

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

IN

ORIGINAL APPLICATION NO. 205 of 2021(SZ)

Applicant : Environmental Protection & Research Council

Vs

Respondents : The Government of India & Others

VOLUME 2

Index

Sl.No.	Description	Pages
1	Annexure 1- Copy of the minutes of the Joint Committee meeting	3-4

Dated this the 28th day of October 2021

Rema Smrithi, Advocate
ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT 3

Minutes of the First meeting of 4 Member Joint Committee constituted as per the Hon'ble NGT order dated 22.09.2021 in O.A. No.205/2021 against construction of Residential Building "M/s Tuffnel Gardens" at Kakkanad, Ernakulam Environmental Protection & Research Council Vs Union of India and others

In compliance with the Hon'ble NGT order in OA No. 205/2021 dated 22.09.2021 constituted a "Joint Committee" comprising of the following members

1. Sri. Vishnu Raj P. IAS, Sub Collector, Fort Kochi
2. Dr. Murali Krishna Chimata, Scientist 'E', MoEF, Integrated Regional Office (Southern Zone)
3. Dr. Jude Emmanuel, Environmental Scientist, State Environment Impact Assessment Authority Kerala
4. Smt. Sreelakshmy P. B, Environmental Engineer, KSPCB, District office-1, Ernakulam

The Nodal officer of the Committee, Environmental Engineer, KSPCB convened the first meeting of the Committee on 18.10.2021 at 11 AM through video conference. All the Committee members were present in the meeting.

Smt. Sreelakshmy P. B, Nodal Officer and Environmental Engineer, KSPCB welcomed all the members and given a detailed power point presentation about the direction of Hon'ble Tribunal order, the present status of the project "M/s Tuffnel Garden", the background on constitution of Committee, responsibilities of the Committee, etc. The Environmental Engineer in her presentation explained that the residential building M/s Tuffnel Garden, situated at Kakkand, Thrikkakara Municipality have not obtained Consent to Establish from KSPCB. The building was constructed without obtaining Consent to Establish. The project had completed construction of four towers and occupancy started in one tower without obtaining Board's Consent to Operate.

Dr. Murali Krishna Chimata, Scientist E, MoEF informed that the project obtained Environmental Clearance (EC) in the year 2011 and even before obtaining EC, the construction of building had started. He further pointed out that MoEF received a complaint against the project in the year 2020 and based on the complaint, a committee was constituted including the representatives from MoEF, KSEIAA and KSPCB. The committee conducted an enquiry in the project site on 19.02.2020 and

found that most of the conditions of EC are non-complied with. He further added that the building started construction before obtaining EC and also not obtained NOC from the Fire Department.

Dr. Jude Emmanuel, Environmental Scientist, SEIAA, Kerala agreed with the opinion of the MoEF member. On the basis of Google imageries, the project had commenced its construction prior to the issuance of EC. He further informed that as per the existing norms, the Environment Clearance (EC) obtained in the year 2011 had expired in 2018 and the project proponent has submitted an application for the extension of validity of EC on 02.12. 2020, which is presently pending for want of additional documents from the project proponent. The proponent not yet submitted the documents.

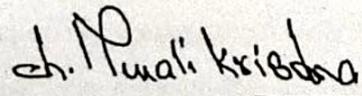
Sri. Vishnu Raj P. IAS, Sub Collector, Fort Kochi has informed that the issue that the building is constructed in the paddy land will be examined in detail with the records and more information will be provided after the joint inspection.

After detailed discussions, the committee decided to conduct a joint field inspection on 09.11.2021 and prior to that an interim report shall be submitted to the Hon'ble NGT.

The meeting was ended at 12 Noon.



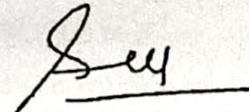
Sri. Vishnu Raj P. IAS,
Sub Collector, Fort Kochi



Dr. Murali Krishna Chimata,
Scientist 'E', MoEF,



Dr. Jude Emmanuel,
Environmental Scientist, SEIAA Kerala



Smt. Sreelakshmy P. B.,
Environmental Engineer, KSPCB