

By Speed Post

F.No.SEIAA/TN/EC/8(a)/006/F-20/2008
 Government of India
 Ministry of Environment and Forests
 (I.A. Division)

Paryavaran Bhavan
 CGO Complex, Lodhi Road
 New Delhi-110 003
 Telefax: +91-11-24362434
 E-mail: pb.rastogi@nic.in
 Dated: 14th October, 2013.

Subject: Direction for closure of the Project and abeyance of the Environmental Clearance (EC) under Section 5 of Environment (Protection) Act, 1986 for violation of the provisions of EIA Notification, 2006 regarding construction of residential apartment at S.F. No. 53/3, 53/4, 53/10B, 55/56/1, 57/2 & 57/4, Pudupakkam, Chengalpattu Taluk, Kancheepuram District, Tamilnadu by M/s Puravankara Projects-Ltd.

Whereas Environmental Clearance (EC) was granted for the construction of residential apartment at S.F. No. 53/3, 53/4, 53/10B, 55/56/1, 57/2 & 57/4, Pudupakkam Village, Chengalpattu Taluk, Kancheepuram District, Tamilnadu by M/s Puravankara Projects Ltd. (the Project) vide letter No. SEIAA/TN/EC/8(a)/006/F-20/2008 dated 24.07.2008, subject to implementation of various conditions and environmental safeguards contained therein, and

2. Whereas the Project was monitored by the Regional Office of MoEF at Bangalore on 8.11.2011 and submitted their report vide e-mail communication dated 16.02.2012 alongwith letter No. EP/12.1/SEIAA/3/TN dated 29.11.2011, which was examined in the Ministry, and

3. Whereas the above monitoring report has revealed substantive non-compliance of several conditions stipulated in the environmental clearance letter dated 24.07.2008, which inter-alia include the following:

- i. 'Consent to Establish' has not been obtained from the competent authority – **Specific condition No. (i) of Construction Phase.** As observed from the monitoring report submitted by the Regional Office of this Ministry at Bangalore, the construction activities are under progress without valid Consent.
- ii. Composting arrangements for biodegradable waste has not been made - **Specific Condition No. (vii) of Construction Phase.**
- iii. Soil analysis has not been carried out to ascertain that there is no threat to ground water quality - **Specific Condition No. (x) of Construction Phase.**
- iv. Necessary permission to draw groundwater for the project, has not been obtained - **Specific Condition No. (xix) of Construction Phase.**
- v. Six monthly compliance reports have not been submitted regularly – **General condition No. (i).**
- vi. It has been reported that two more blocks are added to the existing one without prior approval of SEIAA, which attracts change in the scope of the work - **General condition No. (ii).**

10/13

vii. Necessary proof for the paper advertisement published in two newspapers has not been submitted - **General condition No. (v).**

viii. It has been reported that all the documents of the project have not been provided to the Regional Office, and

4. Whereas in view of the above observed non-compliances / violations of the provisions of EIA Notification, 2006, this Ministry vide letter of even no dated 02.04.2012 had requested the Project Proponent to stop construction work / activities relating to the project with immediate effect and submit the report on the compliance of the directions within 10 (ten) days. Ministry has also requested Project Proponent to take necessary corrective measures to effectively comply with all the stipulated conditions contained in the EC letter dated 24.07.2008 and submit their action taken report along with supporting documents / data, and

5. Whereas a copy of the Ministry's above communication dated 02.04.2012 was endorsed to the Tamil Nadu Pollution Control Board and the State Environment Impact Assessment Authority with the request to ensure the compliance / directions contained therein and submit the factual status of the compliance to this Ministry, and

6. Whereas in the interest of natural justice a final opportunity was given to the Project and vide Ministry's reminder letter of even no. dated 16.07.2012 directed to submit their response within 10 (ten) days, and

7. Whereas the Project has not responded to the Ministry's letters / reminders and it appeared that the Project willfully violating the environmental norms & safeguards by continuing their construction activities of the above project even without obtaining 'Consent to Establish', and

8. Whereas considering the nature of failure to comply with the stipulated conditions even after providing sufficient time and opportunity to the Project, a Showcause Notice was issued to the Project vide this Ministry's letter of even No. dated 7.12.2012, with the direction to showcause within 15 days, and

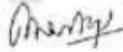
9. Whereas the Project had responded vide letter No. PPL/Cosmo/2012-13/Tech/107 dated 31.12.2012 to the Ministry's above Showcause Notice and the content of the reply was examined in the Ministry. The Project has neither clarified the compliance status nor provided any supporting documents rather assured that they will be submitting the detailed point-wise compliance report within 15 days, and

10. Whereas even after the lapse of 30 days of their assurance, the Project has not submitted their action taken / compliance report as they assured in their reply. Considering the defaulting nature of the Project, as a final opportunity, further direction was issued vide this Ministry's letter of even no. dated 8.2.2013 with the direction to showcause within 10 days, and

11. Whereas the Project submitted their reply vide letter No. PPL/Cosmo/2012-13/Tech dated 15.1.2013 in response to the Ministry's letter dated 07.12.2012, which was examined in the Ministry and its Regional Office at Bangalore. Further, the Regional Office of MoEF at Bangalore made a site visit of the above Project on 13.8.2013 and submitted their report to this Ministry vide letter no. EP/12.1/SEIAA/3/TN dated 16.8.2013. It has been observed from the report that the project has not complied with important conditions stipulated in the environmental clearance letter dated 24.7.2008, which inter-alia include the following:

i. Project authorities undertook construction activities of the Project without obtaining consent to Establish till 19.03.2013 - **Specific condition No. (i) of Construction Phase.**

- 25
- ii. Necessary permission to draw groundwater for the project, has not been obtained - **Specific Condition No. (xix) of Construction Phase**. The Project in their earlier reply dated 31.12.2012 informed that they are working on obtaining the permission of CGWA for extraction of ground water during operation phase. Now, contradicting with their statement and informed that their water consumption is lesser than 20 KLD and hence they are exempted from taking NOC in accordance with the guidelines of CGWA, thus they have not applied for NOC from CGWA. The project should either comply with the stipulated EC conditions or the condition should be got modified, based on proper justification with supporting documents/data by making a formal request to the Ministry in this regard. As per the EC letter water requirement of the project is 819 KLD and intake of fresh water is 546 KLD which will be met from CMWSSB. The project has not provided any document in support of the water utilization from CMWSSB.
- iii. It has been reported that two more blocks are added to the existing one without prior approval of SEIAA, which attracts change in the scope of the work:- **General condition No. (ii)**. The Ministry had directed the Project to stop the works vide letter No. SEIAA/TN/EC/8(A)/006/F-20/2008 dated 02.04.2012, but reportedly it appears that they had continued their construction work/activities without prior EC for the expansion, and
12. Whereas even after providing sufficient opportunities, the Project has neither complied with the EC conditions nor taken any corrective action on the observed non-compliances, which has been viewed seriously by this Ministry.
13. Now, therefore, in exercise of powers vested under Section 5 of Environment (Protection) Act, 1986, the EC granted to the Project vide this Ministry's letter dated 24.7.2008 is hereby kept in abeyance and the Project is directed to stop all the project activities with immediate effect till further orders.
14. The compliance of these directions be reported within 15 days. Further, be informed that the above direction is without prejudice to the right of the Ministry to take such other legal action as may be deemed necessary and appropriate in the circumstance of the case.
15. This issues with the approval of Competent Authority.


(Dr. P.B. Rastogi)
Director

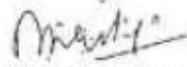
To:

1. The Chairman & Managing Director
M/s Puravankara Projects Ltd.
No. 130/1, Ulsoor Road
Bangalore - 560 042
(Fax: 080-25599350; E-mail: smalisetti@puravankara.com).
2. M/s Puravankara Projects Ltd.
No. 7, Sheshadri Road
Chennai - 600 018.

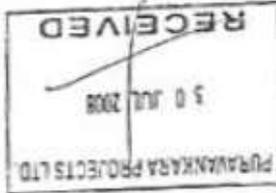
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Copy to: -

1. The Chairman, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Shahdara, Delhi-100032.
2. The Member Secretary, Tamil Nadu Pollution Control Board, 76, Anna Salai, Guindy, Chennai - 600 032.
3. Member Secretary, SEIAA & Director of Environment, Ground Floor, Panagal Maligai, No.1 Jeenis Road, Saidapet, Chennai-600 015.
4. The Additional:Principal Chief Conservator of Forests (Central), Ministry of Environment and Forests, (SZ), Kendriya Sadan, IV Floor, E & F Wings, 17th Main Road, Koramangala II Block, Bangalore - 560034, Karnataka - It is requested that the compliance / action taken report received, if any, from the Project in response to this direction may be informed to the Ministry.
5. Monitoring file.


(Dr. P.B. Rastogi)
Director

S. No: 131(c), Kancheepuram Dist



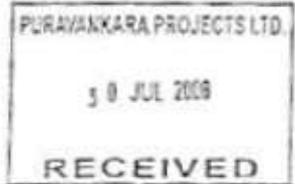
**STATE LEVEL ENVIRONMENT
IMPACT ASSESSMENT AUTHORITY,
TAMILNADU,**
Tamilnadu Pollution Control Board
premises
76, Mount Salai, Guindy,
Chennai- 600 032.

No. SEIA/VTN/EC/B(a)/006/F-20/2008

Date: 24.07.2008

To

M/s. Puravankara Projects Limited,
No. 7 Sheshadri Road,
Chennai-600 018.



Sub: Construction of Residential Apartment at S.F.No.53/3, 53/4, 53/10B,
55,56/1,57/2 & 57/4 Pudupakkam Village, Chengalpattu Taluk,
Kancheepuram District by M/s. Puravankara Projects Ltd- Environmental
Clearance - Reg.

Sir,

This has reference to your application No. Nil, dated 29.10.2007 submitted to MoEF, seeking Environmental Clearance under Environment Impact Assessment Notification, 2006. Later, the SEIAA, Tamil Nadu had received this application from the Ministry of Environment & Forests, Government of India, after formation of the State Level Environment Impact Assessment Authority (SEIAA), and the State Level Expert Appraisal Committee (SEAC), for Tamil Nadu. The proposal has been appraised as per the prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application Viz., the Application Form- I, Form-IA, Conceptual plan, and EIA/EIMP and the additional clarifications furnished in response to the observations of the State Level Expert Appraisal Committee in its meeting held on 6th - 10th May 2008 and on 12th June 2008.

It is noted, interalia that the project proposal involves the construction of a residential apartment complex. The area of the plot is 127670.85 SQ m. and the total built-up area as reported is 144596 SQ m. The number of apartments is 1184. Water requirement of the project is 819 KLD and intake of fresh water is 546 KLD, which

will be met from CMWSSB. It is proposed to construct two Sewage Treatment Plants with a capacity of 710 KLD. Total parking area is for 1489 cars. Solid Waste generation has been projected as 3600 Kgs/Day. The power required is of 3 MW and backup DG sets 500 KVA x 7. The total cost of the project is about Rs.190 Crores.

The project activity is covered in 8(a) of the schedule and is of 'B 2' category. It does not require Public Consultation as per Para 7 (i) III. Stage (3) (b) "Public Consultation" of EIA Notification, 2006.

The SEAC after due considerations of the relevant documents submitted by the Project Proponent and additional clarifications furnished in response to its observations have recommended to the SEIAA, Tamil Nadu to grant the Environmental Clearance to this project subject to certain conditions. The proposal was considered by SEIAA, Tamil Nadu in its meeting held on 19.06.2008 and as the public consultation is not required for the project, the SEIAA hereby accords Environmental Clearance to the above project under the provisions of EIA, Notification dated 14th September, 2006 subject to the strict compliance of the terms and conditions as follows:

PART A- SPECIFIC CONDITIONS

Construction Phase

- i) "Consent for Establishment" shall be obtained from Tamil Nadu Pollution Control Board and a copy shall be submitted to the SEIAA, Tamil Nadu before taking up of any construction activity at the site.
- ii) All required sanitary and hygienic measures should be in place before starting construction activities and they have to be maintained throughout the construction phase.
- iii) A First Aid Room shall be provided in the project site during construction of the project.
- iv) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. The safe disposal of waste water and solid wastes generated during the construction phase should be ensured.

- v) All the labourers to be engaged for construction should be screened for health and adequately treated before and during their employment on the work at the site.
- vi) For disinfection of waste-water system, using ultra violet radiation shall be adopted.
- vii) For Solid-waste management, composting arrangements shall be provided for biodegradable waste at site.
- viii) All the topsoil excavated during construction activities should be stored for use in horticulture/ landscape development within the project site.
- ix) Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed of only in approved sites with the approval of competent authority with necessary precautions for general safety and health aspects of people.
- x) Soil and ground water samples shall be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
- xi) Construction spoils, including bituminous materials and other hazardous materials, must not be allowed to contaminate watercourses. The dump sites for such materials must be secured so that they should not leach into the ground water.
- xii) Low sulphur diesel shall be used for the diesel generator sets to be used during construction phase. The air and noise emission shall conform to the standards prescribed in the Rules under the Environment (Protection) Act, 1986.
- xiii) Vehicles hired for bringing construction materials to the site should be in good condition and should conform to air and noise emission standards, prescribed by TNPCB/CPCB. The vehicles should be operated only during non-peak hours.
- xiv) Ambient air and noise level should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase.

- xv) Fly ash should be used as building material in the construction as per the provision of Fly ash Notification of September, 1999 as amended in August, 2003.
- xvi) Ready mixed concrete must be used in building construction.
- xvii) Storm water control and its re-use shall be as per CGWB and BIS standards for various applications.
- xviii) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices prevalent.
- xix) Permission to draw water for construction should be obtained from the competent authority prior to construction of the project.
- xx) Separation of grey and black water should be done by the use of dual plumbing line for separation of grey and black water.
- xxi) The entire grey water ie 100% shall be treated by decentralized treatment.
- xxii) Fixtures for showers, toilet flushing and drinking water should be of low flow type by adopting the use of aerators / pressure reducing devises / sensor based control.
- xxiii) Use of glass may be reduced up to 40% to reduce the electricity consumption and load on air conditioning. If necessary, high quality double glass with special reflecting coating in windows shall be used.
- xxiv) Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement.
- xxv) Adequate measures to reduce air and noise pollution during construction shall be adopted, conforming with norms prescribed by the TNPCB on noise limits.
- xxvi) Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code which is mandatory for all air conditioned spaces by use of appropriate thermal insulation material to fulfill requirement.

Operation Phase

- i) The installation of the sewage treatment plant (STP) shall be certified by an independent expert and a report in this regard shall be sent to the SEIAA before the project is commissioned for operation. Discharge of treated sewage shall conform to the norms & standards prescribed by the Tamil Nadu Pollution Control Board.
- ii) For disinfection of waste-water, system using ultra violet radiation shall be adopted.
- iii) The unit shall furnish separate plan of action for disposal of treated sewage during monsoon.
- iv) Rain water harvesting for roof run-off and surface run-off, as per plan submitted should be implemented. Before recharging the surface run off, pre-treatment with screens, settlers etc. must be done to remove suspended matter, oil and grease.
- v) Permission to draw water for operation should be obtained from the competent authority prior to operation of the project.
- vi) A First Aid Room shall be provided during operation of the project.
- vii) The domestic solid waste generated shall be properly collected, segregated & composted within the premises with respect to organic waste.
- viii) The STP sludge shall be composted along with other biodegradable solid waste and used as manure.
- ix) The Plastic wastes shall be segregated and disposed through recyclers.
- x) Any hazardous waste including biomedical waste shall be disposed off as per applicable rules & norms with necessary approval of the Tamil Nadu Pollution Control Board.
- xi) The acoustic enclosures shall be installed at all noise generating equipments such as DG sets, air conditioning systems, etc. and the noise level shall be maintained as per MoEF/CPCB /TNPCB guidelines/norms both during day and night time.

- xii) The green belt design along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential land use. The open spaces inside the plot shall be suitably landscaped and covered with vegetation of suitable variety.
- xiii) Incremental pollution loads on the ambient air quality, noise and water quality shall be periodically monitored after commissioning of the project.
- xiv) Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. A hybrids system or fully solar system for a portion of the apartments shall be provided.
- xv) Traffic congestion near the entry and exit points from the roads adjoining the proposed projects site shall be avoided. Parking shall be fully internalized and no public space should be utilized.
- xvi) A report on the energy conservation measures conforming to energy conservation norms prescribed by Bureau of Energy Efficiency shall be prepared incorporating details about building materials & technology; R & U factors etc and submitted to the SEIAA in three month's time.
- xvii) The Project Proponent shall implement the Environment Monitoring Plan of treated waste water as committed.
- xviii) The Project Proponent shall implement the Environment Management Plan as committed.
- xix) The project proponent should ensure that the treated waste water shall not be discharged into the Panchayat drain.

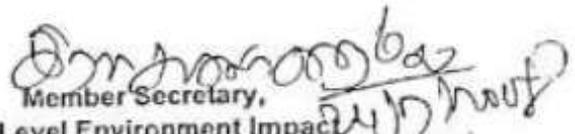
PART-B. GENERAL CONDITIONS

1. It is mandatory for the Project proponent to furnish to the SEIAA, Half yearly compliance report in Hard and Soft copies on 1st June and 1st December of each calendar year in respect of the conditions stipulated in the prior Environmental Clearance.

2. In the case of any change(s) in the scope of the project, a fresh appraisal by the SEIAA shall be obtained.
3. The SEIAA reserves the right to add additional safeguard measures subsequently, if found necessary and to take action including revoking of the Environmental Clearance under the provisions of the Environment (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
4. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosive, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wild Life (Protection) Act, 1972, State / Central Ground Water Authority, Coastal Regulatory Zone Authority, other statutory and other authorities as applicable to the project shall be obtained by project proponent from the competent authorities.
5. The project proponent shall advertise in at least two local newspapers widely circulated in the region, one of which shall be in the vernacular language informing the public that
 - i) The project has been accorded Environmental Clearance.
 - ii) Copies of clearance letters are available with the Tamil Nadu Pollution Control Board.
 - iii) Environmental Clearance may also be seen on the website of the SEIAA.

The advertisement should be made within 7 days from the date of issue of the clearance letter and a copy of the same shall be forwarded to the SEIAA.
6. All the stipulations stated under Part A and Part B above would be enforced in addition to the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.

7. Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that Construction of the project has been started without obtaining Environmental Clearance, and for action for any violation of any condition stipulated in Part – A & Part – B of the Environmental Clearance.
8. 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.
9. This Environmental Clearance is valid for five years from the date of issue.


 Member Secretary,
 State Level Environment Impact
 Assessment Authority,
 Tamil Nadu.

Copy to:-

1. The Secretary to Government, Environment & Forests Dept,
Govt. of Tamil Nadu, Fort St. George, Chennai-9.
2. The Chairman, Central Pollution Control Board, Parivesh Bhavan,
CBD Cum-Office Complex, East Arjun Nagar, New Delhi 110032.
3. The Member Secretary, Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy, Chennai-600 032.
4. The CCF, Regional Office, Ministry of Environment & Forest (SZ),
Kendriya Sadan, IV floor, E&F wings, 17th Main Road,
Koramangala II Block, Bangalore - 560034.
5. Monitoring Cell, I A Division, Ministry of Environment & Forests,
Paryavaran Bhavan, CGO Complex, New Delhi 110003.
6. Stock File.



COSMO CITY RESIDENTS WELFARE ASSOCIATION (CCRWA)

(Regd. No. 112/2012)

1/53, Dr. Abdul Kalam Road, Pudurakkam, Chennai - 603103

Association Office: 821-383 :: Ph: 044-47457666 :: Email: cosmoecm@gmail.com

List of Unresolved Promises and Unresolved Issues by PHL

1. Non functional and substandard STP, approval not received from Tamil Nadu Pollution Control Board, filter press machine in the STP not operational from the day it is installed
2. Car parking slots not available inside the campus for new buyers
3. Poor construction - Used substandard material
4. Seepage problem at several newly constructed Blocks due to poor quality of construction by Provident Housing Limited - A Subsidiary of Puravankara
5. Very minuscule Club House in comparison with size of the apartments inside Cosmo City.
6. Low height compound wall (A -Sector)
7. External Painting not completed in A- sector Blocks
8. Provisioned very less stands in A-Sector terrace for drying cloths.
9. PHL has sent illegal car parking cancellation notice to the owners for allotted car parking slots
10. Promised Open swimming pool not yet to delivered
11. Maintenance dues pending for unsold apartment to Cosmo City Resident Welfare Association
12. CORPUS funds not transferred to Cosmo City Resident Welfare Association
13. Proposed New Club House not handed over and Committed size of Club House has been drastically reduced
14. Proposed New Car parking space not finished & not illuminated properly and yet to handed over to CCRWA
15. TNEB land cost for substation remaining not handed over
16. New TNEB Substation not completed and installation is pending for long time
17. Number of Apartments exceeds number of Car Parking slots inside the Campus
18. Incorrectly designed electrical MCB (In house), Common EB line connected to in house
19. Defective assets were handed over to Cosmo City Resident Welfare Association
20. Unequipped Gymnasium
21. Unequipped & Defective Sports complex

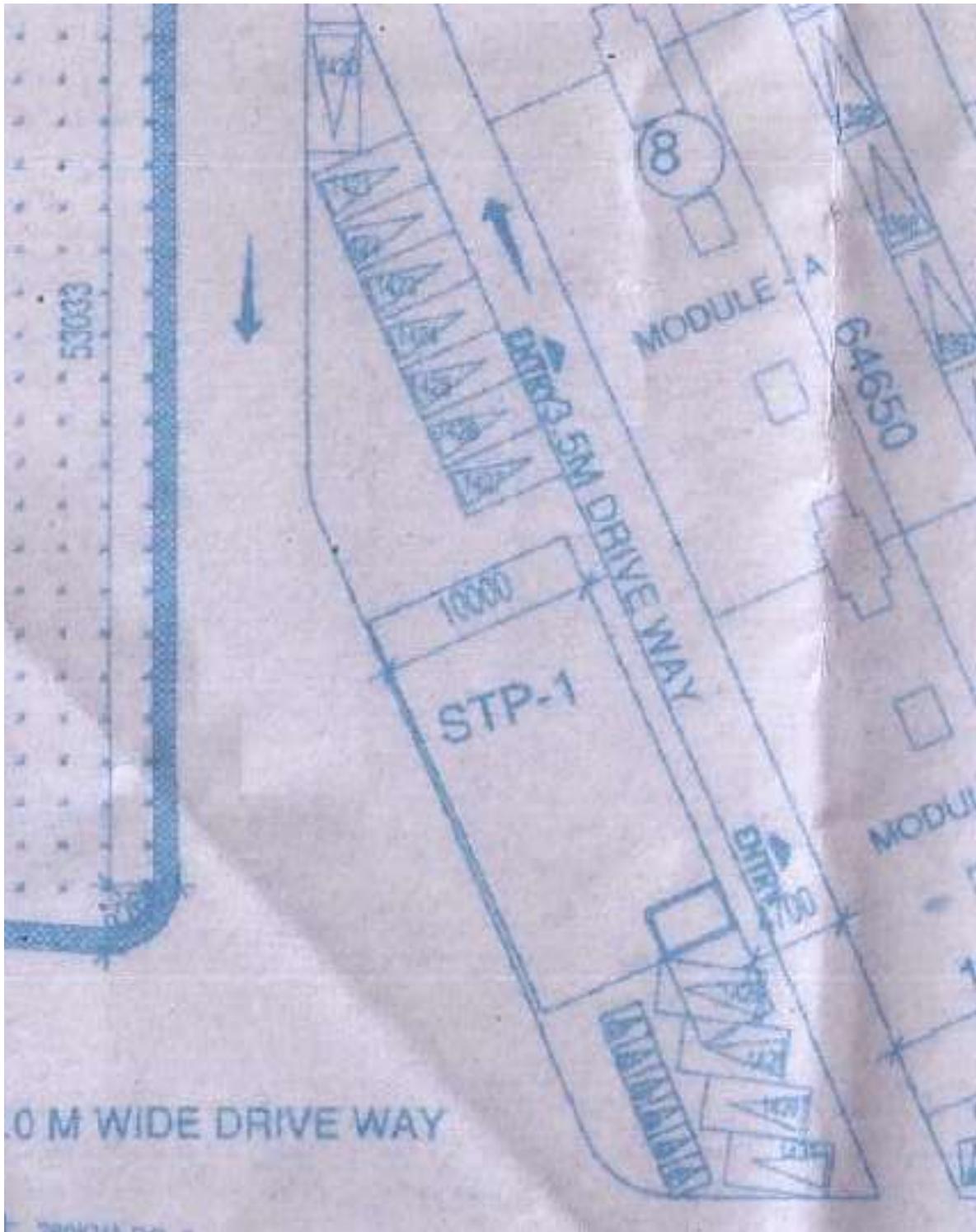
The screenshot shows a web browser window with the URL <https://in.ada.io/myadda/forum/index.php#/myadda/group/single/11216/>. The page header is blue and contains the text "Provident Cosmo City" and "100 Members". Below the header are navigation tabs: "Conversations", "Groups", "Photos", "Posts", and "Notices".

The left sidebar contains a menu with the following items: "My ADDA", "My Unit", "Discover", "Directory", "Helpdesk", "Facilities", "Activities", and "Documents". At the bottom of the sidebar, there are links for "Download ADDA App" and "Follow Us" with social media icons.

The main content area displays a forum post titled "TN PCB Notice - Cosmo City". The post is by user "Karthikeyan Kumar" (PHLCORRA) and is dated "5/11/2022 09:08". The post text reads: "Please find attached the email from PHL on the subject. PHL has forwarded to us the notice received by them from Tamil Nadu Pollution Control Board." Below the text, there is a "Thanks & Regards" section with the name "K. Karthikeyan" and a link to the attached PDF file: "TNPCB Notice - Cosmo City.pdf" (Cosmo City - TNPCB Notice - PHL final 01.22 4p.0221.pdf). There are "1 Replies" and "0 Likes" for this post.

Below the first post, there is a second post by user "M. Valluvan" (PHLCORRA) dated "5/11/2022 09:08". The text reads: "We shall reply as early as possible. We should emphasize our point the ETP is in complete shorage and very bad shape at the time of handover to CORWA. We can refer our mail that we have given our formal confirmation to having the ETP project. PHL is not liable for work with GEMM. If any consequences due to delay in implementation of saving the ETPPHL will be solely responsible. Since PCB has given many mandatory requirement to run ETP we can push PHL to install and complete. We will call PHL for meeting and conclude." There are "0 Likes" for this post.

At the bottom of the forum post, there is a text input field with the placeholder "Type your reply here".





Chandru Muniraj
to ProvidentCosmoCity-forum +
Mon, Oct 11, 3:15 PM (7 days ago) ☆ ↶ ⋮
—While replying, please do not type below this line—

CM Chandru Muniraj
D-30 001, Owner, 11/10/21

Hi All,

I am residing in D30-001 flat which is located very close to D block STP, I am also facing all such issues bad odour and too much of loud noise, so whatever actions are going to be taken for B Block STP, same should be considered for D block STP as well.

Regards,
Chandru.

On Mon, Oct 11, 2021 at 1:13 PM Ravichandran Subramaniam <ProvidentCosmoCity-forum@apartmentadda.com> wrote:

[Reply](#)

[View Full Conversation on ADDA](#)



CM Chandru Muniraj
D-30 001, Owner, 17/10/21

Drainage water spilling on D block STP terrace.

I myself bought one coupling and fixed, but it has been removed which is causing the drainage water spillage.

Pl have a look at the attached images.

The condition of STP is becoming worse day by day.

On Tue, Oct 12, 2021 at 11:32 PM MATHANRAJ MOHAN Jt. Secretary D-Sector <ProvidentCosmoCity-forum@apartmentadda.com> wrote:

There are attachments with this post. Please [click here](#) if you do not see the attachments.

[Reply](#)

[View Full Conversation on ADDA](#)

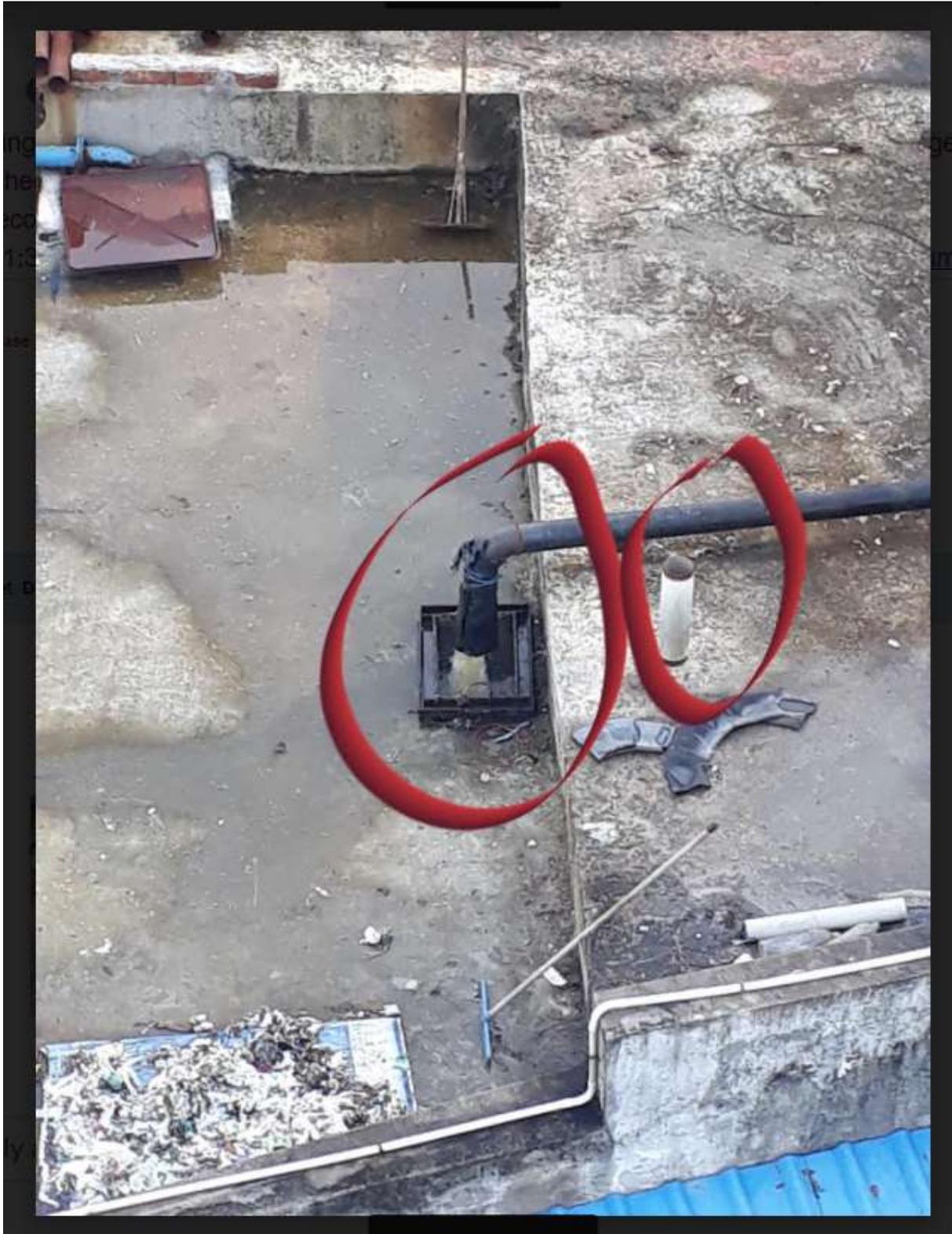
 Carry your apartment in your pocket. Download ADDA App!

Attachments

- 1 . 20211017_154626 .jpg
- 2 . 20211017_155124 .jpg

2 Attachments









TAMILNADU

22 MAR 2021

PROVIDENT HOUSING LTD

 SD 660136
 I JACINTH
 Name Vender-Lic No. 20548/Ra/B
 Suresh Nagar, Korumbur
 Chennai-600 061

TRIPARTITE AGREEMENT

THIS TRIPARTITE AGREEMENT EXECUTED AT CHENNAI ON THIS TWENTY SECOND DAY OF MARCH TWO THOUSAND AND TWENTY ONE (22.3.2021)

BETWEEN

Cosmo City Residents Welfare Association, a society registered under the Tamil Nadu Society Registration Act 27 OF 1975, having registered office at B21-303, Cosmo City, 1/53, Dr. Abdul Kalam Road, Pudupakkam, Chengalpet District, Pin - 603103, jointly represented by its President Mr. K. Karthikeyan, aged about 44 years and Acting Secretary Mr. M. Suresh Kumar, aged about 40 years, hereinafter referred to CCRWA / ASSOCIATION / FIRST PARTY, which term shall include and mean its members, successors in interest, assigns

AND

M/s Provident Housing Limited, a public limited company incorporated under the Companies Act 1956, having its Registered Office at No. 130/1, Ulsoor Road, Bangalore -560 042 and Regional Office at No.33 South beach Avenue, MRC Nagar, Raja Annamalaipuram,

K. Karthikeyan

M. Suresh

[Signature]

[Signature]



சென்னை தமில்நாடு கமிலநாடு TAMILNADU

5 JUN 2020

PROVIDENT HOUSING LIMITED

BZ 603714

I. JACINTH
M. S. S.

Chennai – 600 028, represented herein by its authorized signatory Mr. Prem Chand Naidu, aged about 46 years and hereinafter called the PHL / COMPANY / SECOND PARTY which term shall mean and include, wherever the context so requires or permits, its successors-in-interest and assigns;

AND

M/s Seamak Hi-Tech Products, a firm having its Registered Office at 797, 1st Cross, 12th Main HAL 2nd Stage, Indira Nagar, Bangalore-560 008, represented herein by its authorized signatory Mr. Charan, aged about 27 years and hereinafter called the Seamak / Vendor / THIRD PARTY which term shall mean and include, wherever the context so requires or permits, its successors-in-interest and assigns;

The Cosmo City Residents Welfare Association, M/s Provident Housing Limited and M/s Seamak Hi-Tech Products are hereinafter collectively referred to as Parties.

K. Karthikeyan

M. Laxmi

Charan

I. Jacinth

WITNESSES AS FOLLOWS:

- I. WHEREAS, PHL has developed residential apartment complex named 'Provident Cosmo City' hereinafter called the **Cosmo City / Complex**, situated at No. 1/53, Abdul Kalam Road, Pudupakkam, Chennai – 603 103.
- II. WHEREAS, CCRWA is the duly elected body of the owners and is in-charge of maintaining the Complex and the Assets Handed Over by PHL.
- III. WHEREAS, Vendor is a EPC company dealing in water & waste water treatment and environmental pollution control solution.
- IV. WHEREAS, the Sewage Treatment Plants, quantity two, mentioned hereinafter as STP 1 & STP 2, or STPs situated in the Complex, are proposed to be undertaken for some revamping works.
- V. Accordingly, the Parties have mutually agreed to execute this Tripartite Agreement.

VI. NOW THIS TRIPARTITE AGREEMENT WITNESSETH AS FOLLOWS:

The Parties hereby mutually agree that:

1. Works for revamping the STPs in the Complex are for basic operation and functioning of the STPs in compliance with the norms of the Tamil Nadu Pollution Control Board with the system and the said works will be carried out by the vendor.
2. The total consideration to be paid to the Vendor for the said works, jointly by the First Party and Second Party, shall be **INR. 23,20,000 Plus GST** (Rupees twenty three lakh and twenty thousand only. GST applicable) as per details attached at Annexure I. Cost of OWC Revamp is excluded from STP Revamp Works.
3. The share of expenditure for the work as given in Annexure-1, between the First and Second Party, shall be each @ 50% of the total cost. Thus, each party shall bear **Rs. 11.60 lakh** and proportionate amount of GST. The cost of removal and discharge of sludge & raw sewage from both the STPs during the period of revamping will be at extra cost. The same shall be undertaken by the Vendor and shall also be payable to the Vendor by the First Party and Second Party at 50% cost sharing basis, over and above the cost given in Annexure I.

K. ~~Karthikeyan~~

M. Uti





Annexure IPROVIDENT COSMO CITYSTP : REVAMP WORK-TIME-COST SCHEDULE

SL.NO.		DESCRIPTION	SPECIFICATION	QTY	UOM	UNIT PRICE	TOTAL COST	START DATE	COMPLETION DATE	REMARK
ANNEXTURE-I										
PLANT -1 (650 KLD STP SBR)										
1		Sludge removal from aeration tank		1	Job	At Actuals				Installed at site
2		Supply and installation of outlet flow meter	Analog Type, 3"	1	No.	21,000.00	21,000.00			
3		Supply and installation of inlet flow meter	Electromagnetic Type, size 4"	1	No.	41,000.00	41,000.00	24-03-2021	01-04-2021	
4		Raw sewage pump pipe line airtation work		1	Job	78,000.00	78,000.00	24-03-2021	01-04-2021	
5		Supply and installation of collection pump	30 M3/HR, Make: Lubi, Model No. LFP 3335	1	No.	64,000.00	64,000.00	24-03-2021	01-04-2021	
6		Supply and installation of Bar'screen	MOC:MSEP, Make: Searmak	1	No.	45,000.00	45,000.00	24-03-2021	01-04-2021	
7		Cleaning of Aeration Tank		1	Job	53,000.00	53,000.00	26-03-2021	02-04-2021	

K. Karthikeyan

N. Srinivasan

P. C. Srinivasan

M. Srinivasan

SL.NO.	DESCRIPTION	SPECIFICATION	QTY	UOM	UNIT PRICE	TOTAL COST	START DATE	COMPLETION DATE	REMARK
8	Supply and installation of Fine bubble diffuser in aeration tank-fixed system	Make:Scogen/eqt	58	No.	5,500.00	319,000.00	02-04-2021	04-04-2021	
9	Servicing of Exhaust Motor		1	Job	32,000.00	32,000.00	03-04-2021	05-04-2021	
10	Servicing of Dosing Pump		1	No.	6,000.00	6,000.00	03-04-2021	05-04-2021	
11	Supply and installation of Electrical panel		1	No.	160,000.00	160,000.00	06-04-2021	08-04-2021	
12	Servicing of Air Blower		1	No.	66,000.00	66,000.00	06-04-2021	15-04-2021	
13	Recommissioning of STP		1	No.	120,000.00	120,000.00	16-04-2021	24-04-2021	
TOTAL COST						1,005,000.00			
PLANT -2 (650 KLD STP-SBR)									
1	Sludge removal from aeration tank		1	Job	At Actuals				Installed at site
2	Supply and installation of Outlet flow meter	Analog Type,3"	1	No.	21,000.00	21,000.00			
3	Supply and installation of inlet flow meter	Electromagnetic Type,size:4"	1	No.	41,000.00	41,000.00	10-03-2021	13-03-2021	
4	Raw sewage pump pipe line altration work		1	Job	83,000.00	83,000.00	10-03-2021	13-03-2021	
5	Supply and installation of collection pump	30 M3/HR, Make:Lubi, Model No:LFP 3335	1	No.	64,000.00	64,000.00	10-03-2021	13-03-2021	
6	Supply and installation of Barscreen	MOC:MSEP, Make:Seamak	1	No.	45,000.00	45,000.00	10-03-2021	13-03-2021	
7	Cleaning of Tank		1	Job	200,000.00	200,000.00	12-03-2021	15-03-2021	
8	Supply and installation of Fine bubble diffuser in aeration tank	Make:Scogen/eqt	58	No.	5,500.00	319,000.00	13-03-2021	16-03-2021	
9	Servicing of Dosing Pump		1	Job	6,000.00	6,000.00	16-03-2021	23-03-2021	

K. Kothirayagan

P.C. [Signature]

10	Supply and Installation of Electrical panel	1	No.	230,000.00	230,000.00	23-03-2021	23-03-2021	
11	Servicing of Air Blower	1	No.	66,000.00	66,000.00	16-03-2021	23-03-2021	
12	Servicing of Filter press Feed Pump	1	No.	10,000.00	10,000.00	16-03-2021	23-03-2021	
13	Recommissioning of STP	1	No.	120,000.00	120,000.00	24-03-2021	01-04-2021	
TOTAL COST					1,205,000.00			

COMMON ITEMS									
S.NO	DESCRIPTION	SPECIFICATION	QTY	UOM	UNIT PRICE	TOTAL COST	START DATE	COMPLETION DATE	REMARK
1	Inspection, survey and whitewashing		1	Job	110,000.00	110,000.00	10-03-2021	24-04-2021	white washing done
2	OWC rectification services and cleaning of PCC with other duties.		1	Job	200,000.00	200,000.00	24-03-2021	24-04-2021	
NOTE	EXECUTION CHART WILL BE APPLICABLE FROM THE DATE OF RECEIPT OF ADVANCE PAYMENT & AFTER COMPLETE SULLAGE EVACUATION FROM STP TANKS								

M. Karthikeyan

M. Devi

P. Jeyaraj

Operation Phase

- i) The installation of the sewage treatment plant (STP) shall be certified by an independent expert and a report in this regard shall be sent to the SEIAA before the project is commissioned for operation. Discharge of treated sewage shall conform to the norms & standards prescribed by the Tamil Nadu Pollution Control Board.
- ii) For disinfection of waste-water, system using ultra violet radiation shall be adopted.
- iii) The unit shall furnish separate plan of action for disposal of treated sewage during monsoon.
- iv) Rain water harvesting for roof run-off and surface run-off, as per plan submitted should be implemented. Before recharging the surface run off, pre-treatment with screens, settlers etc. must be done to remove suspended matter, oil and grease.
- v) Permission to draw water for operation should be obtained from the competent authority prior to operation of the project.
- vi) A First Aid Room shall be provided during operation of the project.
- vii) The domestic solid waste generated shall be properly collected, segregated & composted within the premises with respect to organic waste.
- viii) The STP sludge shall be composted along with other biodegradable solid waste and used as manure.
- ix) The Plastic wastes shall be segregated and disposed through recyclers.
- x) Any hazardous waste including biomedical waste shall be disposed off as per applicable rules & norms with necessary approval of the Tamil Nadu Pollution Control Board.
- xi) The acoustic enclosures shall be installed at all noise generating equipments such as DG sets, air conditioning systems, etc. and the noise level shall be maintained as per MoEF/CPCB /TNPCB guidelines/norms both during day and night time.

Ambient Noise Standards

SCHEDULE

(see rule 3(1) and 4(1))

Ambient Air Quality Standards in respect of Noise

Area code	Category of Area / Zone	Limits in dB(A) Leq*	
		Day Time	Night Time
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

Note:-

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
3. Silence zone is an area comprising not less than 100 metres around hospitals, educational institutions, courts, religious places or any other area which is declared as such by the competent authority
4. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

* **dB(A) Leq** denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

A "decibel" is a unit in which noise is measured.

"A", in **dB(A) Leq**, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leq: It is an energy mean of the noise level over a specified period.

Note : The Principal Rules were published in the Gazette of India, vide S.O. 123(E), dated 14.2.2000 and subsequently amended by the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 vide S.O. 1046(E), dated 22.11.2000 and by the Noise Pollution (Regulation and Control) (Amendment) Rules, 2002 vide S.O. 1088(E), dated 11.10.2002, under the Environment (Protection) Act, 1986.



- Air Quality Standards
- Water Quality Standards
- Vehicular Exhaust
- Noise Standards/Rules +
- Bio Medical Incinerators
- Auto Fuel Quality
- Common HW Incinerators
- Generator Set +
- Industry Specific Standards +

WHO Guidelines for Noise

Updated On : 11 Sep 2017

In WHO noise quality guidelines, values are summarized with regard to specific environments and effects. For each environment and situation, the guideline values take into consideration the identified health effects and are set, based on the lowest levels of noise that affect health (critical health effect). Guideline values typically correspond to the lowest effect level for general populations, such as those for indoor speech intelligibility. Noise guideline values are for the onset of health effects from noise exposures.

Specific Environment	Time Base (hours)	Standard limits as per WHO guidelines	
		LAeq (dB)	L _{Amax} , fast (dB)
Outdoor living area	16	50-55	-
Dwelling, indoors	16	35	-
Inside bedrooms	8	30	45
Outside bedrooms	8	45	60
School class rooms and pre-schools, indoors	During class	35	-
Pre-school bedrooms, indoors	Sleeping time	30	45
School playground outdoor	During play	55	-
Hospital, ward rooms, indoors	8 16	30 30	40+
Hospitals, treatment rooms, indoors	-	As low as possible	-

Sewage Treatment Plant siting criteria - Guidelines

1. The STP site should be at least 250 metres away from any lake or pond preferably in the downstream side of lake or pond so that the sewage shall not reach the water bodies.
2. The STP site should be located more than at least 250 metres away from river or stream and shall ensure that the treated / untreated sewage should not reach the above water sources.
3. The STP site should be located at least 500 metres away from a notified habitated area and zone of 100 metres around STP site boundary should be declared as no-development zone so that green belt can be developed in that area.
4. The STP site should be at least 500 metres away from a public utility area such as park, temple, educational institution etc.,
5. The site of STP should be selected on dry lands and the treated sewage shall be utilized on land for irrigation.
6. The local body shall also ensure that the land availability and consent from the land owners for the disposal of treated sewage, which should be mentioned at the time of application for NOC itself.
7. In case of disposal of treated sewage into marine water bodies, the local body shall obtain CRZ clearance and this should be submitted along with NOC application.
8. The local body shall obtain appropriate land use certificate from DTCP for STP site.
9. The local body shall consider the treatment technology while selecting the site in respect of extent of land: Advanced treatment technology will require less footprint area in order to meet the inland surface water standards prescribed of the TNPCB.
10. A preliminary assessment of public / nearby residents opinion neighboring the location of STP site is essential.

**Sd/-
R.Balakrishnan, IAS
Chairman**

**Sd/-
For Chairman**

Chapter-I: Environment Compensation to be levied on Industrial Units

1.1 Background

The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) that:

“The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment. Such action plan may be prepared by the CPCB within three months” (Annexure-I).

1.2 Constitution of the Committee

In this context, Chairman, CPCB constituted a Committee under the Chairmanship of Shri A. Sudhakar, I/c WQM-I with Shri A. K. Vidyarthi, I/c WQM-II, Shri P. K. Gupta, I/c IPC-VI, Shri Nazimuddin I/c IPC-II and Dr. S. K. Paliwal, Scientist 'D' as members. The Committee was asked to deliberate on this issue and come up with a draft formulation before 15.9.2018.

1.3 Methodology for Assessing Environmental Compensation

The Committee discussed the issue on 4.9.2018, 13.9.2018, 17.9.2018 and 09.10.2018. A meeting was also held with Senior Officers of CPCB Head Office and Regional Directorates through video conferencing on 28.09.2018 to discuss the draft report and to seek comments/feedbacks. The comments/feedbacks received and deliberations of the Committee on the same are given in **Annexure-II**.

As per the Hon'ble NGT suggestion, CPCB has invited comments of 3 expert institution, namely, Centre for Science and Environment (CSE), Institute of Economic Growth (IEG) and The Energy Research Institute (TERI). A meeting to incorporate the comments of the expert institutions and to finalize the report, was held on 27/03/2019. The CPCB in-house committee on Environmental Compensation has deliberated on the comments and finalized the report accordingly. The Committee's deliberations are attached as **Annexure-III**.

It was deliberated for developing a formula for imposing environmental compensation on industrial units for violation of directions issued by regulatory bodies and this is the first attempt made. The committee discussed that environmental compensation should be based on "Polluter Pay Principle". The Committee decided to list the instances for taking cognizance of cases fit for violation and levy environmental compensation.

Cases considered for levying Environmental Compensation (EC):

- a) Discharges in violation of consent conditions, mainly prescribed standards / consent limits.
- b) Not complying with the directions issued, such as direction for closure due to non-installation of OCEMS, non-adherence to the action plans submitted etc.
- c) Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission / Effluent Monitoring systems.
- d) Accidental discharges lasting for short durations resulting into damage to the environment.
- e) Intentional discharges to the environment -- land, water and air resulting into acute injury or damage to the environment.
- f) Injection of treated/partially treated/ untreated effluents to ground water.

1.3.1 In the instances as mentioned at *a, b and c* above, Pollution Index may be used as a basis to levy the Environmental Compensation. CPCB has published guidelines for categorization of industries into Red, Orange, Green and White based on concept of Pollution Index (PI). The Pollution Index is arrived after considering quantity & quality of emissions/ effluents generated, types of hazardous wastes generated and consumption of resources. Pollution Index of an industrial sector is a numerical number in the range of 0 to 100 and can be represented as follows:

$$PI = f(\text{Water Pollution Score, Air Pollution Score \& HW Generation Score})$$

Pollution Index is a number from 0 to 100 and increasing value of PI denotes the increasing degree of pollution *hazard from the industrial sector*.

CPCB has issued directions to all SPCBs/PCCs on 07.03.2016 to adopt the methodology and follow guidelines prepared by CPCB for categorization of industrial sectors into Red, Orange, Green and White.

The concept of Pollution Index, which was deliberated widely with all stakeholders and agreed, shall be used for calculating Environmental Compensation. This may help in implementation of such provision throughout the country, a successful initiative in vital field of industrial pollution control.

After considering various factors including the policy implementation issues, Committee has come up with following formula for levying the Environmental Compensation in instances as mentioned at *a, b and c* including non-compliance of the environmental standards / violation of directions.

For notified Ecologically Sensitive areas, for beginning, LF may be assumed as 2.0. However, for critically Polluted Areas, LF may be explored in future.

- f. In any case, minimum Environmental Compensation shall be ₹ 5000/day.
- g. In order to include deterrent effect for repeated violations, EC may be increased on exponential basis, i.e. by 2 times on 1st repetition, 4 times on 2nd repetition and 8 times on further repetitions.
- h. If the operations of the industry are inevitable and violator continues its operations beyond 3 months then for deterrent compensation, EC may be increased by 2, 4 and 8 times for 2nd, 3rd and 4th quarter, respectively. Even if the operations are inevitable beyond 12 months, violator will not be allowed to operate.
- i. Besides EC, industry may be prosecuted or closure directions may be issued, whenever required.

A sample calculation for Environmental Compensation (without deterrent factor) is given at Table No. 1.2. It can be noticed that for all instances, EC for Red, Orange and Green category of industries varies from 3,750 to 60,000 ₹/day.

Table No. 1.2: A sample calculation for Environmental Compensation

Industrial Category	Red	Orange	Green
Pollution Index (PI)	60-100	41-59	21-40
Average PI	80	50	30
R-Factor	250		
S-Factor	0.5-1.5		
L-Factor	1.00-2.00		
Environmental Compensation (₹/day)	10,000-60,000	6,250-37,500	5,000-22,500

1.3.2 In other instances i.e. *d, e and f*, the environmental compensation may contain two parts – one requires providing immediate relief and other long-term measures such as remediation. In all these cases, detailed investigations are required from expert institutions/organizations based on which environmental compensation will be decided. CPCB shall list the expert institutions for this purpose.

In such cases, comprehensive plan for remediation of environmental pollution may be prepared and executed under the supervision of a committee with representatives of SPCB, CPCB and expert institutions/organizations.

1.4 Action Plan for Utilization of Environmental Compensation Fund

The Committee discussed about the utilization of funds, which will be received by imposing Environmental Compensation. The following Action Plan is proposed to utilize the fund for protection of the environment.

Chapter-III: Environmental Compensation to be levied in case of failure of preventing the pollutants being discharged in water bodies and failure to implement waste management rules

3.1 Background

The Hon'ble Supreme Court in its order dated 22.02.2017 in the matter of Paryavaran Suraksha Samiti and another v/s Union of India and others (Writ Petition (Civil) No. 375 of 2012), directed State Governments (including the concerned Union Territories) to set-up Sewage Treatment Plants (STPs), which are already under implementation, within the time lines already postulated. Further, the STPs, which are yet to set-up, to be completed within a period of three years, from today, i.e. by 22.02.2020.

The Hon'ble NGT in its order dated 06.12.2018 (**Annexure-III**) in the matter of Court of its own motion v/s State of Karnataka (Original Application No. 125/2017 and M.A. No. 1337/2018) has given following directions:

“Since failure of preventing the pollutants being discharged in water bodies (including lakes) and failure to implement solid and other waste management rules are too frequent and widespread, the CPCB must lay down specific guidelines to deal with the same, throughout India, including the scale of compensation to be recovered from different individuals/authorities, in addition to or as alternative to prosecution. The scale may have slabs, depending on extent of pollution caused, economic viability, etc. Deterrent effect for repeated wrongs may also be provided.”

3.2 Ideology of Environmental Compensation Formula

In compliance of the directions of the Hon'ble Tribunal, the Committee deliberated on the issue of environmental compensation to be recovered from individuals/authorities in case of failure of preventing the pollutants being discharged in water bodies and failure to implement solid and other waste management rules. The Committee has suggested that environmental compensation in these cases should be comprised of two components i.e.

1. Cost saved/benefits achieved by the concerned individual/authority by not having proper waste/sewage management system; and
2. Cost to the environment (environmental externality) due to untreated/partially treated waste/sewage because of insufficient capacity of waste/sewage management/treatment facility.

Cost saved/benefits achieved by not having proper waste/sewage management system includes the interest on capital cost of the waste/sewage management facility and daily operation and maintenance (O&M) cost associated with the facility.

The Committee suggested that annual interest rate as 10% on loan amount, borrowed by concerned individual/authority for setting-up waste/sewage management facility, may be assumed as Capital Cost Factor for calculation of environment compensation. Further, as whole O&M cost is saved by concerned individual/authority for not managing required waste/sewage management system, 100% of the O&M cost saved may be considered as O&M cost factor.

3.4 Environment Compensation to be Levied on Concerned Individual/Authority for Improper Solid Waste Management:

It is known that estimated MSW generation is approximately 1.5 lakh MT/Day in India (MoHUA Report-2016). As per the principles of SWM Rules, 2016 and PWM Rules 2016, as amended in 2018, the total cost of Municipal Solid Waste management in a city/town includes cost for door to door collection, cost of segregation at source, cost for transportation in segregated manner, cost for processing of MSW and disposal through facility like composting, biomethanation, recycling, co-processing in cement kilns etc.

In view of above, it is estimated that the total cost of processing and treatment of MSW for a city having population size of 1 lakh and generating approximately 50 tons/day of MSW is Rs.15.5 Crores, including capital cost (one time) and O & M cost for one year. The expenditure for subsequent years would be only Rs. 3.5 crores/annum.

CPCB sponsored a survey to ascertain the status of municipal solid waste disposal in 59 cities/towns of India. The survey was conducted by the Environment Protection Training Research Institute (EPTRI), Hyderabad. As per the survey, it is estimated that solid waste generated in small, medium and large cities and towns is about 0.1 kg (Class-III), 0.3-0.4 kg (Class-II) and 0.5 kg (Class-I) per capita per day respectively. The committee opined that 0.6 kg/day, 0.5 kg/day and 0.4 kg/day per capita waste generation may be assumed for mega-cities, million-plus UAs/towns and Class-I UA/Towns respectively for calculation of environmental compensation purposes. Based on these assumptions, Environmental Compensation to be levied on concerned ULB may be calculated with the following formula:

EC = Capital Cost Factor x Marginal Average Cost for Waste Management x (Per day waste generation-Per day waste disposed as per the Rules) + O&M Cost Factor x Marginal Average O&M Cost x (Per day waste generation-Per day waste disposed as per the Rules) x Number of days violation took place + Environmental Externality x N

Where;

Waste Quantity in tons per day (TPD)

N= Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority

Simplifying;

EC (Lacs Rs.) = 2.4(Waste Generation - Waste Disposed as per the Rules) +0.02 (Waste Generation - Waste Disposed as per the Rules) x N + Marginal Cost of Environmental Externality x (Waste Generation - Waste Disposed as per the Rules) x N

2. The Executive Officer,
Thiruporur Panchayat Union,
Kancheepuram District.
3. Board Meeting Section
4. Technical File

//Forwarded By Order//

For Chairman

SPECIAL CONDITIONS

1. This consent to establish is valid for establishing the facility for the manufacture of products/byproducts (Col. 2) at the rate (Col 3) mentioned below. Any change in the product/byproduct and its quantity has to be brought to the notice of the Board and fresh consent has to be obtained.

Description	Quantity
Main products manufactured:	
1. Residential Complex with total built-up area	144596 sqm
By/Intermediate products manufactured: Nil	

2. This consent to establish is valid for establishing the facility with the below mentioned emission/noise sources along with the control measures and/or stack. Any change in the emission source/control measures/change in stack height has to be brought to the notice of the Board and fresh consent has to be obtained if necessary.

Sl. No.	Source of Emission	APC measures to be provided	Maximum discharge in cubic meter/hr.	Point of Discharge- Stack height (in meters)
1	D. G. set 500 KVA	Stack with Acoustic enclosure	---	15
2	D. G. set 500 KVA	Stack with Acoustic enclosure	---	15
3	D. G. set 500 KVA	Stack with Acoustic enclosure	---	15
4	D. G. set 500 KVA	Stack with Acoustic enclosure	---	15
5	D. G. set 500 KVA	Stack with Acoustic enclosure	---	15
6	D. G. set 500 KVA	Stack with Acoustic enclosure	---	15
7	D. G. set 500 KVA	Stack with Acoustic enclosure	---	15

3. The unit shall comply with conditions imposed in the Environmental clearance from SEIAA, Tamilnadu Vide Lr. No. SEIAA/TN/EC/8(a) / 006/F-20/2008 dated 27.07.2008.
4. The unit shall apply for authorization under the provisions of authorization under Hazardous Wastes (Management, Handling & Transboundary Movement) Rules 2008 as

OSR AREA UTILIZES TO ESTABLISH
BIO RECYCLER



F. No. 23-19/2017-IA-III
 Government of India
 Ministry of Environment, Forest and Climate Change
 (Impact Assessment Division)

Indira Paryavaran Bhawan
 Jor Bagh Road, New Delhi - 3

Date: 10th April, 2018

To,

Shri Sudhakar, DGM
M/s Puravankara Limited
 No.7, LVR Center, Seshadri Road,
 Chennai- 600 018 (Tamil Nadu)
 E Mail: puravacosmo@gmail.com

Subject: Residential apartment 'COSMOCITY' at Survey Nos: 53/3, 53/4, 53/10B, 55, 56/1, 57/2 & 57/4, Pudupakkam Village Chengalpattu Taluk, District Kancheepuram (Tamilnadu) by M/s Puravankara Limited - reg.

Sir,

This refers to your online proposal No. IA/TN/NCP/63558/2017 dated 29th March, 2017, along with the details in prescribed Form-1 for consideration in terms of the provisions of this Ministry's Notification S.O.804 (E) dated 14th March, 2017 and for prescribing terms of reference (ToRs) accordingly.

2. The residential project involves construction of residential apartment 'Cosmo City' with a total built up area of 1,91,215.02 sqm (for 2174 apartments) in total plot area of 1,27,570.85 sqm at Survey No.53/3, 53/4, 53/10B, 55, 56/1, 57/2 & 57/4 at Pudupakkam Village, Chengalpattu Taluk, Kancheepuram District (Tamil Nadu) by M/s Puravankara Limited. The project site is permitted for residential use as per approved Master Plan of the area. Planning/ building permission were obtained from Chennai Metropolitan Development Authority (CMDA), whereas, other necessary approvals were taken from the Chennai Corporation, CMWS&SB etc. The said project/activity is covered under category B of item 8(a) &(b) of the Schedule to the EIA Notification, 2006, and requires prior EC from the SEIAA in Tamil Nadu based on the appraisal by SEAC.

3. Earlier, the EC was granted by SEIAA vide letter dated 24th July, 2008 for construction of 1184 units under category B of item 8(a) of the said Notification. The application for seeking EC to expansion of the project for more 990 dwelling units was submitted to SEIAA on 6th February, 2009 for consideration under item 8(b). Based on monitoring of the project by the Regional Office of the Ministry, the project proponent vide this Ministry's letter dated 2nd April, 2012 were directed to stop construction works for non compliance of EC conditions. There being no response, the project proponent was given final opportunity vide letter dated 16th July, 2012 followed by show cause notices on 7th December, 2012 & 8th February, 2013 to report the compliance of the earlier directions. The process is yet to be concluded.

4. The application for seeking EC to the expansion project (990 dwelling units) was submitted to SEIAA on 10th January, 2014, whereas the construction activity relating to expansion was started in the year 2009 only i.e. while submitting the proposal for EC to SEIAA on 6th February, 2009. The project was, therefore, started much before obtaining the

EC, which amounts to violation of the EIA Notification, 2006. SEIAA vide their letter dated 23rd May, 2014 has confirmed the case to be of violation of the EIA Notification, 2006, and recommended the State Government to initiate action against the project proponent u/s 19 of the Environment (Protection) Act, 1986. In response, Tamil Nadu Pollution Control Board has issued the show cause notice on 10th September, 2014.

5. The Ministry has issued a Notification vide S.O. 804 (E) dated 14th March, 2017 for appraisal of projects for grant of Terms of Reference / Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the Environment Impact Assessment Notification, 2006.

6. The proposal was considered by the Expert Appraisal Committee, constituted in the Ministry for appraisal of the proposals for ToR/EC in pursuance of the Ministry's Notification dated 14th March, 2017, in its meeting held on 15-16 January, 2018. The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, noted that the construction continued even after show cause notices issued by the Ministry for non compliance of the earlier EC conditions not settled yet and even continued to do construction for expansion without obtaining prior EC for the expansion project (990 dwelling units), and thus amounts to blatant violation of the EIA Notification, 2006 and recommended for the following:-

- (i) The project proponent shall submit the monitoring report on compliance status of the earlier EC conditions (EC dated 24th July, 2008 issued by SEIAA) from the Regional Office of the Ministry to conclude the show cause notices issued by the Ministry.
- (ii) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.

7. Based on recommendations of the EAC, the Ministry of Environment, Forest and Climate Change, in pursuance of the provisions of its Notification dated 14th March, 2017, hereby advised the project proponent to submit the monitoring report on compliance status of the earlier EC conditions (EC dated 24th July, 2008 issued by SEIAA) from the Regional Office of the Ministry to conclude the show cause notices issued by the Ministry.

8. Further, based on recommendations of the EAC and the statutory provisions, the Ministry has also approved the following:-

- (i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.
10. This issues with approval of the competent authority.


(Dr. Vinod K. Singh)
Scientist D

Copy to:

1. The Secretary, Department of Environment, No.1, Jeemis Road, Panagal Building, Ground Floor, Saidapet, Chennai-600 015, Tamil Nadu.

2. Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment, Forests and Climate Change, Ist and IInd Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai-34.
3. The Member Secretary, Central Pollution Control Board Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi - 110 032.
4. The Member Secretary, Tamil Nadu Pollution Control Board, 76, Mount Salai, Guindy, Chennai - 600 032.
5. Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi.
6. Guard File/ Record File/ Notice Board.
7. MoEF&CC Website.


(Dr. Vinod K. Singh)
Scientist D

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Reportable

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal No. 5041 of 2021
(Arising out of SLP (C) No. 11959 of 2014)

Supertech Limited

...Appellant

Versus

**Emerald Court Owner Resident
Welfare Association & Ors.**

...Respondents

With

Civil Appeal No. 5042 of 2021
(Arising out of SLP (C) No. 14314 of 2014)

With

Civil Appeal No. 5043 of 2021
(Arising out of SLP (C) No. 12470 of 2014)

With

Civil Appeal No. 5044 of 2021
(Arising out of SLP (C) No. 14262 of 2014)

With

Civil Appeal No. 5045 of 2021
(Arising out of SLP (C) No. 21035 of 2014)

With

Civil Appeal No. 5046 of 2021
(Arising out of SLP (C) No. 31117 of 2014)

With

Civil Appeal No. 5047 of 2021
(Arising out of SLP (C) No. 12427 of 2015)



1 Leave granted.

A Factual and procedural history

A.1 The appeals

2 These appeals have arisen from a judgment of a Division Bench of the High Court of Judicature at Allahabad dated 11 April 2014, upon a writ petition¹ instituted by the first respondent, the Residents' Welfare Association² of Emerald Court Group Housing Society³.

3 By its judgment, the High Court directed:

- (i) The demolition of Towers -16⁴ and 17⁵ by the third respondent, New Okhla Industrial Development Authority⁶, in Emerald Court situated on Plot No 4, Sector 93A, NOIDA constructed by the appellant, Supertech Limited⁷;
- (ii) The cost of demolition and removal would be borne by the appellant, failing which NOIDA shall recover it as arrears of land revenue;
- (iii) Sanction for prosecution under Section 49 of the Uttar Pradesh Urban Development Act 1973⁸, as incorporated by Section 12 of the Uttar Pradesh Industrial Area Development Act 1976⁹, shall be granted for the prosecution of the officials of the appellant and the officers of NOIDA for possible

¹ Writ Petition (Civil) No 65085 of 2012

² "RWA"

³ "Emerald Court"

⁴ "T-16"/"Ceyane"

⁵ "T-17"/"Apex"

⁶ "NOIDA"

⁷ "Supertech"

⁸ "UPUD Act 1973"

⁹ "UPIAD Act 1976"

PART A

violations of the UPIAD Act 1976 and Uttar Pradesh Apartment (Promotion of Construction, Ownership & Maintenance) Act 2010¹⁰; and

(iv) Refund by the appellant of amounts invested by purchasers who had booked apartments in T-16 and T-17, with interest at fourteen per cent, compounded annually.

4 The correctness of these directions is challenged before this Court in the present appeals.

A.2 The Emerald Court project

5 On 23 November 2004, NOIDA allotted to the appellant a plot of land admeasuring 48,263 sq. mtrs., which was a part of Plot No 4 situated in Sector 93A. This plot of land was allotted for the development of a group housing society, by the name of Emerald Court.

6 The first deed of lease was executed on 16 March 2005 between the appellant and NOIDA. A possession certificate was issued on 17 March 2005.

7 On 20 June 2005, NOIDA sanctioned the building plan for the construction of Emerald Court consisting of fourteen towers, each with ground and nine floors (G+9). This sanction was granted under the New Okhla Industrial Development Area

¹⁰ "UP Apartments Act 2010"

Supreme Court of India**Priyanka Estates I'National ... vs State Of Assam & Ors on 3 December, 2009**

Author:J.

Bench: V.S. Sirpurkar, Deepak Verma

REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8026 OF 2009
[Arising out of SLP(C) No.14480 of 2006]

Priyanka Estates International Pvt. Ltd. & Ors.Appellants

Versus

State of Assam & Ors.

....Respondents

WITH

C.A.NO.8025 OF 2009	
[Arising out of SLP(C) No.15546 of	2006]
C.A.NO.8027 OF 2009	
[Arising out of SLP(C) No.15547 of	2006]
C.A.NO.8028 OF 2009	
[Arising out of SLP(C) No.16898 of	2006]
AND	
C.A.NOS.8029-8032 OF 2009	
[Arising out of SLP(C) Nos.28291-28294	of 2009]

73. It is a matter of common knowledge that illegal and unauthorised constructions beyond the sanctioned plans are on rise, may be due to paucity of land in big cities. Such activities are required to be dealt with by firm hands otherwise builders/colonisers would continue to build or construct beyond the sanctioned and approved plans and would still go scot-free. Ultimately, it is the flat owners who fall prey to such activities as the ultimate desire of a common man is to have a shelter of his own. Such unlawful constructions are definitely against the public interest and hazardous to the safety of occupiers and residents of multi-storeyed buildings. To some extent both parties can be said to be equally responsible for this. Still the greater loss would be of those flat owners whose flats are to be demolished as compared to the Builder.

74. Even though on earlier occasions also, under similar circumstances, there have been judgments of this Court which should have been a pointer to all the builders that raising unauthorised construction never pays and is against the interest of society at large, but, no heed to it has been given by the builders. Rules, regulations and bye-laws are made by Corporation or by Development Authorities, taking in view the larger public interest of the society and it is a bounden duty of the citizens to obey and follow such rules which are made for their benefit. If unauthorised constructions are allowed to stand or given a seal of approval by court then it is bound to affect the public at large. An individual has a right, including a fundamental right, within a reasonable limit, it inroads the public rights leading to public inconvenience, therefore, it is to be curtailed to that extent.

75. The jurisdiction and power of courts to indemnify a citizen for injuries suffered due to such unauthorised or illegal construction having been erected by builder/coloniser is required to be compensated by them. An ordinary citizen or a common man is hardly equipped to match the might and power of the builders.