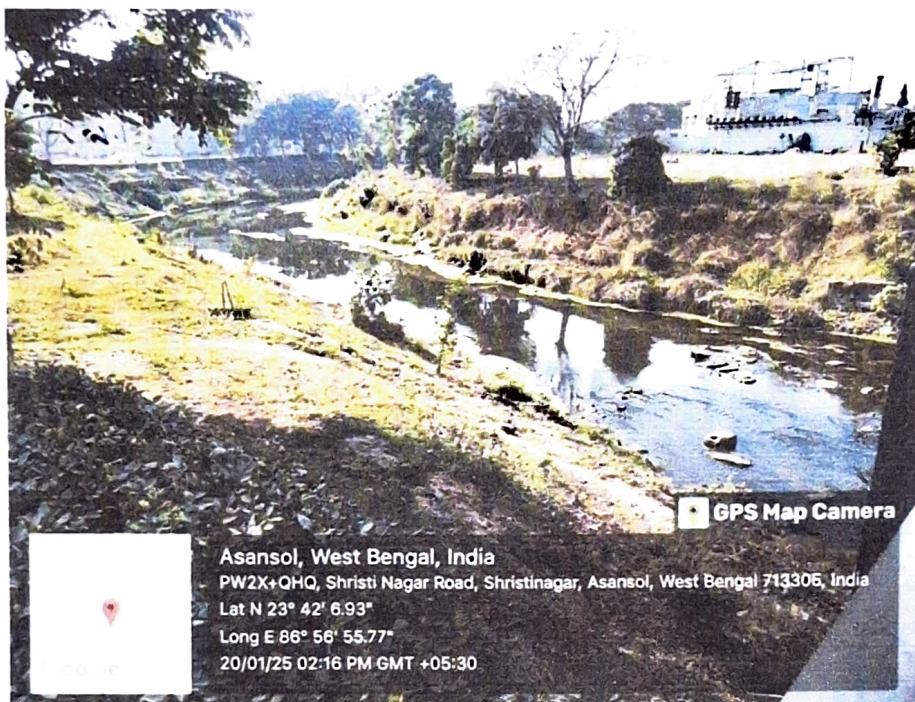
In accordance of the calculated compensation and the environmental damage caused, it is recommended that a **penalty of ₹12,75,000 be imposed on the project proponent.**

	
(Sandeep Roy) Scientist D, CPCB RD, Kolkata	(Sudip Bhattacharya) Environmental Engineer, WBPCB
	
(Shri Rajarshi Chakraborty) Environment Officer, SEIAA	(Aranya Banerjee) Additional District Magistrate, Paschim Bardhaman

6. Photographs of the Fact Finding Committee Field visit on 20/01/2025



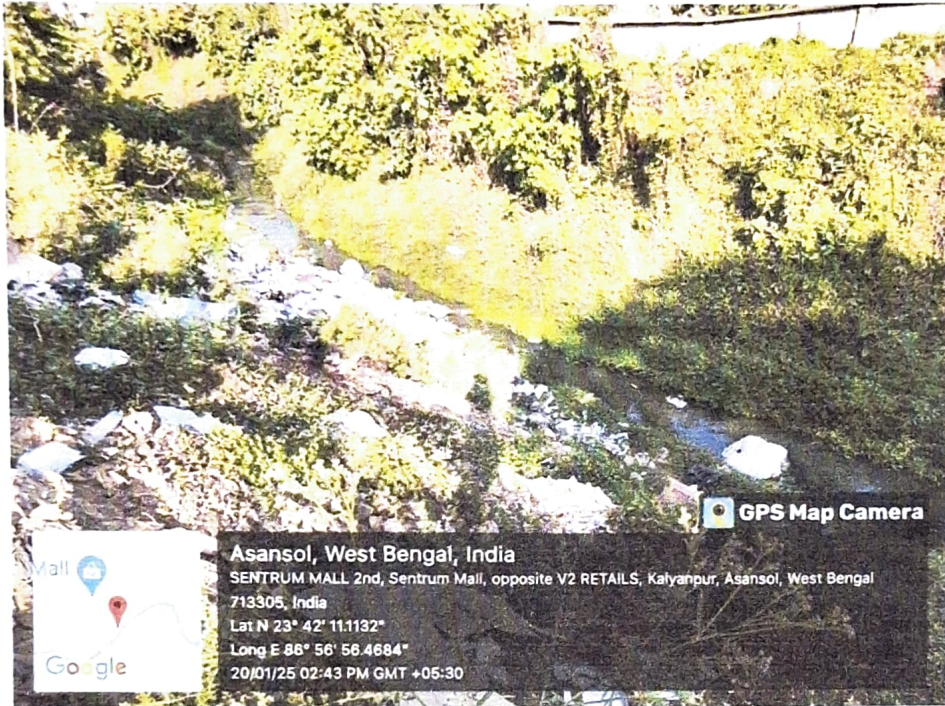
Pic.1: Map of the alleged site



Pic.2: River Garui (Nunia) flowing through the Shristinagar complex



Pic.3: Major drain flowing through the Shristinagar complex



Pic.4: Solid waste dumping (debris, Packaging materials, etc) found at the drain



Pic.5: Construction work going on at the time of field visit in individual plots in Phase- IC (TOWNHOUSE)



Pic.6: Construction work going on at the time of field visit in TARANG portion of the project

GOVERNMENT OF WEST BENGAL
DEPARTMENT OF ENVIRONMENT
Block- 'G', 2nd Floor, Writers' Buildings
Kolkata - 700 001

No. EN/ 78 /T-II-1/120/2007

Date: 09 /01/2008

From : Chief Environment Officer

To
M/s. Bengal Shristi Infrastructure Development Ltd.
Ganga Jamuna Building
28/1, Shakespeare Sarani
Kolkata - 700 017

Subject : Environmental Clearance of Shristinagar Township Phase IA project at Mouzas Ganrui, Gobindapur, Kumarpur, P.S. Kanyapur, Asansol.

This has a reference to your application no. SKC/177/8200 dt 14th March, 2005 and subsequent communications in this regard, praying for Environmental Clearance for the proposed project titled, "Shristinagar Township Phase IA project at Mouzas Ganrui, Gobindapur, Kumarpur, P.S. Kanyapur, Asansol. The proposal has been examined and processed in accordance with EIA Notification, 2006

It is noted that the salient features of the project, for which Environmental Clearance has been considered are as follows :-

1. This is a proposal for construction of an Integrated Township having residential buildings, commercial complex, club house, community hall, health centre etc. The Township is proposed to be developed in 4 phases. First Phase - IA shall consist of group housing (296 flats) and plotted development (132 plots).
2. Salient features of the proposed project (First Phase - IA) are -
 - Land Area : 22.044 acres (89208 sqm.)
 - Expected population : 2708 persons
 - Water requirement during construction phase : 38 KLD (AMC supply)
 - Water requirement during operation phase : 366 KLD (AMC supply. Necessary arrangement to be made by the proponent for supply of water within the township, as per sanctioned plan.)
 - Wastewater generated : 293 KLD (to be treated in STP)
 - Treated wastewater discharged : 80% to be discharged to Lunia Khal in conformity with the Standards for discharge of Effluents as per CPCB.
 - Treated wastewater reused : 20% to be recycled & reused for landscaping
 - Solid waste disposal : 1.2 tonne per day
 - Total Built-up Area : 85793.45 sqm
 - Ground coverage : 26.39% of land area.
 - Paved Area : 16.03% of land area.
 - Landscaped green area : 45.10% of land area.
 - Water body : 3.47% of land area

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- Power requirement : 2 MW, WRSEB
- Backup Power : 8 nos DG Sets each 500 KVA

The State Level Environment Impact Assessment Authority (SEIAA) examined the proposal and also perused the recommendations of the State Level Expert Appraisal Committee (SEAC)

After due consideration of the project proposal, and after considering the recommendations of the State Level Expert Appraisal Committee (SEAC), the State Level Environment Impact Assessment Authority (SEIAA) accords environmental clearance to the project as per the provisions of Environmental Impact Assessment Notification no. S.O.1533 dt. 14th September, 2006 of Ministry of Environment & Forests, GOI subject to strict compliance of the terms and conditions mentioned below.

Part A – SPECIFIC CONDITIONS

I. Construction Phase

Facility of labourers during construction: -

- Provision of drinking water, wastewater disposal and solid waste management should be ensured for labour camps
- Proper sanitation facilities should be provided for construction workers to ensure environmental sanitation. Sewage generated from the areas occupied by the construction labourers have to be directed into the existing sewage drain of the area. In case of non availability of the sewer system, an onsite treatment system has to be provided.
- Water usage during construction should be optimised to avoid any wastage.
- Health and safety of the workers should be ensured during construction. Personnel protective equipment like helmets, earmuffs, earplugs etc. should be provided to the workers. For vibration control damped tools must be used and the number of hours that a worker uses them must be limited.

Steps to avoid disturbance during construction:-

- All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
- Adequate erosion and sediment control measures to be adopted before ensuing construction activities.
- Disposal of muck including excavated material during construction phase should not create any adverse effects on the neighbouring communities and disposed off taking the necessary precautions for general safety and health aspects.
- Diesel generator sets during construction phase should have acoustic enclosures and should conform to E(P) Rules prescribed for air and noise emission standards.
- Vehicles / equipment deployed during construction phase should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peaking hours.
- Ambient noise levels should conform to residential standards both during day and night. Only limited necessary construction should be done during nighttime. Fortnightly monitoring of ambient air quality (SPM, SO₂ and NO_x) and equivalent noise levels should be ensured during construction phase.
- Construction spoils including bituminous material and other hazardous materials including oil from construction equipments must not be allowed to contaminate watercourses and the dumpsites for such material must be secured so that they should not leach into the ground water. If necessary, oil trap should be installed where there is deployment of heavy machineries.

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- viii. Regular supervision of the above and other measures should be in place all through the construction phase so as to avoid disturbance to the surroundings.
- ix. The proponent must ensure that no driven piles shall be proposed for this project
- x. 15m-screen and adequate sprinkler arrangement shall be provided. Care should be taken to keep all material storages adequately covered and contained so that they are not exposed to winds.
- xi. Loading and unloading operations should not be carried out in open areas.
- xii. Use of Ready-Mix concrete is recommended for this project
- xiii. Adequate measures to be adopted to avoid wastage of water for curing of concrete structures
- xiv. Adequate mitigative measures should be adopted to control dust emissions, noise and vibrations from construction activities. Vehicles and construction machineries should be properly maintained. Vehicles should conform to Pollution under control (PUC) norms.
- xv. Locally available materials with less transportation cost should be used preferably.
- xvi. Promotion of use of cleaner fuel and fuel quality improvement should be done. Excessive energy consumption and fuel usage should be avoided.
- xvii. Accumulation/stagnation of water should be avoided to ensure vector control

Selection of materials for better energy efficiency:-

- i. Use of energy efficient construction materials should be ensured to achieve the desired thermal comfort.
- ii. Design layout should ensure adequate solar access and ventilation. Proper planning and window design for daylight integration should be considered.
- iii. Use of ash based bricks should be explored to the maximum extent possible. Blended cement with fly ash will be used. The provisions of MoEF Notifications on "Fly Ash Utilization" must be complied with.
- iv. Construction should conform to the requirements of local seismic regulations. The project proponent should obtain permission for the plans and designs including structural design, standard and specifications from concerned authority.
- v. Construction technologies that require less material and possess high strength should be adopted. Materials with low embodied energy and high strength should be used preferably.
- vi. Use of alternate building materials and alternate construction techniques should be considered apart from the conventional materials and methods. Use of hollow unit masonry should be considered.
- vii. Street lighting should be energy efficient. Use of High Pressure Sodium Vapour (HPSV) Lamps, Compact Fluorescent Lamps (CFL) and LED should be promoted. Solar energy may be used for outdoor lighting.
- viii. Passive solar cooling to be incorporated in building design. Buildings should be oriented for ensuring natural ventilation and daylighting.
- ix. Proper insulation of roof should be provided to achieve desired thermal comfort. Use of light coloured, reflective roofs having an SRI (solar reflectance index) of 50% or more should be incorporated.
- x. Use of high albedo or reflective pavements to keep parking lots, pavements and inside roads cool should be incorporated.
- xi. Guidelines to the occupants should include usage efficiency measures such as energy efficient lighting and water efficient system.
- xii. Reduce hard paving-onsite (open area surrounding building premises) and/or provide shade on hard paved surfaces to minimize heat island effect and imperviousness of the site.
- xiii. Adequate open space, greenery and water bodies to be provided as per rules.

A. K. Singh

- xiv. Any proposed building with air-conditioning facility should follow the norms proposed in the ECBC regulations framed by the Bureau of Energy Efficiency. Use of chillers will be CFC & HCFC free.
- xv. Restrict the use of glazed surface as per National Building Code 2005.

Water Body Conservation:-

- i. The unit should provide 3.47% of the land area for water body, as proposed. No water body should be lined and no embankments should be cemented. The water bodies are to be kept in natural conditions without disturbing the ecological habitat.

Plantation Proposal:-

- i. The unit should strictly abide by The West Bengal Trees (Protection and Conservation in Non-Forest Areas) Rules, 2007.
- ii. The proponent should plant atleast 1250 trees. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
- iii. Creation of adequate Green belt and buffer zones should be considered to ensure dust interception and control of noise pollution.

Water supply :-

- i. Water requirement during construction phase shall be met from AMC supply. Necessary arrangement to be made by the proponent for supply of water within the township, as per sanctioned plan. No ground water abstraction without prior permission from competent authority is allowed.

Sewage Treatment Plant:-

- i. As per the proposal submitted by the proponent wastewater shall be treated in STP. Treated wastewater shall be partly reused and partly discharged to Luma Khal in conformity with the Standards for discharge of Effluents as per CPCB.

Stormwater Management & Mitigation of Heat Island Effect :-

- i. Imperviousness of the site shall not exceed the NBC (National Building Code 2005) standards for imperviousness factor applicable to different types of area.
- ii. Total paved area of site under parking, roads, paths or any other use should not exceed 25% of the site area.
- iii. Minimum 50% of paved area on site should have pervious paving or shaded under vegetation or topped with finish having solar reflectance of 0.5 or higher.
- iv. Adequate stormwater drainage network to be designed for the project without disturbing the surrounding settlements. Storm water management plan should be implemented to prevent large volumes of storm water to be conveyed to the receiving waters by the municipality, which reduces the load on municipality drainage system, and receiving waters are not impacted.
- v. Disruption to the natural hydrology of the site should be minimised by reducing impervious cover, increasing on site infiltration and managing storm water run off.
- vi. Heat island effect should be minimized by use of shading or reflective surfaces, mainly the surfaces that contribute to the heat island effect i.e. streets, sidewalks, parking lots and buildings.
- vii. Use of smaller building footprint, pervious paving, underground parking, green roofs, bioswales / vegetated filter strips etc. may be considered. Clustering the development together to reduce the paved surface required for roads and sidewalks, is required to minimise impervious surfaces.

Devi

Rain Water Harvesting Scheme:-

- i. It is proposed to collect rainwater from open spaces including roof-top catchments and reused for landscaping and other purposes. The proponent should not attempt for recharging of aquifer without prior permission from the competent authority. Water bodies may be used for storing rain water.
- ii. Adequate retention time and storage provisions should be provided for harvesting rainwater. The proponent must follow the rainwater harvesting guidelines, which will be circulated by SEAC shortly.
- iii. Adequate firefighting storage should be provided as per norms.

Municipal Solid Waste Management :-

- i. Adequate provision shall be made for storage of solid waste and adequate means of access shall be provided. Space should be kept reserved for waste storage, collection etc. in site planning and architectural designs.

Transport Management: -

- i. Both internal and external traffic planning and management should be adequate to ensure uninterrupted traffic movement in the area during construction as well as operation phase.
- ii. The design of service road and the entry and exit from the project area should conform to the norms & standards of competent authority for traffic management. Proper traffic management plan should be adopted in consultation with Traffic authorities.
- iii. As proposed, the existing roads should be widened and strengthened, new link roads should be constructed and maintained by the project proponent.

Others:-

- i. All mandatory approvals and permission as required from Director of Explosives, Fire Department etc. should be obtained.
- ii. Adequate access to fire tenders should be provided.
- iii. Efficient management of indoor air quality must be ensured for health and safety of the users.
- iv. Adequate measures to be adopted for water conservation during construction and operation stage. Use of efficient irrigation equipment etc. should be considered.
- v. Rest room facilities should be provided for service population.
- vi. Provisions should be kept for the integration of solar water heating system.
- vii. CO monitoring facility with automatic alarm should be provided at basement car parking, if any.

II. Operation Phase**Water supply :-**

- i. Water requirement during operation phase shall be met from AMC supply. Necessary arrangement to be made by the proponent for supply of water within the township, as per sanctioned plan. No ground water abstraction without prior permission from competent authority is allowed.
- ii. Use of water meter conforming to ISO standards should be installed at the inlet point of water uptake to monitor the daily water consumption.
- iii. Use of water efficient devices / fixtures and appliances should be promoted.
- iv. Installation of dual pipe plumbing for using recycled water / rain water should be promoted to save the potable water from municipal supply.

R. Singh

Sewage Treatment Plant:-

- i. As per the proposal submitted by the proponent wastewater shall be treated in STP. Treated wastewater shall be reused for landscaping and partly discharged to Lunia Khal. Discharge of treated sewage shall conform to E(P) Rules. Sewage Treatment Plants should be monitored on a regular basis.
- ii. Reuse of treated wastewater should be carried out as proposed.

Emission from Diesel Generator Set: -

- i. Noise barriers will be provided at appropriate locations so as to ensure that the noise levels do not exceed the prescribed standards. Diesel generator sets should be provided with integral acoustic enclosure at the manufacturing stage itself as per CPCB norms.
- ii. The stack height and emissions from D.G. sets should conform to the norms of Central Pollution Control Board. The certification of space design for DG sets should be done by competent authority.

Ensure Energy Efficiency:-

- i. Use of energy efficient construction materials to achieve the desired thermal comfort should be incorporated. The desired level of R and U factors must be achieved. U factor for the top roof should not exceed 0.4 Watt/sq.m/degree centigrade with appropriate modifications of specifications and building technologies. The provisions of National Building Code 2005 should be strictly followed.
- ii. The lighting design and the heating, ventilation and air conditioning systems should conform to the recommendations of the Draft Energy Conservation Building Code 2006 drafted by the Bureau of Energy Efficiency, Govt.
- iii. Back up power supply should be based on cleaner fuel.
- iv. Use of energy efficient electrical systems should be promoted. The power cabling shall be adequately sized as to maintain the distribution losses not to exceed 1% of the total power usage. Record of transmission losses shall be maintained.
- v. Energy efficient Motors and properly rated Transformers should be installed. Manufacturer's certificate to this effect shall be obtained and kept on record.
- vi. The project proponent should resort to solar energy at least for street lighting and water heating.

Transport Management: -

- i. Use of public mode of transportation should be promoted. Use of the least polluting type of transportation should be promoted.
- ii. The road system should clearly identify the vehicular and pedestrian circulation from Motorized vehicular lane (MV lanes). Pedestrian and bicycle facilities should be constructed with appropriate amenities to encourage and support the use of bicycles. Bicycle tracks should be covered or shadowed by tree canopy.
- iii. Transport system should be such that traffic will be calm in neighbourhoods. Traffic in residential areas should be restricted by regulation.
- iv. Adequate vertical and horizontal clearances of overhead electric power and telecommunication lines should be provided. Guard cradle or screen should be provided for electrical power lines carrying voltage exceeding 110 volts while crossing the road. The cradle should extend desirably over the full right-of-way.
- v. Adequate parking space should be provided as per norms.

Solid Waste Management:-

- i. The proponent should abide by the Municipal Solid Wastes (Management and Handling) Rules, 2000. The proponent must develop the Solid Waste Management and Disposal Scheme ensuring storage and segregation of biodegradable and non-biodegradable wastes. The solid waste is to be disposed off in consultation with municipal authority.

- ii. The proponent should provide different coloured bins for different categories of waste and ensure complete segregation of biodegradable and non-biodegradable wastes. The solid waste from different collection and storage bins should be finally collected at transfer stations. Further segregation will be done at transfer stations to collect recyclables such as plastic, polythene, glass, metals, textiles, rubbers, leathers, paper etc. Separate compartments shall be provided for each type of recyclables.
- iii. The proponent should abide by the Hazardous Wastes (Management and Handling) Amendment Rules, 2003. Collection and storage of hazardous wastes during Pre-construction and Post-construction activity should be planned properly. The expected hazardous wastes should be disposed off separately as per the Hazardous Wastes (Handling & Management) Amendment Rules, 2003.
- iv. Spent oil from DG Sets should be stored in HDPE drums in isolated covered facility and disposed off as per the Hazardous Wastes (Handling & Management) Amendment Rules, 2003. Spent oil from DG Sets should be disposed off through registered recyclers only.

Others :-

- i. The implementation and monitoring of Environmental Management Plan should be carried out, as proposed
- ii. The project proponent should provide guidelines to the users to ensure conservation of energy and water.
- iii. In-house environmental awareness campaigns should be carried out at regular intervals to ensure environmental protection.
- iv. Environmental Management Information System shall be maintained properly

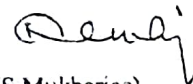
Part-B GENERAL CONDITIONS

1. The environmental safeguards contained in the EIA & EMP Report should be implemented in letter and spirit.
2. All the conditions, liabilities and legal provisions contained in the EC shall be equally applicable to the successor management of the project in the event of the project proponent transferring the ownership, maintenance of management of the project to any other entity.
3. Provision should be made for the supply of kerosene or cooking gas to the labourers during construction phase
4. All the labourers to be engaged for construction works should be screened for health and adequately treated before issue of work permits
5. The project proponent should make financial provision in the total budget of the project for implementation of the suggested safeguard measures.
6. Six monthly monitoring reports should be submitted to the West Bengal Pollution Control Board, who would be monitoring the implementation of environmental safeguards and should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the documents should also be forwarded to the State Environmental Impact Assessment Authority.
7. The responsibility of implementation of environmental safeguards rests fully with the applicant Mr. S.K. Chatterjee, Vice President (Projects), M/s Bengal Shristi Infrastructure Development Limited
8. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA.

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9. The State Level Environment Impact Assessment Authority reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time-bound and satisfactory manner.
10. The Project Proponent should inform the public that the project (FIRST PHASE - IA) only has been accorded environmental clearance by the SEIAA and that copies of the clearance letter are available with the State Pollution Control Board / Committee and may also be seen at website of the SEIAA (<http://enviswb.gov.in>). This should be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned.
11. The Project Authorities should inform the State Pollution Control Board as well as the SEIAA, the date of financial closure and final approval of the project by the concerned authorities and the date of commencing the land development work/project implementation.
12. The unit should abide by the Terms and Conditions of the agreement made with ADDA.
13. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Civil Aviation Department (if required) etc shall be obtained by project proponents from the competent authorities.
14. Prior Consent-to-Establish (NOC) for the proposed project must be obtained from WBPCB. All other statutory clearances should be obtained by project proponent from the competent authorities.
15. The above stipulations would be enforced along with those under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Hazardous Wastes (Management and Handling) Rules, 1989, the Public Liability Insurance Act, 1991, the Environment Impact Assessment Notification 2006 and their amendments.
16. The environmental clearance accorded shall be valid for the **FIRST PHASE - IA** only of the proposed project.
17. This Environmental Clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs Union of India in Writ Petition (Civil) No. 460 of 2004 as may be applicable to this project.

Yours faithfully,



(S Mukherjee)
Member Secretary, SEIAA
&
Chief Environment Officer

Department of Environment
Government of West Bengal
Block G, 2nd Floor, Writers' Building
Kolkata - 700001

No. EN/ 2696 II-II-4/153/2007 (Pt-I)

Date: 27/10/2009

To
M/s. Bengal Shristi Infrastructure Development Ltd.
Ganga Jamuna Building
28/1, Shakespeare Sarani
Kolkata - 700 017

Subject: Environmental Clearance for the proposed Commercial Complex of the Integrated Township Project "Shristi Nagar" (Phase IB) by M/s. Bengal Shristi Infrastructure Development Limited at Mouzas - Ganru, Gobindapur, Kumarpur, J.L. No. 10, 12, 14, 18, PS - Kanyapur, Asansol Municipal Corporation Ward No. 30, Dist - Burdwan, West Bengal.

Sir,

This has a reference to your application dated 27th November, 2007 and subsequent communications for Environmental Clearance for the proposed Commercial Complex of the Integrated Township Project (Phase IB) by M/s. Bengal Shristi Infrastructure Development Limited at Mouzas - Ganru, Gobindapur, Kumarpur, J.L. No. 10, 12, 14, 18, PS - Kanyapur, Asansol Municipal Corporation Ward No. 30, Dist - Burdwan, West Bengal.

The proposal has been examined and processed in accordance with EIA Notification, of 2006. It is noted that the proposed project is for construction of an Integrated Township. The Township is proposed to be developed in 4 phases. Phase 1A has already obtained Environment Clearance from SEIAA. The proposed Phase - IB shall consist of Commercial Complex (1 block of 2B+G+4 storied building, 1 block of B+G+5 storied building, 1 block of G+2 storied building), IT Complex (1 block of 2B+G+7 storied building, 3 blocks of 2B+G+12 storied buildings), Hotel (1 block of G+3 storied building), Club (1 block of G+1 storied building), Amusement Park (1 block of single storied building) etc.

This clearance is applicable for the proposed Commercial Complex of PHASE IB. However, the proposal for subsequent phases should abide by the necessary stipulations of the Provisional Environmental Clearance for the entire PHASE IB.

It is noted that the salient features of the project (Commercial Complex of Phase - IB), for which Environmental clearance has been considered are as follows:

Land Area	: 5 acres (20000 sq.m.)
Expected Population	: 10064
Total Water requirement	: 12 KLD (Construction phase, AMC supply)
Total Water requirement	: 401.5 KLD (Operation phase)
Fresh Water requirement	: 271.5 KLD (Operation phase, AMC supply)
Wastewater generated	: 226.3 KLD (to be treated in STP)
Wastewater discharged	: 92 KLD (to be discharged to Lunia Khal after treatment in STP in conformity with the Standards for discharge of Effluents as per CPCB)
Wastewater reused	: 130 KLD (to be reused after treatment in STP)
Solid waste disposal	: 0.9 tonne per day (to be disposed off) through AMC)

Conditions for Environmental Clearance for the proposed Commercial Complex of the Integrated Township Project (Phase I & II) by M/s. Bengal Shree Infrastructure Development Limited at Mincas - Gurua, Gobardapur, Kunturpur, J.I. No. 10, 12, 14, 18, PS - Kanyapur, Asansol Municipal Corporation Ward No. 30, Dist - Bardhaman, West Bengal.

Total Built-up Area	46316.55 sqm.
Ground Coverage	10521.75 sqm. (52% of land area)
Paved Area	5058.5 sqm. (25% of land area)
Landscaped Green Area	4653.85 sqm. (23% of land area)
No. of Car Parking spaces proposed	548
Power requirement	6 MV, WBSEB
Backup Power	8 nos. DG Sets (2x500 KVA, 3x1000 KVA, 3x1250 KVA)

State Level Environment Impact Assessment Authority (SEIAA), examined the proposal and also perused the recommendations of the State Level Expert Appraisal Committee (SEAC). After due consideration of the project proposal, and after considering the recommendations of the State Level Expert Appraisal Committee (SEAC), the State Level Environment Impact Assessment Authority accords Environmental Clearance to the project as per provisions of the EIA notification no. S.O. 1533 (E) dt. 14th September, 2006 of Ministry of Environment & Forests, GOI, subject to strict compliance of terms and conditions as mentioned below.

Part A – SPECIFIC CONDITIONS

I. Construction Phase

Facility of labourers during construction:-

- i. Provision of drinking water, wastewater disposal and solid waste management should be ensured for labour camps.
- ii. Water usage during construction should be optimised to avoid any wastage.
- iii. Proper sanitation facilities should be provided for construction workers to ensure environmental sanitation. Sewage generated from the areas occupied by the construction labourers have to be directed into the existing sewage drain of the area. In case of non availability of the sewer system, an onsite treatment system has to be provided.
- iv. Health and safety of the workers should be ensured during construction. Personnel protective equipment like helmets, earmuffs, earplugs etc. should be provided to the workers. For vibration control damped tools must be used and the number of hours that a worker uses them must be limited.

Steps to avoid disturbance during construction:-

- i. All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site
- ii. Adequate erosion and sediment control measures to be adopted before ensuing construction activities.
- iii. Disposal of muck including excavated material during construction phase should not create any adverse effects on the neighbouring communities and disposed off taking the necessary precautions for general safety and health aspects.
- iv. Diesel generator sets during construction phase should have acoustic enclosures and should conform to E(P) Rules prescribed for air and noise emission standards.
- v. Vehicles / equipment deployed during construction phase should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- vi. Ambient noise levels should conform to residential standards both during day and night. Only limited necessary construction should be done during nighttime. Fortnightly monitoring of

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Conditions for Environmental Clearance for the proposed Commercial Complex of the Integrated Township Project (Phase III) by M/s. Bengal Shristi Infrastructure Development Limited at Moutas - Ganrai, Gobindapur, Kumarpur, J.L. No. 10, 12, 14, 18, PS - Kanyapur, Asansol Municipal Corporation Ward No. 30, Dist - Burdwan, West Bengal

ambient air quality (SPM, SO2 and NOx) and equivalent noise levels should be ensured during construction phase.

- vii. Construction spoils including bituminous material and other hazardous materials including oil from construction equipments must not be allowed to contaminate watercourses and the dumpsites for such material must be secured so that they should not leach into the ground water. If necessary, oil trap should be installed where there is deployment of heavy machineries.
- viii. Regular supervision of the above and other measures should be in place all through the construction phase so as to avoid disturbance to the surroundings.
- ix. The proponent must ensure that no driven piles shall be proposed for this project.
- x. 15m-screen and adequate sprinkler arrangement shall be provided. Care should be taken to keep all material storages adequately covered and contained so that they are not exposed to winds.
- xi. Loading and unloading operations should not be carried out in open areas.
- xii. Use of Ready-Mix concrete is recommended for this project.
- xiii. Adequate measures to be adopted to avoid wastage of water for curing of concrete structures.
- xiv. Adequate mitigative measures should be adopted to control dust emissions, noise and vibrations from construction activities. Vehicles and construction machineries should be properly maintained. Vehicles should conform to Pollution under control (PUC) norms.
- xv. Locally available materials with less transportation cost should be used preferably.
- xvi. Promotion of use of cleaner fuel and fuel quality improvement should be done. Excessive energy consumption and fuel usage should be avoided.
- xvii. Accumulation/stagnation of water should be avoided to ensure vector control.

Selection of materials for better energy efficiency:-

- i. Use of energy efficient construction materials should be ensured to achieve the desired thermal comfort.
- ii. Design layout should ensure adequate solar access and ventilation. Proper planning and window design for daylight integration should be considered.
- iii. Use of ash based bricks should be explored to the maximum extent possible. Blended cement with fly ash will be used. The provisions of MoEF Notifications on "Fly Ash Utilization" must be complied with.
- iv. Construction should conform to the requirements of local seismic regulations. The project proponent should obtain permission for the plans and designs including structural design, standard and specifications from concerned authority.
- v. Construction technologies that require less material and possess high strength should be adopted. Materials with low embodied energy and high strength should be used preferably.
- vi. Use of alternate building materials and alternate construction techniques should be considered apart from the conventional materials and methods. Use of hollow unit masonry should be considered.
- vii. Use of energy efficient lighting systems e.g. High Pressure Sodium Vapour (HPSV) Lamps, LED etc. should be promoted. Solar energy should be used for outdoor lighting, as far as practicable.
- viii. Passive solar cooling to be incorporated in building design. Buildings should be oriented for ensuring natural ventilation and daylighting.
- ix. Proper insulation of roof should be provided to achieve desired thermal comfort. Use of light coloured, reflective roofs having an SRI (solar reflectance index) of 50% or more should be incorporated.

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Conditions for Environmental Clearance for the proposed Commercial Complex of the Integrated Township Project (Phase 1B) by M/s. Bengal Shristi Infrastructure Development Limited at Mouzas - Gunrul, Gobindapur, Kumarpur, J.L. No. 10, 12, 14, 18, PS - Kanyapur, Asansol Municipal Corporation Ward No. 30, Dist - Burdwan, West Bengal.

- x. Use of high albedo or reflective pavements to keep parking lots, pavements and inside roads cool should be incorporated.
- xi. Guidelines to the occupants should include usage efficiency measures such as energy efficient lighting and water efficient system.
- xii. Reduce hard paving-onsite (open area surrounding building premises) and/or provide shade on hard paved surfaces to minimize heat island effect and imperviousness of the site.
- xiii. Adequate open space, greenery and water bodies to be provided as per rules.
- xiv. Any proposed building with air-conditioning facility should follow the norms proposed in the ECBC regulations framed by the Bureau of Energy Efficiency. Chillers should be CFC & HCFC free.
- xv. Restrict the use of glazed surface as per National Building Code 2005.

Water Body Conservation:-

- i. No water body should be lined and no embankments should be cemented. The water bodies, if any, are to be kept in natural conditions without disturbing the ecological habitat.

Plantation Proposal:-

- i. The unit should strictly abide by The West Bengal Trees (Protection and Conservation in Non-Forest Areas) Rules, 2007.
- ii. The proponent should plant atleast 3400 trees and 3000 flowering plants, as proposed. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
- iii. Creation of adequate Green belt and buffer zones should be considered to ensure dust interception and control of noise pollution.

Water supply :-

- i. Water requirement during construction phase shall be met from AMC supply. Ground water should not be abstracted without prior permission of AMC and the competent authority as per the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005.

Sewage Treatment Plant:-

- i. As per the proposal submitted by the proponent wastewater shall be treated in STP. Treated wastewater shall be partly reused and partly discharged to Lumia Khal in conformity with the Standards for discharge of Effluents as per CPCB.

Stormwater Management & Mitigation of Heat Island Effect :-

- i. Imperviousness of the site shall not exceed the NBC (National Building Code 2005) standards for imperviousness factor applicable to different types of area.
- ii. Total paved area of site under parking, roads, paths or any other use should not exceed 25% of the site area.
- iii. Minimum 50% of paved area on site should have pervious paving or shaded under vegetation or topped with finish having solar reflectance of 0.5 or higher.
- iv. Adequate stormwater drainage network to be designed for the project without disturbing the surrounding settlements. Storm water management plan should be implemented so as to prevent sudden discharge of excessive volumes of storm water to the receiving waters thus reducing the shock load on the drainage system and impact on receiving water body.
- v. Disruption to the natural hydrology of the site should be minimised by reducing impervious cover, increasing on site infiltration and managing storm water run off.

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Conditions for Environmental Clearance for the proposed Commercial Complex of the Integrated Township Project (Phase III) by M/s. Heagal Shristi Infrastructure Development Limited at Mouras - Gauri, Gobindapur, Kunturpur, J.L. No. 10, 12, 14, 18, 19S - Kanyasur, Asansol Municipal Corporation Ward No. 30, Dist - Bardwan, West Bengal.

- vi. Heat island effect should be minimized by use of shading or reflective surfaces, mainly the surfaces that contribute to the heat island effect i.e. streets, sidewalks, parking lots and buildings

Rain Water Harvesting Scheme:-

- i. The proponent must follow the Rainwater Harvesting Guidelines of the State Level Expert Appraisal Committee (SEAC) available in the website (<http://www.wbpcb.gov.in>)
- ii. The proponent must collect rainwater from roof-top catchments and reuse for various purposes after necessary cleaning. Water bodies may be created and used for storing rain water. Adequate retention time and storage provisions should be provided for harvesting rainwater.
- iii. The sub surface recharge proposal including the design of recharge structure and location of recharge structure should be approved by competent authority as per West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005. The total quantity of the rain water which would be harvested, including surface storage and sub-surface recharge, should also be mentioned in the proposal. The proponent should not attempt for recharging without prior permission from the competent authority.
- iv. Adequate water storage for firefighting should be provided as per rule.

Municipal Solid Waste Management :-

- i. Adequate provision shall be made for storage of solid waste and adequate means of access shall be provided. Space should be kept reserved for waste storage, collection etc. in site planning and architectural designs.

Transport Management: -

- i. Both internal and external traffic planning and management should be adequate to ensure uninterrupted traffic movement in the area during construction as well as operation phase.
- ii. The design of service road and the entry and exit from the project area should conform to the norms & standards of competent authority for traffic management. Proper traffic management plan should be adopted in consultation with Traffic authorities.
- iii. As proposed in Phase-IA, the existing roads should be widened and strengthened, new link roads should be constructed and maintained by the project proponent.

Others:-

- i. All mandatory approvals and permission as required from Director of Explosives, Fire Department etc. should be obtained.
- ii. Provision of Effective Controls and Building Management Systems such as Automatic Fire Alarm and Fire Detection and Suppression System, Building Automation System for Energy Conservation, Management Information Systems etc. must be ensured.
- iii. Automatic lighting control, occupancy sensors, heat exchanger, high efficiency chillers etc. should be provided for energy conservation.
- iv. Efficient management of indoor air quality must be ensured for health and safety of the users.
- v. Adequate measures to be adopted for water conservation during construction and operation stage. Use of efficient irrigation equipment, evaporative cooling unit in air-conditioning system etc should be considered.
- vi. Rest room facilities should be provided for service population.
- vii. Provisions should be kept for the integration of solar water heating system.
- viii. Adequate access to fire tenders should be provided.
- ix. CO monitoring facility with automatic alarm should be provided at basement car parking.

Conditions for Environmental Clearance for the proposed Commercial Complex of the Integrated Township Project (Phase II) by M/s. Bengal Shree Infrastructure Development Limited at Mouzas - Gauria, Gobindapur, Kumarpur, J.L. No. 10, 12, 14, 18, 19 - Kanyapur, Asansol Municipal Corporation Ward No. 30, Dist - Bardhaman, West Bengal.

II. Operation Phase

Water supply :-

- i. Water requirement during operation phase shall be met from AMC supply. Ground water should not be abstracted without prior permission of AMC and the competent authority as per the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005.
- ii. Use of water meter conforming to ISO standards should be installed at the inlet point of water uptake to monitor the daily water consumption. Use of water efficient devices / fixtures and appliances should be promoted. Installation of dual flushing system should be considered to conserve water.
- iii. The proponent must practice rainwater harvesting on regular basis.

Sewage Treatment Plant:-

- i. As per the proposal submitted by the proponent wastewater shall be treated in STP. Treated wastewater shall be partly reused and partly discharged to Lunia Khal. Discharge of treated sewage shall conform to E(P) Rules. Sewage Treatment Plants should be monitored on a regular basis.
- ii. Reuse of treated wastewater should be carried out as proposed.

Emission from Diesel Generator Set: -

- i. Noise barriers will be provided at appropriate locations so as to ensure that the noise levels do not exceed the prescribed standards. Diesel generator sets should be provided with integral acoustic enclosure at the manufacturing stage itself as per CPCB norms.
- ii. The stack height and emissions from D.G. sets should conform to the norms of Central Pollution Control Board. The certification of space design for DG sets should be done by competent authority.

Ensure Energy Efficiency:-

- i. Use of energy efficient construction materials to achieve the desired thermal comfort should be incorporated. The desired level of R and U factors must be achieved. U factor for the top roof should not exceed 0.4 Watt/sq.m/degree centigrade with appropriate modifications of specifications and building technologies. The provisions of National Building Code 2005 should be strictly followed.
- ii. The lighting design and the heating, ventilation and air conditioning systems should conform to the recommendations of the Energy Conservation Building Code 2007 of the Bureau of Energy Efficiency, G.O.
- iii. Use of energy efficient electrical systems should be promoted. High efficiency lamps with electronic ballasts should be used.
- iv. Energy efficient Motors and properly rated Transformers should be installed. Manufacturer's certificate to this effect shall be obtained and kept on record. Back up power supply should be based on cleaner fuel.
- v. The power cabling shall be adequately sized as to maintain the distribution losses not to exceed 1% of the total power usage. Record of transmission losses shall be maintained. The proponent shall install permanent electrical metering to record demand (kVA), energy (kWh) and total power factor.
- vi. The project proponent should resort to solar energy at least for street lighting and water heating.
- vii. Energy Audits should be conducted on a regular basis.

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Conditions for Environmental Clearance for the proposed Commercial Complex of the Integrated Township Project (Phase III) by M/s. Bengal Shriani Infrastructure Development Limited at Mouzas - Ganrui, Gobindapur, Kumarpur, J.I. No. 10, 12, 14, 18, PS - Kanyapur, Asansol Municipal Corporation Ward No. 30, Dist - Burdwan, West Bengal.

Transport Management:-

- i. Use of public mode of transportation should be promoted. Use of the least polluting type of transportation should be promoted. Adequate parking space should be provided as per norms.
- ii. Pathways should be covered or shadowed by tree canopy as far as practicable. Transport system should be such that traffic will be calm in neighbourhoods. Traffic within the project site should be restricted by regulation. Adequate vertical and horizontal clearances of overhead electric power and telecommunication lines should be provided. Guard cradle or screen should be provided for electrical power lines carrying voltage exceeding 110 volts while crossing the road. The cradle should extend desirably over the full right-of-way.

Solid Waste Management:-

- i. The proponent should abide by the Municipal Solid Wastes (Management and Handling) Rules, 2000. The proponent must develop the Solid Waste Management and Disposal Scheme ensuring storage and segregation of biodegradable and non-biodegradable wastes. The solid waste is to be disposed off in consultation with municipal authority.
- ii. The proponent should provide different coloured bins for different categories of waste and ensure complete segregation of biodegradable and non-biodegradable wastes. The solid waste from different collection and storage bins should be finally collected at transfer stations. Further segregation will be done at transfer stations to collect recyclables such as plastic, polythene, glass, metals, textiles, rubbers, leathers, paper, packaging materials etc. Separate compartments shall be provided for each type of recyclables.
- iii. The proponent should abide by the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008. Collection and storage of hazardous wastes during Pre-construction and Post-construction activity should be planned properly. The expected hazardous wastes should be disposed off separately as per the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008.
- iv. Spent oil from DG Sets should be stored in HDPE drums in isolated covered facility and disposed off as per the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008. Spent oil from DG Sets should be disposed off through registered recyclers only.
- v. Various types of electrical and electronic wastes generated in the building, which includes PC, Xerox machine components etc. should be collected separately for transportation to the authorized recyclers approved by the State / Central Pollution Control Boards. There should also be provision for storage of these wastes in the building before transportation. The e-waste collected should be processed in authorized recycling unit.

Others :-

- i. The implementation of Environmental Management Plan should be carried out, as proposed. Regular monitoring should be carried out during construction and operation phases.
- ii. The project proponent should provide guidelines to the users to ensure conservation of energy and water. In-house environmental awareness campaigns should be carried out at regular intervals to ensure environmental protection.
- iii. The proponent should restrict the use of glazed surface as per National Building Code 2005.
- iv. Firefighting systems should be designed in compliance with the WBFS and NBC norms. Preventive measures should be adopted for Risk & Disaster Management as per the provisions of the National Building Code 2005.
- v. The proponent should submit Corporate Social Responsibility Plan with specific financial commitment for the proposed project.

Conditions for Environmental Clearance for the proposed Commercial Complex of the Integrated Township Project (Phase 1B) by M/s. Bengal Shristi Infrastructure Development Limited at Moutas - Gaurai, Gobindapur, Kumarpur, J.L. No. 10, 12, 14, 18, 19 - Kanyapur, Asansol Municipal Corporation Ward No. 30, Dist - Burdwan, West Bengal

vi. Environmental Management Information System shall be maintained properly.

Part-B GENERAL CONDITIONS

- i. The environmental safeguards contained in the EMP report should be implemented in letter and spirit.
- ii. All the conditions, liabilities and legal provisions contained in the EC shall be equally applicable to the successor management of the project in the event of the project proponent transferring the ownership, maintenance of management of the project to any other entity.
- iii. Provision should be made for the supply of kerosene or cooking gas to the labourers during construction phase.
- iv. All the labourers to be engaged for construction works should be screened for health and adequately treated before issue of work permits.
- v. The project proponent should make financial provision in the total budget of the project for implementation of the suggested safeguard measures.
- vi. Six monthly monitoring reports should be submitted to the West Bengal Pollution Control Board, who would be monitoring the implementation of environmental safeguards and should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the documents should also be forwarded to the State Level Environment Impact Assessment Authority.
- vii. In case of any violation of the conditions laid down in this Environmental Clearance, Section 16 of The Environment (Protection) Act, 1986, will be applicable.
- viii. In case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA.
- ix. The State Level Environment Impact Assessment Authority reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time-bound and satisfactory manner.
- x. The Project Proponent should inform the public that the proposed project has been accorded environmental clearance by the SEIAA and copies of the clearance letter are available with the State Pollution Control Board / Committee and may also be seen at website of the SEIAA (<http://envisvb.gov.in>). This should be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned.
- xi. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Civil Aviation Department (if required) etc. shall be obtained by project proponents from the competent authorities.
- xii. Provision for incorporation of appropriate conditions in the Sale Agreement / Deed, for ensuring sustained Operation and Maintenance (O&M) of the common facilities (STP, Rainwater harvesting system, Solid waste management system, Solar street lights etc.) even after transfer of ownership of the project, should be made in explicit and transparent manner.
- xiii. The unit should abide by the Terms and Conditions of the agreement made with ADDA and other authorities.
- xiv. Prior Consent-to-Establish (NOC) for the proposed project must be obtained from WBPCB by the proponent. All other statutory clearances should be obtained by project proponent from the competent authorities.
- xv. The proponent should maintain a display board at the site, providing detailed information on the salient features of the proposed project.

[Signature]
8

• *Conditions for Environmental Clearance for the proposed Commercial Complex of the Integrated Township Project (Phase IB) by M/s. Bengal Shree Infrastructure Development Limited at Motras - Gaurri, Gobindapur, Kumarpur, J.I. No. 10, 12, 14, 18, PS - Kanyapur, Asansol Municipal Corporation Ward No. 30, Dist - Burdwan, West Bengal.*

- xvi. The above stipulations would be enforced along with those under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, the Public Liability Insurance Act, 1991, the Environment Impact Assessment Notification 2006 and their amendments.
- xvii. This Environmental Clearance is valid for Commercial Complex of PHASE-IB only.

Yours faithfully,



(Debaj Ray)
Member Secretary, SEIAA &
Chief Environment Officer

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
 Pranisampad Bhawan, 5th floor, LB 2, Sector-III, Salt Lake, Kolkata - 700 106
 e-mail: environmentwb@gmail.com
 Web Portal: www.environmentwb.gov.in

No. 1778 / EN / T - II - 1 / 042 / 2019

Date: 29.12.2020

To
 M/s Bengal Shristi Infrastructure Development Limited,
 Plot Number: X-1,2,3, Block EP, Sector 5, Salt Lake City,
 First Floor, Kolkata - 700 098.

Sub: *Application for Environmental Clearance for the proposed Residential Project "Town House" by M/s. Bengal Shristi Infrastructure Development Ltd. at Mouza - Kumarpur, J.L. No. 19 - 43 Plots, Mouza Ganrui, J.L. No. 12 - 21 plots, Mouza Gobindapur, J.L. No. 18 - 6 plots, Mouza Gopalpur, J.L. No. 10 - 1 Plot, Vill - Ganrui, Gobindapur, Gopalpur and Karampara, Tehsil - Burdwan-II, Dist. Paschim Burdwan, West Bengal.*

Sir,

This is to inform you that SEIAA in its meeting held on 17.12.2020 considered the recommendations of SEAC for issuance of ToR and agreed with the recommendations including the additional conditions:

The ToR for conducting EIA study is attached herewith (annexure 1 & 2). The ToRs are valid for a period of one year from the date of issue, which may be extended for a maximum period of three years provided an application in this regard is submitted by the project proponent, well before expiry of the validity period. EIA/EMP to be submitted before the expiry of the ToR for consideration of EC application or otherwise.

Encl: Annexure 1 to 5

Yours sincerely,

(Niraj Singhal, IFS)
 Member Secretary, SEIAA

Date: 29.12.2020

No. 1778/1(1)/EN/T-II-1/042/2019

Copy forwarded for the information to:

The Member Secretary, West Bengal Pollution Control Board and The Secretary, State Level Expert Appraisal Committee, 'Paribesh Bhavan', LA, Salt Lake Sector III, Kolkata - 700 106.

Member Secretary, SEIAA

Terms of Reference for EIA and preparation of Environment Management Plan (EMP)

1. Project description, its importance and the benefits,
2. Project site details (location, toposheet of the study area of 10 km, coordinates, google map, layout map, land use, geological features and geo-hydrological status of the study area, drainage),
3. Land use as per the approved Master Plan of the area, Permission/approvals required from the land owning agencies, Development Authorities, Local Body, Water Supply & Sewerage Board, etc,
4. Land acquisition status, R&R details,
5. Forest and Wildlife and eco-sensitive zones, if any in the study area of 10 km - Clearances required under the Forest (Conservation) Act, 1980, the Wildlife (Protection) Act, 1972 and/or the Environment (Protection) Act, 1986,
6. Baseline environmental study for ambient air (PM₁₀, PM₂₅, SO₂, NO_x & CO), water (both surface and ground), noise and soil for one month (except monsoon period) as per MoEF&CC/CPCB guidelines at minimum 5 locations in the study area of 10 km,
7. Details on flora and fauna and socio-economic aspects in the study area
8. Likely impact of the project on the environmental parameters (ambient air, surface and ground water, land, flora and fauna and socio-economic, etc),
9. Source of water for different identified purposes with the permissions required from the concerned authorities, both for surface water and the ground water (by CGWA) as the case may be, Rain water harvesting, etc,
10. Waste water management (treatment, reuse and disposal) for the project and also the study area,
11. Management of solid waste and the construction & demolition waste for the project vis-avis the Solid Waste Management Rules, 2016 and the Construction & Demolition Rules, 2016,
12. Energy efficient measures (LED lights, solar power, etc) during construction as well as during operational phase of the project,
13. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
14. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
15. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.

(Niraj Singhal, IFS)
Member Secretary, SEIAA

Annexure -2

1. Air quality data w.r.t.-PM₁₀, PM_{2.5}, SO₂, NO_x, VOCs, PAHs parameters should be submitted.
2. Tree plantation plan in appropriate scale 1:100 with tree list and necessary approval from the concerned DFO should be submitted.
3. The RWH tank should be included in the water balance diagram.
4. Information on boundary characteristics of the project along Nunia river edge should be submitted, especially with respect to:
 - a) offset from the river bank,
 - b) plantation along river bank,
 - c) Whether surface run-off from the project campus ground is allowed to drain into the river etc.
5. The unit should abide by The West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006 and subsequent rules. The proponent should undertake plantation of trees over at least 20% of the total area.
6. Total paved area of site under parking, roads, paths or any other use should not exceed 25% of the site area.
7. The project proponent should submit a compliance report of the Notification issued by SEIAA, WB vide No. 3435/EN/T-II-1/011/2018 dated 30.10.2018.
8. Notary Affidavit as per the enclosed format given in Annexure - 3.
9. Related documents mentioned in Annexure - 4.
10. Comparative statement of the salient features (enclosed as Annexure - 5) mentioning stipulation received (if any), sanctioned building plan and present status of completion of the project.

(Niraj Singhal, IFS)
Member Secretary, SEIAA

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

Pranisampad Bhawan, 5th floor, LB 2, Sector-III, Salt Lake, Kolkata - 700 106e-mail: environmentwb@gmail.comWeb Portal: www.environmentwb.gov.in

No. 1779 / EN/T-II-1/041/2019

Date: 29-12-2020

To
M/s Bengal Shristi Infrastructure Development Limited,
Plot Number: X-1,2,3, Block EP, Sector 5, Salt Lake City,
First Floor, Kolkata - 700 098.

Sub: Application for Environmental Clearance for the proposed Residential Project "Tarang" by M/s. Bengal Shristi Infrastructure Development Ltd. at J.L. No. 12, Mouza Ganrui, J.L. No. 18, Gobindapur, J.L. No. 19, Kumarpur, J.L. No. 10, Gopalpur, PS - Kanyapur, Asansol Municipal Corporation Ward No.2, 30 & 31, Dist. Paschim Burdwan, West Bengal.

Sir,

This is to inform you that SEIAA in its meeting held on 17.12.2020 considered the recommendations of SEAC for issuance of ToR and agreed with the recommendations including the additional conditions.

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Encl: Annexure 1 to 5

Yours sincerely,

(Niraj Singhal, IFS)
Member Secretary, SEIAA

Date: 29-12-2020

No. 1779/1(1) EN/T-II-1/041/2019

Copy forwarded for the information to:

The Member Secretary, West Bengal Pollution Control Board and The Secretary, State Level Expert Appraisal Committee, 'Paribesh Bhavan', I.A. Salt Lake Sector III, Kolkata - 700 106.

Member Secretary, SEIAA


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(Niraj Singhal, IPS)
Member Secretary, SEIAA

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 (Niraj Singh, IFS)
 Member Secretary, SEIAA

BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

O. A. NO. 240/2024/EZ

In the matter of:

Ashish Kumar

.....Applicant.

Versus

The State of West Bengal and Ors.

.....Respondent.

Affidavit on behalf of the District
Magistrate, Paschim Burdwan, the
respondent no. 8 abovenamed.

RAJIB RAY

Advocate

Bar Association Room No. 13,

High Court, Calcutta

Mob-9830132729/7980422764

Chamber: 28, Fakir Chand Mitra Street,
Kolkata- 700009.

Email: rajib.ray23@gmail.com