BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 38 OF 2022

IN THE MATTER OF:

Dr. Bina Basnett. …..Applicant

VERSUS

State of Sikkim & Ors. …..Respondent (s)

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Date: 16.03.2024
Place: Kolkata

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EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 38 OF 2022

IN THE MATTER OF:

Dr. Bina Basnett. …..Applicant

VERSUS

State of Sikkim & Ors. …..Respondent(s)

REPLY ON BEHALF OF THE RESPONDENT NO. 12, M/s MESASO INFRASTRUCTURE PRIVATE LIMITED TO O.A. NO. 38/2022/EZ

MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal is currently seized of the present Original Application which was initially filed on 07.03.2022 and which was dismissed by this Hon'ble Tribunal vide order dated 10.05.2022 on the grounds that it is premature and is without any cause of action.
2. That it is submitted that under the said case, the Applicant has wrongly alleged that the Respondent No. 12, M/s MESASO Infrastructure Private Limited, (hereinafter referred to as the answering Respondent) has been executing the construction project in violation of the environmental laws. That the present comprehensive Reply is being filed by the Respondent No 12 to rebut the present Original Application in toto as being frivolous, premature, malafide, not maintainable and without any merit either on facts or law. That the Applicant is politically motivated and is misusing the sanctity of this Hon'ble Tribunal to meet the political agendas schemed by her and her associates. That the Applicant is a serial litigator, and the present Application is just another attempt of the Applicant to harm the answering Respondent for personal gains without any real consideration for any harm to the environment. That it is submitted that the construction project of the answering Respondent is being executed in

accordance with the provisions of applicable environmental laws after seeking required permissions/ sanctions/ clearances/ consents.

3. That this Hon'ble Tribunal while dismissing the present case on 10.05.2022 left it open to the Applicant to seek the alternate remedy of challenging Environment Clearance (EC) granted to the answering Respondent on 25.02.2022. However, the Applicant instead chose to approach the Hon'ble Supreme Court wherein, the Hon'ble Supreme Court without providing any observation on merit of the case directed to restore this Application before this Hon'ble Tribunal to be decided afresh. Further, all pleas and contentions of the parties are left open.

4. That it is pertinent to mention that the Applicant always had the alternate remedy of challenging the Consent to Establish (CTE) or the EC as per law in appropriate forums, even before filing this Original Application under Section 14, 15 and 17 of the National Green Tribunal Act, 2010 (hereinafter NGT Act, 2010). Further even after intimation of this Hon'ble Tribunal under order dated 10.05.2022, the Applicant chose not to follow the right course of action provided under law and instead approached the Hon'ble Supreme Court.

5. That the present Application has been filed without jurisdiction and in contravention of the provisions of the NGT Act, 2010. That the Applicant has challenged the project on alleged contravention of statutes which do not fall within the ambit of Schedule I of the NGT Act, 2010. That, therefore, the application is not maintainable. That the answering Respondent has undertaken all measures to comply with the environmental norms governing such construction projects which includes the grant of CTE and prior EC among others. That even after being aware of the said statutory permissions, the appropriate appellate remedy was not pressed for and instead a general application has been preferred on frivolous grounds under Section 14 and 15 of the NGT Act, 2010 without any reference or consideration of the laws included

in the Schedule I of the said Act. That the said conduct of the Applicant shows their desperation and disregard to the procedure and remedy laid down under the statutes and are using the sanctity of this Hon'ble Tribunal as a means to meet their political ends. That therefore this Application is liable to be dismissed on these grounds alone.

That it also pertinent to submit that an application under Section 14 and an application under Section 15 of the NGT Act, 2010, cannot be integrated into one. That an application under Section 14 can be filed when there is a substantial question relating to environment towards implementation of enactment specified in Schedule I of the NGT Act, 2010. Whereas under Section 15, specific relief, compensation or restitution can be sought only by a claimant who is a direct victim of any pollution and other environmental damages, caused to her/him. Therefore, the present application, which is filed under Section 14 as well as Section 15 of the NGT Act, 2010, is not maintainable specially when the Applicant has not been able to show how she has been directly affected due to the construction of the project of the answering Respondent. That further, Rule 14 of the National Green Tribunal (Practice and Procedure) Rules, 2011 regarding plural remedies, specifically provides that an application shall be based on a single cause of action and therefore it further substantiates that this Application is not maintainable.

6. That even after wrongly approaching the Hon'ble Supreme Court through Civil Appeal Diary No. 32544/2022 against order dated 10.05.2022 of this Hon'ble Tribunal, the Applicant chose not to cure the defects notified by the registry of the Hon'ble Supreme Court on 14.10.2022, which was cured only on 25.08.2023, which is after approximately ten months. That during this time period the Applicant remained silent and initiated no proceedings before any judicial forum

including taking any action for removal of defects before the Hon'ble Supreme Court. That the said fact has also been recorded by the Hon'ble Supreme Court under its order dated 25.09.2023 with observation that all pleas and contentions of the parties are left open. That in the meanwhile the answering Respondent continued the construction of the project in question in accordance with law and now the project stands almost complete. That without consideration of the same, the Applicant remained quiet and took steps only after the said Civil Appeal was listed before the Chamber bench of the Hon'ble Supreme Court on 17.07.2023 wherein four weeks were granted for curing defects on the failure of which the cause would be dismissed. That it is pertinent to mention that thereafter as per News Notification posted on 28.10.2023, the Applicant joined the Sikkim Democratic Front, the main opposition Party to the current ruling Political Party, namely Sikkim Krantikari Morcha, which demonstrates that the cases filed, and the non-pursuance of the Appeal before Hon'ble Supreme Court, was only a ploy to get political mileage and in fact it was politically orchestrated. That such conduct of the Applicant qualifies the case to be dismissed as it is a fit case of a person who does not come under the definition of an aggrieved person under Section 18 of the NGT Act, 2010. That, therefore, the case is liable to be rejected and dismissed with huge costs on the Applicant for abusing and misusing the process of judicial remedy available to the public to meet the ends of justice. This Hon'ble Tribunal has on numerous occasions dismissed such cases where the Applicants are vested interests and do not come within the definition of an aggrieved person. That in the case of Anand Kumar Jha v. Union of India & Others (Appeal No. 05/2021) and Satyabrata Sanjeev Kumar Mohanta v. MoEF&CC & Ors. (OA No. 53/2023), while placing reliance on the Hon'ble Supreme Court Judgment in State of Uttar Pradesh & Ors. vs. Uday Education and Welfare Trust & Anr., this Hon'ble Tribunal had dismissed the Appeal

challenging EC due to Appellant's failure in clarifying his credentials and bona fides.

FACTS IN BRIEF:

7. That the answering Respondent, is a Special Purpose Vehicle (SPV) Company registered under the Companies Act, 2013, which has been formed for the purpose of implementation and establishment of Multi-level Car Parking Cum Commercial Development at Old West point school area in the city of Gangtok over a built-up area of 33801.25 sqm. The proposed integrated commercial cum multi-level parking project including Hotel and allied services is a fourteen-storey building which is being developed as a Public Private Partnership (PPP) on Design, Build, Finance, Operate and Transfer (DBFOT) basis. The present case has been filed to challenge this establishment by raising various frivolous grounds which has no basis or merit either in fact or law as explained in detail below.

8. That the said project is an initiative of the Gangtok Smart City Development Ltd. (GSCDL) (Respondent No. 2 herein) under the Smart City program for providing Multi Level Car Parking (MLCP) cum commercial development at the Old West Point School Area in the city of Gangtok, Sikkim keeping in view the unprecedented growth in the number of motor vehicles, especially the taxis and cars along with the concentration of activities which has led to acute parking problems in the Gangtok City area thereby creating congestion and consequent pollution by vehicles. The aforesaid project would cater to 400 plus numbers of taxis and cars, ensuring smooth and automated integration with the city traffic.

9. That the GSCDL under its Project Information Memorandum dated 16.09.2020 has explained the necessity of the said project. That under the same it has been stated that in the State of Sikkim, the road space is limited, and on-Street parking is not possible on all roads and parking demand far outweighs the supply in the

Gangtok city. Moreover, there are limited parking lots leading to spill-over of on-street parking on the main carriageway and impending the movement of the traffic stream. That therefore, the said project has been envisaged to tackle the problem of traffic congestions thereby not only providing a better infrastructure for the easement of the people of Sikkim but also causing a relief in the emission concentration caused due to traffic congestions. That the true copy of the Project Information Memorandum (PIM) dated 16.09.2020 is annexed as **ANNEXURE R12/1.**

10. That under the said program, the GSCDL had identified an existing MLCP, for demolition and upgradation into a state of the art, modern MLCP cum Commercial Development at Old West Point School Area near M.G. Marg in the city of Gangtok. That it was noted by GSCDL that in the existing MLCP no proper parking bay system was being followed. Due to high demand, the parking facility was under tremendous pressure and operating beyond its capacity. As such, even the parking aisles were being used for parking activity and vehicles were being shifted manually by parking attendants to give way to an incoming or outgoing vehicle.

11. That, accordingly, a tender was floated and passed for the execution of the said project. That for the purpose of the same the existing MLCP was demolished by another agency through a separate contract. That it is pertinent to mention that for the demolition of the existing MLCP, the approval of the Cabinet was provided on 11.06.2021 and thereafter a NOC from the Sikkim Pollution Control Board was also granted to the Urban Development & Housing Department (UD&HD) vide their letter dated 17.09.2021 for the said demolition subject to a few conditions including to ensure the foundational security of the project. That, accordingly, on 21.09.2021 the Respondent No.4 UD&HD issued a NOC for demolition of the old structures at the present project site to Respondent No. 2,

GSCDL. The same was communicated through the GSCDL to the present Respondent. That the true copy of the NOC dated 17.09.2021 of the SPCB is marked and annexed as **ANNEXURE R12/2.** That the true copy of the NOC dated 21.09.2021 of Respondent No. 4 – UD&HD annexed as **ANNEXURE R12/3.**

12. That in the meanwhile, the work of execution and operation of the new proposed 14 storeys MLCP was secured by the parent company of the present Respondent namely M/s Tirupati Plaza Pvt. Ltd and the present Respondent company was formed as a SPV for the implementation of the said project in accordance with the Concessionaire Agreement and in accordance with the letter of Acceptance. A true copy of the letter of acceptance dated 18.06.2021 annexed as **ANNEXURE R12/4**.

13. That after demolition of the existing MLCP and removal of building materials and debris, the land was left with dug up soil with a hollow pit where the soil is loose. That at that time the monsoon season was around the corner and the site was left vulnerable to the effect of heavy monsoon which posed danger of landslide or such other mishap. Therefore, in pursuance to the condition made by SPCB under NOC dated 17.09.2021 (annexed as Annexure R12/2), a letter by a reputed Soil Consultant in this regard and permission of the GSCDL, the work for securing the foundation by concretizing it with cement was started.

14. That while the answering Respondent had started to undertake the work of securing the foundation of the land, the Applicant herein had filed an Original Application No. 05/2022/EZ, titled “Dr. Bina Basnett vs. State of Sikkim & Ors.” under Section 14, 15 and 17 of the NGT Act, 2010, on 31.12.2021 before this Hon’ble National Green Tribunal. That initially, the answering Respondent was not made a party to the said case by the Applicant.

15. The Tribunal vide Order dt. 18.01.2022 issued Notice to the Respondents and also passed interim stay due to the misleading submission with regard to the location of Project being made by the Applicant.

16. That further on 22.02.2022, the answering Respondent was allowed to be impleaded as a party Respondent in response to an application filed in this regard by the answering Respondent.

17. That on 24.02.2022, the Respondent No. 6 – Sikkim State Pollution Control Board (SPCB) granted the CTE for the said project under the provision of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. True Copy of the said CTE dated 24.02.2022 is appended as **ANNEXURE R12/5.**

18. That thereafter, on 25.02.2022, the EC was granted by the Respondent No. 8, Sikkim State Environment Impact Assessment Authority (SEIAA) to the Project of the answering Respondent.

19. That the answering Respondent filed its detailed reply on 28.02.2022 wherein it was brought on record that the EC dated 25.02.2022 has already been granted to the answering Respondent.

20. Thereafter, after considering the arguments presented by the parties, this Hon'ble Tribunal passed its Order dated 02.03.2022 noting that the said case has been filed and the interim order has been secured on misleading facts while relying on an Expression of Interest referring to some other project which had nothing to do with the project of the answering Respondent. In view of the same this Hon'ble Tribunal dismissed the said case as withdrawn and also imposed a cost of Rs. 5,000/- against the Applicant for such conduct. A True copy of the said Order dated 02.03.2022 of this Hon'ble Tribunal is marked and appended as **ANNEXURE R12/6.**

21. That thereafter, the Applicant herein filed the present Original Application No. 38/2022/EZ. That as mentioned above, this Hon'ble Tribunal vide Order dt. 10.05.2022 dismissed the application on grounds of the Application being premature while also noting that an alternative remedy is available to the Applicant. A True copy of the said Order dated 10.05.2022 is marked and appended as **ANNEXURE R12/7.**

22. That in response, the Applicant filed a Civil Appeal titled "Bina Basnett vs. State of Sikkim & Ors." (Diary No. 32544/2022) on 11.10.2022 before the Hon'ble Supreme Court challenging the said Order dated 10.05.2022 as passed by this Hon'ble Tribunal .

23. That the Hon'ble Supreme Court disposed of the said Civil Appeal vide Order dt. 25.09.2023 with direction to restore the said matter in its original position before this Hon'ble Tribunal without expressing any view on merits and infact leaving all rights and contentions of the parties open before this Hon'ble Tribunal. A True copy of the said Order dated 25.09.2023 passed by the Hon'ble Supreme Court in Civil Appeal (Diary No. 32544/2022) is marked and appended **as ANNEXURE R12/8.**

24. That in accordance with the said Order of the Hon'ble Supreme Court, this Hon'ble Tribunal issued notice under the present case vide Order dt. 18.10.2023.

25. The answering Respondent humbly submits that before averting to the para wise response on merits of the Original Application, the answering Respondent seeks liberty to place on record certain Preliminary Objections and Submissions, which in its humble opinion, are crucial for a holistic adjudication of the present matter.

PRELIMINARY OBJECTIONS AND SUBMISSIONS

26. That the present Respondent at the outset, submits that the challenge to the construction activities of the Respondent 12 for setting up the present project is

misplaced and bad in law and deserves to be dismissed with huge costs as it is without any merits.

I. The Applicant is not an aggrieved person within the meaning of Section 18 of the National Green Tribunal Act, 2010

27. That the Applicant has not brought on record any material to show how she is aggrieved within the meaning of Section 18 of the NGT Act, 2010. That not a single person who owns the property around the Project has opposed or come before this Hon'ble Tribunal. That the Applicant is a member of the main opposition party of Sikkim namely, Sikkim Democratic Front, and this entire case was only a political manifestation of a disgruntled person who appears to be a political opportunist with least interest in environment and as such no substantial question of environment has been raised in the said Application. This is a ground alone to dismiss the said case with huge costs.

28. That it is also pertinent to note that the Applicant has now approached this Hon'ble Tribunal, at a belated stage, challenging the Project without placing on record any evidence to substantiate the allegations. All this invariably proves that the present Original Application is politically motivated and the Applicant has vested interest in the said proceedings with oblique interests. That there is something more than meets the eye and the Applicant cannot be conceived as a 'person aggrieved' within the meaning of Section 18 of the NGT Act, 2010.

29. That this Hon'ble Tribunal in the case of Anand Kumar Jha v. Union of India & Others (Appeal No. 05/2021) and Satyabrata Sanjeev Kumar Mohanta v. MoEF&CC & Ors. (OA No. 53/2023), while placing reliance on the Hon'ble Supreme Court Judgment in State of Uttar Pradesh & Ors. vs. Uday Education and Welfare Trust & Anr., had dismissed the Appeal challenging EC due to Appellant's failure in clarifying his credentials and bona fides. Similarly, in the

present case the Appellant has failed to submit a single document, verifying his credentials or how he is impacted by the Project. This is ground alone to dismiss the case *in limine* and impose huge costs on the Appellant for approaching this Hon'ble Tribunal, for reasons best known to them. In fact no Appeal has been filed while all the statutory clearances have been obtained by the answering Respondents as described above.

II. That violations alleged in the present Application are of statutes which does not fall within Schedule I of the NGT Act 2010 and hence is not maintainable

30. It is submitted that under the *Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985,* and the regulations made thereunder are building bye-laws which are absent from the Schedule I of the National Green Tribunal Act, 2010. It is humbly submitted that a harmonious reading of Section 14 of the Act, read with Schedule I of the Act, would lead to the inference that the adjudication on issues pertaining to any cause of action arising out Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985 and the regulations made thereunder, would not be maintainable before this Hon'ble Tribunal, which the Original Applicant seems to be completely unaware of at this juncture. Infact the Applicant is not remedy less and has only chosen a wrong forum to mislead this Hon'ble Tribunal and this is a ground alone to dismiss the Original Application. Be that as it may, the answering Respondent has obtained all clearances under the Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985 which has not been either administratively challenged nor in any appropriate competent court thus far. This is a ground alone to dismiss this case with huge costs.

III. The present Original Application is not maintainable in view of availability of alternate remedy

31. That, most importantly, the O.A. filed by the Applicants is not maintainable since the Original Applicant is challenging the MLCP cum commercial development at Old West Point Area without challenging the grant of the CTE dated 24.02.2022 (annexed as Annexure R12/5), before the appropriate forum as per the Water (Prevention and Control of Pollution) Act, 1976 and the Air (Prevention and Control of Pollution) Act, 1981. That this Tribunal vide Order dt. 10.05.2022 also noted and dismissed the Original Application while referring to availability of alternative remedy.

32. That thereafter the Answering Respondent has procured grant of EC by the State Environment Impact Assessment Authority on 25.02.2022 for the MLCP cum Commercial Development at Old West Point Area with the total approved built up area of 28806.37 sq. m. That subsequently, on 23.08.2023, the EC for additional three floors amounting to a total of fourteen floors has also been granted by the Expert Appraisal Committee. It is submitted that such an Order granting EC to any project, can be appealed before this Hon'ble Tribunal. That this Hon'ble Tribunal under its Order dated 10.05.2022 had also dismissed the present case while referring to the said alternate remedy.

33. That in view of the above, it is humbly submitted that despite the existence of alternative remedies in the form of a statutory appeals under the abovesaid Acts, the Applicants have filed the present O.A. and approached this Hon'ble Tribunal primarily to escape the statutory limitation, which is a ground alone to dismiss this case with huge costs. It is also pertinent to submit that this Hon'ble Tribunal in O.A. No. 154 of 2014 (SZ) *D.V Girish v. Secretary to Government, Department of Forest & Ecology* vide judgment dated 09.04.2015 held that if a

statutory appeal is available in an alternate forum then a case cannot be entertained under Section 14 of the NGT Act, 2010. The relevant para of the judgment is reproduced below.

> *"40. Once an appeal does not lie before the Tribunal against a given order, it will not be appropriate for the Tribunal to exercise judicial jurisdiction under section 14 or any other provisions of the NGT Act, 2010."*

IV. That the number of floors being constructed are permissible in law and requisite permissions have been taken by competent authorities.

34. That the Applicant alleges the answering Respondent to be in violation of the mandated restriction on the number of floors as laid down under amendment Notification to the Sikkim Building Construction Regulations, 1991, dated 16.10.2001. It is pertinent to state that the said regulations were made in exercise of the delegated legislation powers granted under the Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985 i.e. the parent legislation.

35. That it is reiterated that the Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985, and the Regulations made thereunder are building bye-laws which are not part of the Schedule I of the NGT Act, 2010. It is humbly submitted that a harmonious reading of Section 14 of the Act, read with Schedule I of the Act, would lead to the inference that the adjudication on issues pertaining to any cause of action arising out Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985 and the regulations made thereunder, would not be maintainable before this Hon'ble Tribunal and therefore the said contentions is not maintainable and the same may be ignored by this Hon'ble Tribunal.

36. That assuming arguendo that the adjudication of the Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985 and the regulations thereunder were maintainable, it is submitted that the due process laid down thereunder and the requisite permission required has already been obtained for the said project. That it is pertinent to mention that the provision for the floor limit has been established under the *Sikkim Building Construction Regulations, 1991 vide its amendment* dated 16.10.2001. However, it is also pertinent to submit that the said amendment notification dated 16.10.2001 also inserted Regulation 39, which provides for relaxation of the said regulation in the event of genuine difficulties arising out of implementation of any of the regulations in regard to buildings constructed or proposed to be constructed by the Government of Sikkim.

37. That in this regard it is also pertinent to state that the proposal for relaxation of the floor limit of the said project was considered by the Cabinet vide the Cabinet Memorandum dated 27.05.2021. That, accordingly, the Cabinet in its meeting dated 11.06.2021 had approved the proposal for the said relaxation for eleven floors subject to Geotechnical Investigation and Report. That the Cabinet Memorandum also noted that the present Respondent had submitted the concept drawing for fourteen levels, however at this stage only eleven floors were considered and granted approval in the meeting dated 11.06.2021. It is also noted that the additional three floors may be considered after completion of Geotechnical Investigation and Reports. That the True copy of the said approval of the Cabinet dated 11.06.2021 is marked and annexed as **ANNEXURE R12/9.**

38. That it is absolutely essential to understand that the building design, structural safety and stability of the project is of utmost importance to the Project Proponent and every care has been taken to ensure that highest standards are maintained with regard to the above. This is not only for the statutory requirement but also

for maintaining the highest global standards given the significance of this project for not only the Gangtok city but for the entire State of Sikkim. A brief history of the building design, structural safety and stability of the project and the efforts made in this regard is explained below.

BUILDING DESIGN AND STRUCTURAL SAFETY, STABILITY OF THE PROJECT

39. That in this regard, it is submitted that as early as 23.11.2019 the Respondent No. 8 – GSCDL requested the Respondent No. 3 - the Mines and Geology Department to carry out the Geological & Geological investigation of the project. In January 2020, two Boreholes were drilled, and soil samples were collected by the Department of Mines and Geology, entrusted by GSCDL. The Report dated March 2020 was prepared wherein it was concluded that the area is favourable for the proposed construction. It was also concluded that the foliation of rocks strike North West to South East and dip gently towards North East with southerly facing slope aspect which makes the area geologically favourable for proposed construction of structures at Old West Point school area. That the true copy of the said Geological & Geological investigation dated March, 2020, is marked and annexed as **ANNEXURE R12/10.**

40. That the parent Company of the present Respondent subsequently also entrusted M/s Geo-Informatic Consultancy & Services Tadong, to carry out a detailed geological, geo-technical and geo-physical investigation of the land proposed for construction of MLCP cum CD at Old West Point School Complex, Gangtok, East Sikkim. In the said exercise, 6 Nos. of Boreholes was drilled upto 15 mtr. Depth and soil samples were collected which were then tested in NABL approved laboratory and safe bearing capacity of the soil has been estimated and found to be more than 45 Ton/sqm at 4.5m depth, which is higher than the safe bearing

capacity as per IS Code recommendation (35 Ton/sqm) in hilly terrain as per Soil Test Report dated March, 2021. A true copy of the said Geological Investigation Report dated March, 2021, is marked and annexed as **ANNEXURE R12/11**

It is clear from the above that even before the Cabinet Approval dated 11.06.2021, adequate material on Geological, Geo-Technical and Geophysical Investigation existed for the present Project. However, the answering Respondent has been extremely careful and diligent in carrying out further studies to ensure that any design, structural safety, load bearing capacity is not compromised in any manner as far as the building project is concerned. The same will be demonstrated in the paragraphs below.

41. That subsequently on 17.08.2021, the present Respondent also got prepared the Design Basis Report on MEPF (Mechanical, Electrical, Plumbing and Fire Protection) services for the present project by a well-known, Ahmedabad based MEPF Consultants namely Pankaj Dharkar & Associates, to ensure that the building was safe to proceed with. A copy of the said report is available for perusal if this Hon'ble Tribunal so desires.

42. Furthermore, another Geo Technical investigation was conducted by Kolkata based, JP Geo Consultants (an ISO 9001/2015 certified Organization), in September 2021, wherein 4 Nos. of Plate Load Test (PLT) at specified Location and depth in accordance with IS:1888 was carried out. That 54.3T/sqm load was applied and net settlement was between 3.29 To 3.89 mm and safe bearing capacity 36.21Ton/sqm. were found under imposed loading 4.00 to 4.40mm settlement of plate. A true copy of the Geotechnical Investigation Report held in September, 2021, - Plate Load Test is annexed as **ANNEXURE R12/12.**

43. That the above-said report was also vetted by the Associate Professor of Department of Construction Engineering, Jadavpur University and on the basis

of plate load test the foundation has been designed. That the true copy of the Invoice dated 07.10.2021 raised by Jadavpur University towards the vetting of the said report is annexed as **ANNEXURE R12/13.**

44. That on 21.09.2021 the answering Respondent for further caution on the safety of the present project also wrote a letter to the Respondent No.3 - Department of Mines and Geology requesting them to issue a stability report for implementation of the present project. A true copy of the letter dated 21.09.2021 answering Respondent to Department of Mines and Geology annexed **ANNEXURE R12/14.**

45. That on 01.10.2021, the present Respondent also submitted architectural plans for the present project to the Respondent No. 2, GSCDL. A true copy of the letter dated 01.10.2021 submitting architectural plans to Respondent No.2 – GSCDL annexed as **ANNEXURE R12/15.**

46. That a letter dated 04.10.2021 was issued by the Associate Professor, IIT Guwahati certifying the design and drawing of the structure which is mentioned to be as per the relevant BIS Code and the same is found to be satisfactory for the execution of 04 Level parking + 10 Level Composite Steel Structure. It was also certified that the structure can withstand seismic load up to Richer Scale 8 as per norms of IS 1893 – 2016. That the true copy of the said certificate dated 04.10.2021 of the Associate Professor, IIT Guwahati certifying the design and drawing of the structure is annexed as **ANNEXURE R12/16.** That the true copy of the quotation raised by the said Associate Professor, IIT Guwahati for the said work of proof checking the design and drawings of the structure of the said project dated 26.05.2021 is annexed as **ANNEXURE R12/17.**

47. That it is also pertinent to mention that the said Associate Professor, IIT Guwahati has been engaged to be associated with the said project till the end of its construction, for the purpose of continuous vetting of the project related to

design, fabrication and installation, Geotechnical Components, Soil Stabilizing measures, water logging, structural protection among others and also to provide detailed technical recommendations in this regard. That therefore, there is a permanent association with the said technical expert for the said project to ensure that the said project satisfies the above mentioned aspects and there is a constant vigil and supervision. That the true copy of the work order issued by the said Associate Professor, IIT Guwahati in this regard dated 07.09.2021 and the letter of acceptance of the same of the present Respondent and of the Associate Professor, IIT dated 14.09.2021 & 15.09.2021 respectively are annexed collectively as **ANNEXURE R12/18 (Colly.)**

48. That on 04.10.2021 Respondent No.2 – GSCDL also forwarded the architectural and structural drawing for the present project to Respondent No. 10 – Gangtok Municipal Corporation (GMC) with the object of seeking approval of the blue print plan as mandated under the Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985 and the Regulations made therein. A true copy of the letter dated 04.10.2021 Respondent No.2 – GSCDL annexed as **ANNEXURE R12/19.**

49. That the answering Respondent while undertaking the process of obtaining necessary approvals, prior to initiation of any activities in the project site also submitted its DPR to Respondent No. 2 (GSCDL) on 01.11.2021 to the Respondent No.2 GSCDL. A True copy of the letter dated 01.11.2021 of the answering Respondent to Respondent No. 2 (GSCDL) submitting its DPR is annexed as **ANNEXURE R12/20.**

50. That another test was done during November & December 2021 by JP Geo Consultants wherein 33 Nos of Boreholes were drilled and all the samples collected in field have been tested in NABL approved laboratory which was also vetted by an Associate Professor of Department of Construction Engineering,

Jadavpur University who observed that the Structural Engineer had taken extreme caution in designing a safe foundation for the proposed structure. That the true copy of the relevant pages of the said Geo Technical report pertaining to the investigation conducted in November to December 2021 is annexed as **ANNEXURE R12/21.** It is submitted that the entire report is also available for perusal, if this Hon'ble Tribunal so desires. That the true copy of the invoice dated 27.12.2021 raised by Jadavpur University towards the vetting of the said study is also annexed as **ANNEXURE R12/22.**

51. That in pursuance of the mandate of above Geo Technical Report, the answering Respondent also submitted the said Geo Technical Report, and vetting Certificate of IIT, Guwahati, to Respondent No.2, GSCDL, vide letter dated 27.12.2021. That the true copy of the said letter dated 27.12.2021 of the answering Respondent to Respondent No.2 GSCDL annexed as **ANNEXURE R12/23.**

52. That on 29.12.2021, a Site Stability Report was also issued by the Respondent No.3 Mines & Geology Department to the answering Respondent on its application dated 21.09.2021. It is pertinent to submit that the report notes that the area comprises of medium grade metamorphic rock sequence represented in the area by mica schist with and without quartz veins overlain by medium thick to thin soil cover. Furthermore the recommendations in the report notes that the foundation of the structures should be footed at considerable depth with uniform condition, the recommendations also noted that consultation was required to be undertaken with a competent structural engineer for appropriate foundation design of the structures including earthquake resilience. The recommendations also noted that the proposed area falls under zone one (1) as per the parameters notified by the Department of Mines and Geology vide Gazette No. 86 dated 06.04.2021. However, as Sikkim lies over young fold mountains, Seismic Zone-IV and with fragile geological condition micro seismic studies in the area and

load impact assessment of the surrounding areas, to be carried out prior to construction of multi-storied structures and provide suitable mitigation measures, if required, to avoid future complications. A true copy of the Site Stability Report dated 29.12.2021 annexed as **ANNEXURE R12/24.**

53. That the answering Respondent in pursuance of ensuring load bearing capacity of the present project viz. seismic activity also obtained a Structural Design Basis Report for the project area prepared by well-known Structural Consultant from Kolkata namely SPA Consultants. A true copy of the Structural Design Basis Report dated 26.01.2022 annexed as **ANNEXURE R12/25.**

54. That further, the Jadavpur University, Faculty of Engineering & Technology, Department of Construction Engineering at the request of the answering Respondent, has certified the said project to be designed as per the relevant Indian Standards and designed load on foundation is 21 ton/sqm. It has been noted that Mica schist rock has been encountered below the foundation level, there shall be no load impact in the surrounding area of the project site. It has also been mentioned that the soil bearing capacity is estimated as 46.5 ton/sqm and load of the proposed structure is less than 50% of the soil bearing capacity and that is why the load impact assessment of the surrounding area is not required. That the true copy of the said communication sent in February 2022 of Jadavpur University, Faculty of Engineering & Technology, Department of Construction Engineering is annexed as **ANNEXURE R12/26.**

55. That said communication has also been considered by the Mines and Geology Department and the same has been accepted vide its letter dated 17.02.2022 with the remark that the suggestions in the Site Stability Report is not required. That the true copy of the said letter dated 17.02.2022 of the Department of Mines and Geology is annexed end as **ANNEXURE R12/27.**

56. That it is clear from the above that all necessary permissions under law have been taken and the project is being executed only after obtaining the same. That therefore the contention of the Applicant that the permission and plans for the said project have not been issued and that no DPR and blueprint are available are totally false and devoid of any merit.

57. That the process undertaken towards approval of the number of floors also includes the examination of whether the site will be able to bear the building proposed. That in this regard necessary sanction and permissions have already been issued by the concerned authorities showing that the site in question is viable to take the proposed building and therefore the contention of the Applicant on the risk of the project towards landslides is without any scientific basis. That the influence of earthquakes on the said project has already been examined and necessary studies and approvals towards the same has also been undertaken as is evident from the submissions made above.

58. That the above-mentioned details clearly show that the site in question can bear the load of the proposed building and that this aspect has been comprehensively looked into and hence stands addressed in our humble view.

59. That further, the above mentioned submission also shows that due steps have been taken in accordance with law and scientific requirements for relaxation of the restriction on the floors of the proposed project.

60. That, subsequently, on 10.01.2022 an application was submitted by the Respondent to GSCDL requesting for approval of three additional floors beyond the eleven floors already approved by the Cabinet as the liberty was given in the earlier approval dated 11.06.2021.

61. That the answering Respondent had proposed for the additional floors due to the fact that there is an urgent need to also create park like plazas for free public use on various floors, thereby leading to requirement for more floor area due to

staggered construction on various floors. This is done for not only ensuring the interests and economic progress of city dwellers, shoppers, tourists, smart city objectives and entrepreneurs (retailers) but also for providing with open space for the view of the city, Mount Kanchenzonga and for recreational purposes. That the additional floors have been also applied to make up for the reduced built-up area spent in providing a 20 ft wide gap from the edge of boundary so that a circular road could be developed between the proposed building and the neighbourhood boundary.

62. That the Cabinet has approved the application for three additional floor in addition to eleven floors on 05.08.2022. The same has been communicated to the answering Respondent by GSCDL. The said Cabinet Approval dated 05.08.2022 is available with GSCDL for perusal of this Hon'ble Tribunal.

63. That in view of the said approval/permission granted by the Cabinet, the answering Respondent has also procured fresh EC and CTE which has been categorized as expansion of three floors to the said project by the MOEF&CC.

64. That further, on 11.11.2022 the Construction Order as per regulation 9 of the Sikkim Building Construction Regulation, 1991 has also been issued by the Respondent No. 10 - GMC - for the said additional three floor as per the Cabinet Approval dated 03.08.2022, thus providing its approval for the total project of fourteen floors alongwith several conditions.

65. That therefore, the aspect on the number of floors being proposed under the said project has been thoroughly examined by the statutory authorities and the permissions in this regard have already been issued without any non-conformity towards the same.

V. That answering Respondent has duly obtained the requisite Consent to Establish as well as Consent to Operate for the construction of the project

66. That the answering Respondent has duly applied and obtained the Consent to Establish for the said project as required under the Air (Prevention and Control of Pollution) Act, 1981, and Water (Prevention and Control of Pollution) Act, 1974, at two stages and has operated the construction of the project in accordance with law.

67. That on 19.08.2021, the answering Respondent made an application for the grant of Consent to Establish to the Respondent No. 6 (Sikkim State Pollution Control Board). That in response to the said Offline Application, the SPCB vide its letter dated 13.09.2021 informed that it has developed an online portal for CTE/CTO and therefore requested the answering Respondent to duly submit the relevant information through the online process. That the true copy of the said letter dated 13.09.2021 of Sikkim State Pollution Control Board to answering Respondent is appended as **ANNEXURE R12/28.**

68. That thereafter, it was informed orally to the answering Respondent, that online Applications were possible only if a prior EC was obtained. However, in view of the OM No. F. No. IA3-22/19/2021-IA.III [E 164361] dated 20.09.2021 the online Application was uploaded on 15.02.2022, by the answering Respondent. That the true copy of the said OM dated 20.09.2021 of MoEF&CC is annexed as **ANNEXURE R12/29.**

69. That it is pertinent to mention that the Sikkim Pollution Control Board while processing the said online Application, had inspected the site and after observing the work of foundation security had issued a clarification letter dated 23.02.2022 to the answering Respondent asking for the clarification towards the same. That

the true copy of the Clarification letter by the Sikkim Pollution Control Board dated 23.02.2022 is annexed as **ANNEXURE R12/30.**

70. That in response an immediate clarification letter dated 23.02.2022 was sent to them by the answering Respondent explaining about the situation ensuring public safety by securing the foundation of the site. That the true copy of the screenshot showing the uploading of the said response on the portal of the Sikkim Pollution Control Board dated 24.02.2022 is annexed as **ANNEXURE R12/31.**

71. That in consideration of the same, the Sikkim State Pollution Control Board accepted the submission of the answering Respondent and has subsequently granted the CTE on 24.02.2022 for a project of eleven floors.

72. That a CTE dated 31.05.2022 for two Diesel Generator Sets have also been issued by the SPCB towards the answering Respondent. That the true copy of the said CTE dated 31.05.2022 for the two Diesel Generator Sets is marked and annexed as **ANNEXURE R12/33.**

73. That thereafter, the approval for building three additional floors to the said project was granted as per the process under law. In view of the same the answering Respondent submitted an application dated 29.08.2023, for the said project with additional three floors in furtherance to the CTE dated 24.02.2022, thus totalling the number of floors of the project to fourteen. That the answering Respondent was granted the Provisional CTE for the construction of a fourteen-floor multi-storeyed commercial development project on 17.10.2023. That true copy of the said provisional CTE dated 17.10.2023 is marked and annexed as **ANNEXURE R12/34.**

74. That thereafter the final CTE for the fourteen-floor multi-storeyed commercial development project dated 18.01.2024 has also been granted. The true copy of the said CTE dated 18.01.2024 is annexed as **ANNEXURE R12/35.**

75. That further, it is also pertinent to point out that the Respondent No. 6, SPCB, has also granted CTO dated 17.02.2024 to the answering Respondent , for four floors of parking facility and additional four floors of commercial establishment under Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21/22 of the Air (Prevention and Control of Pollution) Act, 1981 . That true copy of the said CTO dated 17.02.2024 is annexed as **ANNEXURE R12/36.**

VI. That the grant of EC has been obtained after a detailed scrutiny in compliance with the EIA Notification, 2006.

76. That the answering Respondent, under the mandate of Environmental Impact Assessment Notification, 2006, applied for EC to the SEIAA, Sikkim for which Form 1, Form 1A and Conceptual Plan were submitted vide letter dated 27.11.2021.

77. That the answering Respondent, for the sake of abundant precaution, despite the mandate of undertaking EIA Study and report not being applicable on the present project, undertook and prepared an EIA Study and Report by M/s Envirotech East Pvt. Ltd. dated 07.12.2021.

78. That it is pertinent to point out that the Form 1 and 1A and the EIA Report also includes the Environment Management Plan, Environment Monitoring Programme, Risk Assessment, Disaster Management & Emergency Response Plan impact mitigation measures among others. That the said EIA report and Form 1A also contains the floors plans, drainage site plan, Sewage Treatment Plant Schematic Diagram, Storm Water Management Plan, Traffic Movement Plan, Traffic Circulation Plan, Geo Technical Investigation Report, Car Washing Plan, among others.

79. That on 24.01.2022, the State Expert Appraisal Committee (SEAC) under its meeting held on 24.01.2022, while processing the EC proposal of the answering Respondent sought further queries. That further, on 04.02.2022, the answering Respondent submitted its response to the details sought by SEAC providing the said details and once again submitting a revised Form 1 and Form 1A to the State Expert Appraisal Committee (SEAC).

80. Thereafter the application for EC of the answering Respondent was taken up in the Meeting of the State Environment Assessment Committee dated 14.02.2022, the committee recommended grant of Environmental Clearance on the project proposal with general as well as specific conditions A true copy of the said Minutes of Meeting dated 14.02.2022 is appended as **ANNEXURE R12/37.**

81. That thereafter, the State Environment Impact Assessment Authority, on 22.02.2022, further appraised the project proposal. Accordingly, further conditions have been laid down. Thereafter, the SEIAA granted an EC to the Applicant herein on 25.02.2022 for the MLCP cum Commercial Development at Old West Point of eleven floors subject to few specific and general conditions laid down in the same. A true copy of the EC dated 25.02.2022 is marked and appended as **ANNEXURE R12/38.**

82. That thereafter, once the approval for additional three floors were approved by the Cabinet, the answering Respondent applied for expansion of the project in view of addition of three floors on 25.04.2023. That subsequent to the said application, the same was thoroughly examined by the Expert Appraisal Committee of the MOEF&CC (EAC) in its 104th meeting held on 11.05.2023 and 106th meeting held on 30.06.2023.

83. That based on the information submitted and clarifications provided by the Project Proponent and detailed discussions held on all the issues, the EAC in its

106th meeting held on 30.06.2023 recommended granting environmental clearance of expansion with conditions .

84. That thereafter in view of the same on 23.08.2023, the EC for additional three floors amounting to a total of fourteen floors has also been granted by the MoEF&CC. It is respectfully submitted that the grant of Environmental Clearance has been granted after detailed scrutiny of the project proposal and its expansion. A true copy of the Environmental Clearance dated 23.08.2023 is marked and appended as **ANNEXURE R12/39.**

85. That further, even though the answering Respondent are required to file a six-monthly compliance report as per the provision of the EIA Notification 2006, the answering Respondent under their own initiative has been submitting quarterly compliance report. That the true copy of the quarterly compliance report for the period of September 2023 till November 2023 dated 09.12.2023 is marked and annexed as **ANNEXURE R12/40.**

GANGTOK MUNICIPAL CORPORATION PERMISSIONS AND CLEARANCES

86. That it is submitted that under the Sikkim Building Construction Regulations 1991, the final permission is granted by the Gangtok Municipal Corporation (GMC)-Respondent No 10 herein. That for the purpose of the same various documents are required to be prepared and the same are examined by the Gangtok Municipal Corporation before approving the same.

That at first, the present Respondent obtained a No Objection Certificate (NOC) dated 30.06.2021 from the Respondent No.2 Gangtok Municipal Corporation for shifting of water supply pipes, and sewerage connection from the Old West Point School (the site of the present project) for demolition of the old structure, prior to initiating any process pertaining to the present project. That the true copy of

the NOC dated 30.06.2021 of GMC is marked and annexed **as ANNEXURE R12/41**

Further, the Office of the Assistant Engineer, Public Health Engineering Department, Sewerage Sub-Division, Government of Sikkim issued Clearance Certificate dated 05.12.2023 to answering Respondent for the connection of sewer line to the Government sewer system. That the true copy of the Clearance Certificate dated 05.12.2023 is annexed as **ANNEXURE R12/42**

87. That with regard to the present Project, the architectural and structural drawing of the project was submitted by Respondent No. 2 – GSCDL to Respondent No. 10 – GMC vide its letter dated 04.10.2021 (**ANNEXURE R12/19** herein).

88. That further, various other details/reports/documents are examined such as the site plan, land documents, sale deed, stability report, site stability report vetted by Mines & Geology Department, structural details & analysis among others. That the said documents/details were requested for by Respondent No. 10 GMC for the project vide its letter dated 08.10.2021. That the true copy of the said letter dated 08.10.2021 is annexed as **ANNEXURE R12/43.**

89. That in response to the same, the Respondent No. 2 – GSCDL provided the same documents vide its letter dated 12.10.2021 to GMC – Respondent No. 10 for obtaining sanction order as mandated under the Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985 and the Regulations made therein. That the true copy of the letter dated 12.10.2021 annexed as **ANNEXURE R12/44**

90. Furthermore, on 31.12.2021 the Respondent No.10 GMC also issued a Construction Order to Respondent No.2 GSCDL, and the answering Respondent in exercise of the powers under the Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985 and the Regulations made therein. The construction order mandates a prior permission for

commencement of building and the requirement of informing the appropriate authority before laying of foundation. It is pertinent to submit that the answering Respondent has strictly complied with the said mandate. That the true copy of the Construction Order dated 31.12.2021 annexed as **ANNEXURE R12/45**

91. In that regard a letter of the Department of Construction Engineering, Jadavpur University has also certified that the proposed project is designed as per IS 1893 : 2016, IS 13920 : 2016 , IS 800 : 2007 , IS 875 , IS 456: 2000 and designation load on foundation is 21 tonne sq. meter. Furthermore, requirement of load bearing capacity and soil bearing capacity is 46.5 tonne/sqm as load of the proposed structure is less than 50%. These facts have been explained in detail earlier with regard to geotechnical studies and site suitability among others in paras 38 to 58 of the present response.

92. Furthermore, the answering Respondent has also submitted Form V on 10.01.2022 to the Respondent No.10 GMC undertaking that construction activities will only be commenced as per construction order dated 31.12.2021 and in accordance with the Blueprint Plan.

93. That it is pertinent to state that subsequently a site visit was undertaken by Respondent No.10 GMC on 12.01.2022 for the purpose of supervising the demarcation work of the project site. It also noted that the setback has been maintained as per the approved Blue Print Plan. That the true copy of the site visit note dated 12.01.2022 annexed as **ANNEXURE R12/46**

94. That further, it is reiterated that the Construction Order dated 11.11.2022 has also been issued by the Respondent No. 10 - GMC as per regulation 9 of the Sikkim Building Construction Regulation, 1991 for the additional three floors as per the Cabinet Approval dated 03.08.2022, thus for the total project of fourteen floors alongwith several conditions.

95. That further, it is submitted that a Partial Occupancy Certificate dated 16.02.2024 has also been granted to the answering Respondent by Respondent No. 10, GMC, under Regulation 13 of the Sikkim Building Construction Regulation, 1990 for four levels of commercial building (mall) and four of multi-level parking level, based on the completion of the said floors. That the true copy of the Partial Occupancy Certificate dated 16.02.2024 is annexed as **ANNEXURE R12/47.**

VII. That the answering Respondent had also taken prior permission for transplantation of trees and felling of poles.

96. That since there were a few number of trees in the project site which were likely to be affected, the Respondent No.2, GSCDL, wrote a letter to the Respondent No. 9, Forest Department, on 04.10.2021 requesting a joint visit to the site for relocation of the few trees located in the project area. That the true copy of the letter dated 04.10.2021 annexed as **ANNEXURE R12/48**

97. That on 07.10.2021 vide correspondence between officers of Respondent No. 9, Forest Department, the application of Respondent No. 2, GSCDL, for relocation of trees dated 04.10.2021 was discussed and further information as well as steps were sought for. That the true copy of the letter dated 07.10.2021 is marked and appended as **ANNEXURE R12/49.**

98. That on 12.10.2021 the inter office correspondence between the Officers of Respondent No. 9, Forest Department, reveals that the appropriate authority granted approval for removal of two trees and seven poles that were in the project site and it was also directed to be handed over to Utilization Division. That the true copy of the letters dated 12.10.2021 annexed as **ANNEXURE R12/50.**

VIII. NO IMPACT ON HISTORICAL MONUMENTS

99. That it is pertinent to submit that in contrast to the allegations of the original Applicant the Cultural Affairs and Heritage Department in its letter dated 09.02.2022 to the Respondent No. 2 GSCDL has cogently stated that apart from the three monuments in West Sikkim which are monuments of National Importance under administrative control of Archaeological Survey of India and protected under Ancient Monuments, Archaeological Sites and Remains Act, 1958 (AMASR), there is no structure/site which has been declared as historical monument in Sikkim. A true copy of the letter dated 09.02.2022 annexed as **ANNEXURE R12/51**

IX. That the Answering Respondent has procured other requisite permissions as well such as Right Of Way, Fire Services etc.

100. That on 19.08.2021 for the sake of abundant precaution the answering Respondent made various correspondences, to the State Departments including the Roads and Bridges Dept, Govt and the Fire Dept. of Sikkim enquiring whether the project area falls in Right of Way (ROW), and also a Fire NOC for implementation of the project.

101. That on 20.08.2021, the Department of Roads and Bridges, replied to the correspondence of the answering Respondent dated 19.08.2021 stating that the project does not fall under ROW. That the true copy of the said letter dated 20.08.2021 is appended as **ANNEXURE R12/52**

102. That the Fire and Emergency Service Department granted the answering Respondent the provisional Fire Safety NOC on 21.09.2021. That the true copy of the Fire safety NOC dated 21.09.2021 annexed as **ANNEXURE R12/53.**

103. That further on 09.02.2024, the Fire and Emergency Service Department, Gangtok after an inspection on 05.02.2024 have granted a Partial No Objection Certificate (NOC) to answering Respondent for eight floors of the building upto

level 04 (27.08 mtrs.) in view of the completion of construction of the said floors . That the true copy of the Fire and Emergency Service Department NOC dated 09.02.2024 is annexed as **ANNEXURE R12/54.**

GOLD STANDARDS AND CERTIFICATIONS FOR GREEN BUILDINGS

104. That the Green Building is a holistic concept wherein the built environment can have profound positive effect. Green building is an effort to amplify the positive and mitigate the negative of these effect through the entire life cycle of a building.

105. That in line with setting the highest standards for building and construction , the said project is registered for Green Building Certification under Indian Green Building Council (IGBC) Green New Building Rating System. That the major components of Air, Water & Noise Pollution, Water Scarcity and Waste management, each will be specifically taken care of.

106. That the present Respondent also obtained a membership certificate from the Indian Green Building Council, for the present project on 23.08.2021 which has subsequently been renewed. That the present Respondent has also obtained pre-certification of the IGBC Green New Buildings rating it as 'Gold' which clearly show that the present respondents have taken abundant precaution in ensuring that the present project has minimal environmental impacts. It is pertinent to state that projects certified by the IGBC ensure that there is reduction in water and energy consumption right from day one of occupancy including energy savings ranging from 20 – 30 % and water savings around 30 – 50%. Furthermore, the intangible benefits of green new buildings include enhanced air quality, excellent daylighting, health & well-being of the occupants, safety benefits and conservation of scarce national resources. That the true copy of IGBC membership certification valid upto **December 2024** is annexed as **ANNEXURE**

R12/55. That the true copy of the precertification of IGBC Green New Buildings dated 01.08.2022 is annexed as **ANNEXURE R12/56.**

107. That further, a precertification by ASSOCHAM GEM Green Building Council has also been awarded to the said project under the ASSOCHAM GEM New Building Rating System with 86 points. That the true copy of the said certificate dated February 2022 is annexed as **ANNEXURE R12/57.** Clearly the above efforts are towards attaining highest global standards in building and construction, perhaps for the first time in the State of Sikkim under the Smart City Program.

X. That the present Original Application has been filed with a vested interest and is politically motivated.

108. That as the issue started progressing the "Hamro Sikkim Party" i.e. a political party where the present applicant served as a President started politicising various issues including PPP Models entered into by the State respondents and Private parties such as in the present case. That the true copy of the press clip dated 20.12.2021 annexed as **ANNEXURE R12/58.**

109. That it is pertinent to mention that the founder of the said party, Mr. Bhaichung Bhutia in an interview with the Sikkim Chronicle on 10.02.2022 has candidly stated that even if this Hon'ble Tribunal gives a negative decision, they will continue their fight. That he has also declared that this matter will be taken till the end whether the court gives good or bad justice. That the said fact indicates a complete disregard of the Applicant (being directly associated with Mr Bhutia) towards the proceedings of this Hon'ble Tribunal in adjudicating the case as per law and also shows the biasness of the Applicant in targeting the present project just to propagate their political agenda to the people of Sikkim. That the video graphic record as well as the transcription of the said interview of Mr. Bhaichung

Bhutia with Sikkim Chronicle held on 10.02.2022 is available for perusal in case this Hon'ble Tribunal desires to peruse the same.

110. That in a recent development which now clearly proves the political motivation is the fact that as per News Notification posted on 28.10.2023, the Applicant has joined Sikkim Democratic Front along with Mr Bhutia which demonstrate that the cases filed, the non-pursuance of the appeal before Hon'ble Supreme Court, was only a ploy to get political mileage and in fact it was politically orchestrated by the main Opposition Party in Sikkim for oblique political gains.

XI. ADDITIONAL SUSTAINABLE MEASURES

111. That further, for the proposed construction of the said project, the answering Respondent has gone beyond the minimum requirements and has planned additional sustainable measures including the following:

• High SRI tiles on the roof to mitigate urban Heat Island Effect;

• Electrical charging for 5% of the Total Parking;

• Energy efficient lighting for energy savings;

• The building envelope is designed to be constructed with high performance glazing products to reduced heat loss thereby promoting increased volumes of ice and snow formations on glazing, to obtain increased resistance to heat loss;

• Exterior wall assemblies are of Autoclaved Aerated Concrete (AAC) Blocks and appropriate Roof Insulation is used;

• The project will use most efficient engineering system following Energy Conservation Building Code 2017. This will help in minimizing energy consumption;

• The project team has carried out Energy & Daylight Analysis using simulation tools to analyse the potential of Energy Saving at design stage. As per the analysis project will be having Energy Saving 21% than conventional buildings by implementing all the features stated above;

• Solar Photo Voltaic (PV) panels will be installed on the south wall of the built structure to generate electricity. This will further help in off-setting building energy consumption while reducing the carbon footprint. The approximate capacity of the Solar Plant will be 55 KW which shall offset 2.45% of the annual power consumption of the project.

• The project will procure material having 20% recycle content of the total cost of the building material.

• The project will procure local materials by 30% of the total cost of the building materials.

• The project will be focused on Indoor Air Quality by providing Non/low VOC Paints, adhesive, sealant and other indoor materials.

• This project is being certified as IGBC "GOLD" Standard.

XII. MITIGATION ON AIR, WATER, NOISE POLLUTION AND WASTE MANAGEMENT

112. That with regards to Air Pollution, the project shall take utmost care to ensure the minimization of same in immediate vicinity. Various Erosion &

Sedimentation Control (ESC) Measures is being adopted which includes: Periodic sprinkling of water at the site, place of Aggregate at the site entrance, cover the tipper by Green Cloth etc. The design of various engineering services and selection of equipment has been done keeping in mind of natural aspects of the Gangtok City. The stack height will be adequately planned above six meters from the building height so that the smoke will be exhausted at greater heights. The exhaust systems of all kitchens in the project are planned with Electrostatic scrubbers to ensure no Oil, Gas or dirt comes out. All exhaust will be clean to avoid smoke and smell and not pollute the air.

113. That with regards to water pollution and water security, it is submitted that only water efficient Plumbing fixtures will be used and hence will be having more than 30% water saving over the conventional buildings.

114. That further with regards to treatment of wastewater, the same will be done through STP and the entire Campus will be Zero Water Discharge. The project will have Rainwater Harvesting tank of 3,50,000 litres. The water from hard surfaces/terrace will be channelized through filters to the tank. Rainwater will not only be used in the West Point, but the rainwater will also be pumped and supplied to adjoining community.

115. That with regards to noise pollution all the equipment selection shall be done as per National/International Standards. The Noise level will not go beyond 50 DB beyond the project boundary which is in compliance with the decibel limit set under the Schedule of the Noise Pollution Rules, 2000.

116. That with regards to waste management, the waste generated in the project will be segregated and treated. The Organic Waste Convertor with capacity of 600 Kg will treat all the organic waste produced within the site while other waste will be sold by recycler.

Para-wise Reply

117. That the contents of Para 1 and 1A to the extent of the credentials of the Applicant including her interest is not known hence there are no comments. However there is no record of any of her work on conservation and hence such descriptions are denied as wrong, false and devoid of any merit save for what are matters of record. The answering Respondent humbly submits that the Applicant has suppressed the fact that she was the President of a political Party named "Hamro Sikkim Party" and has now joined Sikkim Democratic Front, which is the main political opposition, and she has vested interests on politicising the matter therein for the sake of playing with the emotions of the general populace of Sikkim. Furthermore, it is pertinent to submit that the Applicant has not exhausted the statutory alternative remedy of challenging the Consent to Establish as well as the Environment Clearance before the appropriate forum. This is a ground alone to dismiss this application with huge costs.

118. That in response to Para 2 merits no response as they are matters of record.

119. That the contents of Para 3 are denied as wrong , false and devoid of any merit. The answering Respondent humbly submits that the Original Applicant has casually submitted that the present Application would warrant the exercise of jurisdiction under Section 14, 15,17 and 18 of the NGT. The said submissions are wrong and misconceived for the following reasons:

a) *Section 14*- The essential element of the said section would be on issues pertaining to substantial questions of environment, arising out of the enactments in Schedule 1 of the NGT, Act. It is humbly submitted that the Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) Act, l995 Act No. 11 of 1985 and the Regulations therein, which mandate the restriction of 5 1/2 floors, is absent from the Schedule 1 of the

NGT Act, therefore the application of Section 14 would not apply to the said proceedings.

b) Section 15- It is submitted that the reasoning of the legislature has been applied in the present section, in the same manner as Section 14 i.e. relief, compensation, restitution etc would only lie if there was environmental damage arising out of enactments under Schedule 1, which is absent in the present proceedings. Furthermore, the Applicant has failed to establish the direct nexus between any alleged damage caused and its direct effect on her i.e. her claim of being a victim in the present circumstances and Section 15 is not applicable in the present proceedings.

c) Section 17 – That it is humbly submitted that the present application also lacks the essential element required under Section 17 i.e. death, injury or damage due to activities under any enactment under Schedule 1, hence Section 17 is not applicable.

d) Section 18(1)- It is humbly submitted that the Applicant has failed to present evidence demonstrating her standing as an aggrieved party under Section 18 of the National Green Tribunal Act, 2010. The content of the paras __ __ may be read as a part of this paragraph and is not being repeated for the sake of brevity.

That it is submitted that an application under Section 14 and an application under Section 15 of the NGT Act, 2010, cannot be integrated into one. That an application under Section 14 can be filed when there is a substantial question relating to environment towards implementation of enactment specified in Schedule I of the NGT Act, 2010. Whereas under Section 15, specific relief, compensation or restitution can be sought only by a claimant who is a direct victim of any pollution and other environmental damages,

caused to her/him. Therefore, the present application, which is filed under Section 14 as well as Section 15 of the NGT Act, 2010, is not maintainable specially when the Applicant has not been able to show how she has been directly affected due to the construction of the project of the answering Respondent. That further, Rule 14 of the National Green Tribunal (Practice and Procedure) Rules, 2011 regarding plural remedies, specifically provides that an application shall be based on a single cause of action and therefore it further substantiates that this Application is not maintainable.

120. That in response to Para 4.1, it is submitted that the Multi-Level Car Parking cum Commercial Development fully adheres to all relevant statutory regulations and has successfully undergone the required Environmental Clearance process for construction of 14 floors. There has been no illegality in the construction of MLCP cum CD at Old West Point School Area by the Project Proponent or Respondent No. 2, GSCDL. As the answering Respondent is the direct concessionaire of the Respondent No. 2.

121. That the contents of Para 4.2 & 4.3 are denied as wrong and devoid of any merit. The entire construction is being carried out in accordance with law and all possible statutory clearances. In fact, it will be a landmark in the city of Gangtok as a Gold Standard Project to be emulated not only in Sikkim but the entire country. The generic comment is hereby denied as wrong, false and misleading and the content of this affidavit describing the entire project and the safeguards therein is reiterated as part of this paragraph.

122. That the contents of Para 4.4 are denied as wrong, false and devoid of any merit. It is submitted that the Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985 and the Regulations made thereunder are building byelaws are not part of the Schedule I of the

National Green Tribunal Act, 2010. It is humbly submitted that a harmonious reading of Section 14 of the act, read with Schedule I of the Act, would lead to the inference that the adjudication on issues pertaining to any cause of action arising out Sikkim Allotment of Housing Sites and Construction of Building (Regulation and Control) Act, 1985 and the Regulations made thereunder, would not be maintainable before this Hon'ble Tribunal, which the Original Applicant seems to be gloss over at this juncture. That further, the answering Respondent humbly submits that the said height regulations are subject to relaxation, taking into account the exigencies of the situation such as in the present situation, wherein the capital of the state has been facing acute issues of vehicular congestion with the lack parking facilities for vehicles, for a number of years. That accordingly, the said relaxation in the case of the present Respondent has been granted by a body no less than the Cabinet itself , which is evident from the minutes of the meeting dated 11.06.2021. Further, taking note of the same and after following due process of law the sanction dated 31.12.2021 under Regulation 9 of the Sikkim Building Construction Regulation, 1991, has also been granted by the GMC for the said project for 11 storeys. That, on 10.01.2022, the Answering Respondent, sought permission from GSCDL requesting for approval of 3 additional floors beyond the 11 floors already approved. That it is further submitted that Respondent State has relaxed the restriction on the number of floors on several occasions some of them being (1) The Central Referral Hospital (Manipal) at Tadong, Gangtok:@9 storeys (2) Sir. Thuthob Namgyal Memorial Hospital, Socheygang, Gangtok @13 storeys (3) State Secretariat Building, Tashiling, Gangtok@ 8 storeys among others. Furthermore, the State Respondent has also relaxed the floor restrictions on private parties as well, such as hotels etc. to promote tourism, apartment complexes to enhance housing supply etc. It is submitted that height restrictions are applied on merits of the case

to engineered structures against the general norm for height restrictions for private buildings which are mostly owner driven non-engineered constructions. The answering Respondent for the sake of brevity reiterates the submissions made in the above paras.

123. That the contents of Para 4.5 are wrong false and devoid of any merit, save for what are matters of record. The Applicant is merely engaging in conjectures and surmises. It is reiterated that that in contrast to the allegations of the original Applicant the Culture Department of the Respondent State in its letter dated 09.02.2022 to the Respondent No. 2, GSCDL, has cogently stated that apart from the 3 monuments in West Sikkim which are monuments of National Importance under administrative control of Archaeological Survey of India and protected under Ancient Monuments, Archaeological Sites and Remains Act 1958 (AMASR), there is no structure/site which has been declared as historical monument in Sikkim. That further, there will be no restriction of the view of Mount Kanchenzonga. In fact, this state-of-the-art facility will have a panoramic viewpoint of the city and a clear view of Mount Kanchenzonga for which infrastructure will be developed on the terrace. That is it further submitted that due to the staggered design of the said project having various terraces on multiple floor respectively, the said project will enable the entire public and tourists a seamless view of the Mount Kanchenzonga and of the city. That there is no other infrastructure in the city which is availing such a facility.

124. That the contents of Para 4.6 are wrong false and devoid of any merit. The answering Respondent submits that the location of the project is under Zone 1 and has soil load bearing capacity limit as per the report of Mines and Geology Department experts. Further, the permission from the Cabinet, the GMC, the geotechnical studies, the vetting of the structure by IIT, Guwahati and by the Jadavpur University alongwith the stability report of Mines & Geology among

others studies shows that the present project is safe to be constructed on the proposed site. Further, for the sake of brevity the present Respondent reiterates the submissions made in Paras 34 to 65 of the Brief Facts.

125. That contents of Para 4.7 and 4.8 are wrong false, and devoid of any merit save for what are matters of record. It is submitted that the traditional method of housing i.e. ekra (bamboo frame) has seen significant reduction in the past few years due to the requirement for modern urban facilities and subsequent availability of modern construction technology. Furthermore, the problems with regard to space constraints has led to a majority of the residents of Sikkim to adopt multi storied design for optimum utilization of space. The proposed structure is a state-of-the-art gold standard building which would be a combination of less RCC and more steel in its building design. The entire safeguards and precautions have been detailed in the earlier paras of this reply for its stability, design, and other measures taken to create a state of the art project in the city of Gangtok. The said paras may be read as part of the response to this para and is not being repeated for the sake of brevity.

126. That the contents of Para 4.9 are wrong, false and devoid of any merit save for what are matters of record. The Applicant is merely engaging in conjectures and surmises without adducing any scientific evidence. Be that as it may, the said structure will adhere to the highest safety and stability requirements as described in detail in previous paragraphs.

127. That the contents of Par 4.10 the Applicant are merely engaging in conjectures and surmises without adducing any scientific evidence, to prove her claim of the said effect. Be that as it may, the present Respondent has also obtained a membership certificate from the Indian Green Building Council, for the present project the pre-certificate for green building has been awarded with ‘Gold’ rating. That the said steps clearly reflect that the answering Respondents have taken

abundant precaution in ensuring that the present project has minimal environmental impact. It is pertinent to state that projects certified by the IGBC ensure that there is reduction in water and energy consumption right from day one of occupancy including energy savings ranging from 20 – 30 % and water savings around 30 – 50%. Furthermore, the intangible benefits of green new buildings include enhanced air quality, excellent daylighting, health & well-being of the occupants, safety benefits and conservation of scarce national resources. That further, the pre- certificate of ASSOCHAM Green Building Council has already been awarded to the said project with pre-certified Gem 4. That it is humbly submitted that the permission issued by various authorities such as the Cabinet, the SPCB, the GMC, the SEIAA among others have been issued after following due process of law. For the sake of brevity, the present respondents reiterates the submissions made in Para 34 - 107 of the Preliminary Submissions.

128. That the contents of Para 4.11 are false and devoid of any merit. It is pertinent to state that relaxation of the floor limit of the said project was considered by the Cabinet vide the Cabinet Memorandum dated 27.05.2021. That in the Cabinet meeting dated 11.06.2021, the proposal for 11 floors was approved subject to Geotechnical Investigation and Report. That, thereafter, on 10.01.2022 an application was submitted by answering Respondent to GSCDL requesting for 3 additional floors to the project which has also been approved on 05.08.2022. The approvals along with other statutory approvals have been granted following a due process and especially taking into consideration the environmental factors, the geotechnical factors, site stability, load bearing capacity and other such safeguards which have been described in great detail in the preceding paragraphs and is not being repeated here for the sake of brevity.

129. That the contents of Para 4.12 are wrong false and devoid of any merit save for what are matters or record. It is submitted that the present respondent, not

only conducted Environmental Impact Study and prepared a report on 27.12.2021 but have also applied for Environmental Clearance as far back as 27.11.2021, That accordingly, the EC has been granted by Respondent No. 8 (SEIAA) on 25.02.2022 and subsequently the EAC has granted expansion of project vide EC dt. 23.08.2023. For the sake of brevity, the present Respondent reiterates the submissions made in Para 76-85 of the Brief Facts. It is surprising that such a casual and callous statement can be made for oblique political interests to mislead this Hon'ble Tribunal. This is a ground alone to dismiss this Application with huge costs.

130. That the contents of Para 4.13 A merits no response save for what are matters of record.

131. That the contents of Para 4.13 B to 4.13 D merit no response save for what are matters of record. It is submitted that the technology and design to withstand higher magnitude earthquake has been taken care of while planning, in accordance to the report of Respondent No.3 Mines and Geology. For the sake of brevity, the present respondents reiterate the submissions made in in Para 39 to 65 of the Brief Facts, among others.

132. That the contents of Para 5 are denied. That it is submitted that there is no cause of action which has arisen in the present case which has only been fabricated by the Applicant to gain publicity by propagating her political agendas and therefore the same may be dismissed with huge costs. There is no substantial question of environment that has been raised.

133. That the contents of Para 6.1 to 6.6 merits no response save for what are matters of record. It is submitted that the Applicant has suppressed the fact that she was the president of a political Party named "Hamro Sikkim Party" and now is a member of Sikkim Democratic Front and has vested interests on politicising the matter therein for the sake of playing with the emotions of the general

populace of Sikkim. For the sake of brevity, the present respondents reiterate the submissions made in Para 5-6 of this Reply and Para 109-111 of the Preliminary Submissions. Further, the submission made in response to Para 3 of the OA is reiterated in response to the corresponding para.

134. That the contents of Para 6.7 are a matter of record and deems no response.

135. That the content of Para 6.8-6.9 is denied as wrong false, and devoid of any merit save for what are matters of record. The present respondents reiterate the submissions made in Para 34 to 65 of Preliminary Submission of the present Reply.

136. That the contents of Para 6.10 are wrong false, and devoid of any merit. The Applicant is merely engaging in conjectures and surmises. Assuming arguendo that any view was likely to be blocked, the proceedings in this Hon'ble Tribunal and various courts of law are based on legal provisions and principles and not on vague ideas of discomfort that the Applicant is attempting to submit. Be that as it may it is pertinent to submit that in contrast to the allegations of the original Applicant the Culture Department of the Respondent State in its letter dated 09.02.2022 to the Respondent No. 2 GSCDL has cogently stated that apart from the three monuments in West Sikkim which are monuments of National Importance under administrative control of Archaeological Survey of India and protected under Ancient Monuments, Archaeological Sites and Remains Act, 1958 (AMASR), there is no structure/site which has been declared as historical monument in Sikkim nor are they going to be affected by the present Project.

137. That the contents of Paras 6.11 and 6.12 are wrong, false and devoid of any merit for the sake of brevity the present Respondent reiterates the submissions made in Para 34 to 65 of Brief Facts.

138. That the contents of Para 6.13 are denied as wrong, false, and devoid of any merit, save for what are matters of record. The answering Respondent submits

that the said project has been undertaken following all legal procedures, in a detailed manner thereby ensuring complete compliance of any legal mandates therein. For the sake of brevity, the present Respondent reiterates the submissions made in the Brief Facts, pertaining to the comprehensive steps undertaken to ensure the project fulfils every legal mandate. All requisite documents have been placed before the regulatory authorities to seek their approval from various environmental standpoint as well as from the design and safety which is aimed at achieving Global and Gold Standards.

139. That the contents of Para 6.14 are wrong, false, and devoid of any merit. It is pertinent to note that in fact, the stoppage of construction due to interim stay order passed by this Hon'ble Tribunal led to several complaints of possible landslides due to stoppage of retaining/ foundation activity. That on 01.02.2022 the public living in the vicinity of the project site made a representation to the local MLA as they were apprehensive of landslides likely to be caused by the lack of drainage in the project site due to stoppage of ongoing constructions and requested the MLA that raft foundation may be constructed at the work site to ensure drainage system is functional prior to onset of monsoon. Furthermore, another complaint was made on 07.02.2022 to the Respondent no. 2 GSCDL by the representatives of a mosque near to the project site of the present Respondent. That the said complaint requested that foundational work be resumed in the site to prevent any landslides that would endanger the mosque due to improper drainage. That presently, the answering Respondent is continuing its activity of completing the construction after procuring all permissions/sanctions/clearances under law. For the sake of brevity, the answering Respondent reiterates the submissions made in Para 14 of the Brief Facts.

140. That the contents of Para 6.15-6.19 are wrong, false, and devoid of any merit. That all steps have been taken for the construction project of the answering

Respondent as per law as well as to address the requirements of seismicity of the area. This includes the letter of Associate Professor, IIT certifying the design and drawing of structure which is as per relevant BIS Code. It is also certified that the structure can withstand seismic load up to Richer Scale 8 as per norms of IS 1893 – 2016. That the said Associate Professor, IIT Guwahati has been engaged to be associated with the said project till the end of its construction, for the purpose of continuous vetting of the project related to design, fabrication and installation, Geotechnical Components, Soil Stabilizing measures, water logging, structural protection among others and also to provide detailed technical recommendations in this regard. Further, multiple Geo-technical studies has been undertaken for the project which has all been favourable. That the present Respondent in pursuance of ensuring load bearing capacity of the present project viz. seismic activity also obtained a Structural Design Basis Report for the project area prepared by SPA Consultant, a leading structural consultant in the country. a letter received from Jadavpur University, Faculty of Engineering & Technology, Department of Construction Engineering at the request of the present Respondent, has certified the said project to be designed as per the relevant Indian Standards and designed load on foundation is 21 ton/sqm. It has been noted that Mica schist rock has been encountered below the foundation level, there shall be no load impact in the surrounding area of the project site. It is also mentioned under the said letter that the soil bearing capacity is estimated as 46.5 ton/sqm and load of the proposed structure is less than 50% of the soil bearing capacity. For the sake of brevity, the present Respondent reiterates the submissions made in Para 34 to 65 of the Preliminary Submission. It is clear that the apprehensions of the Applicant are not based on either on science or facts. For abundant precaution the private Respondents have taken several measures to

ensure that safety is not compromised in any manner whatsoever and environmental consequences that is to the minimum.

141. That the contents of Para 6.20 and 6.21 merits no response save for what are matters of record.

142. That in response to the Grounds, it is summarily rejected and the submissions made under the preliminary submissions and the para-wise replies are relied upon and are not being repeated for the sake of brevity.

143. That the contents of Para 8 are denied as wrong, false and devoid of any merit. The Original Applicant has failed to disclose any cause of action that would warrant the jurisdiction of this Hon'ble Tribunal under Section 14,15, 17 and 18 of the NGT Act, 2010. It is submitted that the said Original Application lacking any cause of action has been filed purely for publicity interest, with the object of politicising the issue for electoral gains. Further, none of the statutory clearances have been appealed against in any appropriate forum by the Applicant, thereby establishing the fact that the Applicant is non-serious about any environmental issues and this case has been filed purely for oblique political motives.

144. That the answering Respondent humbly submits that in view of the above submissions in the preceding paragraphs, the prayers in the present Original Application are wrong, untenable and deserves to be dismissed with exemplary costs.

145. That the present Respondent craves leave of this Hon'ble Tribunal to file any additional affidavit/documents if so required.

Date: 16.03.2024
Place: Kolkata

DRAWN & FILED BY:

Ms. Arushi Malik
Advocate for Respondent No. 12

SETTLED BY:

Sanjay Upadhyay
Senior Advocate

IN THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 38 of 2022

IN THE MATTER OF:

Dr. Bina Basnett ...Applicant

Versus

State of Sikkim & Ors. ...Respondent (s)

AFFIDAVIT

I, Akhil Dalmia S/o Late Binod Dalmia, aged about 31 years, am the authorized signatory for MESASO Infrastructure Private Limited, Respondent No. 12, having its registered office at 3rd Floor, Vega Circle Mall, 3rd Mile, Sevoke Road, Siliguri - 734001, do hereby solemnly affirms and declares as under:

1. That I am fully conversant of the facts and circumstances of the matter and am competent to swear this affidavit.
2. The contents of the accompanying Reply are true and correct to the best of my knowledge and have been drafted by the counsel on my instructions and nothing material has been concealed therefrom.
3. That the Annexures in the accompanying Reply are true and correct to the best of my knowledge.

MESASO Infrastructure Private Limited
Akhil Dalmia
Chief Financial Officer

DEPONENT

VERIFICATION:

Verified at Siliguri on this 27th day of December, 2023 that the contents of the above affidavit are true and correct to my knowledge and belief and nothing material has been concealed there from.

MESASO Infrastructure Private Limited
Akhil Dalmia
Chief Financial Officer

DEPONENT

AFFIDAVIT
Solemnly Affirmed Before me
By Akhil Dalmia
Of Sevoke Road,
Identified by Lalta Singh, Adv.
This the 27th Day of Dec 2023

Nabendu Narayan Dutta
Notary Govt. of India
Siliguri, Darjeeling
27/12/23

ANNEXURE R-1

Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School Area

on

Design, Build, Finance, Operate and Transfer (DBFOT) Basis

VOLUME III- PROJECT INFORMATION MEMORANDUM

Dated [●]

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1 Introduction

Sikkim is a state in northeast India. It borders Tibet in the north and northeast, Bhutan in the east, Nepal in the west, and West Bengal in the south. Sikkim is the least populous and second smallest among the Indian states. A part of the Eastern Himalaya, Sikkim is notable for its biodiversity, including alpine and subtropical climates, as well as being a host to Kanchenjunga, third highest on Earth. A referendum in 1975 led to Sikkim joining India as its 22nd state.

The state's economy is largely agrarian based on the terraced farming of rice and the cultivation of crops such as maize, millet, wheat, barley, oranges, tea, and cardamom.

Tourism in Sikkim has emerged as the new profession of the Sikkimese people with its vast natural potential. Promotion of village tourism, homestay, cultural tourism, trekking tourism, ecotourism, wellness tourism, flori–tourism and adventure tourism has given fillip to the tourism trade in the state where a large of number of people are engaged under different employment opportunities.

Because of its hilly terrain and poor transport infrastructure, Sikkim lacks a large-scale industrial base. Brewing, distilling, tanning, and pharmaceuticals are the main industries

In recent years, the government of Sikkim has extensively promoted tourism.

1.1 Gangtok



Gangtok is a city, municipality, the capital, and the largest town of Sikkim. It also is the headquarters of the East Sikkim district. Gangtok is in the eastern Himalayan range, at

an elevation of 1,650 m (5,410 ft). Nestled within higher peaks of the Himalaya and enjoying a year-round mild temperate climate, Gangtok is at the centre of Sikkim's tourism industry.

Gangtok is the main base for Sikkim tourism. Summer and spring seasons are the most popular tourist seasons. Many of Gangtok's residents are employed directly and indirectly in the tourism industry, with many residents owning and working in hotels and restaurants. M. G. Marg is one of the main shopping and cultural activity streets in Gangtok.

The main market in Gangtok provides many of the state's rural residents a place to offer their produce during the harvest seasons. Following schematic depicts the SWOT analysis of Gangtok:

1.2 Gangtok Civic Administration

Gangtok is administered by the Gangtok Municipal Corporation along with the various departments of the Government of Sikkim, particularly the Urban Development Department (UDD) and the Public Health Engineering Department (PHED). These departments provide municipal functions such as garbage disposal, water supply, tax collection, license allotments, and civic infrastructure.

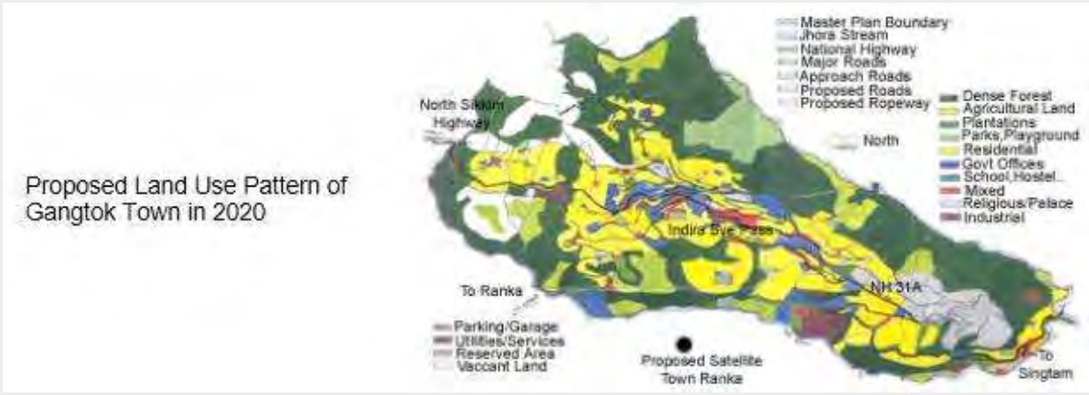
As the headquarters of East Sikkim district, Gangtok houses the offices of the district Magistrate/ District collector. Gangtok is also the seat of the Sikkim High Court, which is India's smallest High Court in terms of area and population of jurisdiction. Gangtok does not have its own police Commissionerate

like other major cities in India. Instead, it comes under the jurisdiction of the state police, which is headed by a Director General of Police.

Urban Development Department

Proposed Land-use Pattern of Gangtok

Keeping in view of the rapid urbanization vis-à-vis the requirement of infrastructures, the Department has prepared the Master Plans for Gangtok town, which envisages perspective planning. These objectives can be achieved through the broad strategies being adopted by the department. Plans are being formulated to develop Gangtok Town as a Model City[1].



1.2.1 Gangtok Smart City Development Limited

The Smart Cities Mission is an initiative by the Government of India to drive economic growth and improve the quality of life of people by enabling local development and harnessing technology as a means to create smart outcomes for citizens.

The Gangtok Smart City Development Limited (GSCDL), the Authority of the Project, has been formed by the Gangtok Municipal Corporation along with Government of Sikkim to implement various area based as well as pan-city level projects under Smart City Mission. The Gangtok Municipal Corporation has entrusted GSCDL to implement the said Project. The GSCDL will plan, appraise, approve, release funds, implement, manage, operate, monitor, and evaluate various Smart City development projects in Gangtok.

[1] Source: Urban Development and Housing Department, Government of Sikkim www.sikkim.nic.in

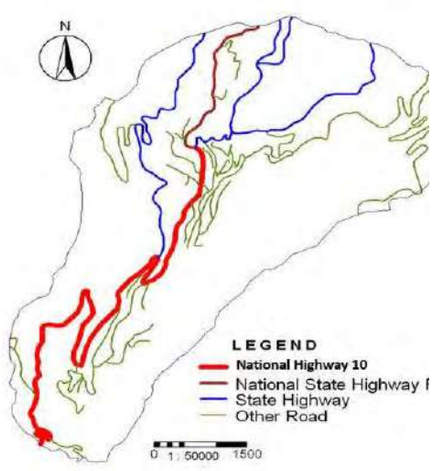
1.3 Gangtok Utility Services

Electricity is supplied by the power department of the Government of Sikkim. Gangtok has a nearly uninterrupted electricity supply. The rural roads around Gangtok are maintained by the Border Roads Organisation, a division of the Indian army. Most households are supplied by the central water system maintained and operated by the PHED. The main source of PHED water supply is the Rateychu River, located about 16 km from the city, at an altitude of 2,621 m (8,599 ft). Its water treatment plant is located at Selep. The river Rateychu is snow-fed and has perennial streams.

Around 40% of the population has access to sewers. However, only the toilet waste is connected to the sewer while sullage is discharged into the drains. Without a proper sanitation system, the practice of disposing sewage through septic tanks The entire city drains into the two rivers, Ranikhola and Roro Chu, through numerous small streams and Jhoras. Ranikhola and Roro Chu rivers confluence with Teesta River, the major source of drinking water to the population downstream. The densely populated urban area of Gangtok does not have a combined drainage system to drain out the storm water and wastewater from the buildings.

1.4 Connectivity

Road: Taxis are the most widely available public transport within Gangtok. Most of the residents stay within a few kilometres of the town centre and many have their own vehicles such as two-wheelers and cars. The share of personal vehicles and taxis combined is 98% of Gangtok's total vehicles, a high percentage when compared to other Indian cities. City buses comprise less than one percent of vehicles. Those travelling longer distances generally make use of share-jeeps, a kind of public taxis. Four-wheel drives are used to easily navigate the steep slopes of the roads.



Gangtok is connected to the rest of India by an all-weather metalled highway, National Highway 10, earlier known as National Highway 31A, which links Gangtok to Siliguri, located 114 km away in the neighbouring state of West Bengal. The highway also provides a link to the neighbouring hill station towns of Darjeeling and Kalimpong, which are the nearest urban areas. Regular jeep, van, and bus services link these towns to Gangtok. Gangtok is a linear city that has developed along the arterial roads, especially National Highway 10. Most of the road length in Gangtok is of two-lane undivided carriageway with footpath on one side of the road and drain on the other. The steep gradient of the different road stretches coupled wan unplanned road configuration constrain the smooth flow of vehicular as well as pedestrian traffic.

Rail: The nearest railhead connected to the rest of India is the station of New Jalpaiguri in Siliguri, situated 124 km away from Gangtok. Work has commenced for a broad-gauge railway link from Sevoke in West Bengal to Rangpo in Sikkim.

Air: Bagdogra Airport, in Siliguri (West Bengal) is about 130 km from Gangtok.

2 The Project Site

2.1 Introduction

Parking is an essential component of any city's transportation system. Managing public and private parking spaces is an integrated aspect of a planned urban transportation system. This plays an important role in increasing the capacity of existing roadways, improving traffic circulation, and reducing urban chaos in the city. The unprecedented growth in the number of motor vehicles, especially the taxis and cars along with the concentration of activities has led to acute parking problems in the Gangtok City area. As the road space is limited and On-Street parking is not possible on all roads, parking demand far outstrips the supply equation. Moreover, there are limited parking lots leading to spill-over of on-street parking on the main carriageway and impending the movement of the traffic stream.

Accordingly, GSCDL, under smart city program has identified various Multi-Level Car Parking projects to be implemented on priority. Under the program, GSCDL has identified an existing MLCP, which will be demolished and upgrade into a state of the art, modern MLCP cum Commercial Development at Old West Point School Area near M.G. Marg.

Figure 1 Location of project Site

The identified Project Site of about 5708 Sqm. of area is an existing MLCP, without any commercial development at Old West Point School area near M.G. Marg, which is in the heart of the city of Gangtok, located adjacent the NH 10 and M.G. Marg market. The

existing MLCP houses majorly taxi parking along with private car parking. The pre-dominant landuse in the vicinity of the Project Site is commercial with limited shops on the ground floor and hotels on upper floors of the buildings. As per stability map prepared by Mines and Geology Department, Gangtok, the site chosen is in Zone 3.

2.2 SWOT Analysis

Strength:

- Commercial Landuse within surrounding area
- Parking Demand within the influence area of the site
- Good accessibility and feasible approach to the site though the NH10
- Appropriate Site Area for proposed MLCP cum Commercial development
- No adapdability issues as Existing parking facility is already functioning
- Advantageous locations due to commercial landuse

Weakness:

- Irregular Shape of Site

Opportunity:

- High Commercial and rental potential for the site
- Parking Demand from the adjoining site location
- Location of site within the vicinity of the MG Market.

Threat:

- Immideate parking locations
- Lower parking rates

2.3 Access to the Project Site

The site's has multiple accesses from NH10 in the East and Church Road in the North. The existing MLCP structure is built on the natural land slope with Ground level and G-1 levels accessible from NH10. Level G-2 is accessible from Church road. The exit from Level G-1 is at Church road with linkage to NH10 as well. The Access roads are shown in subsequent figures given below.

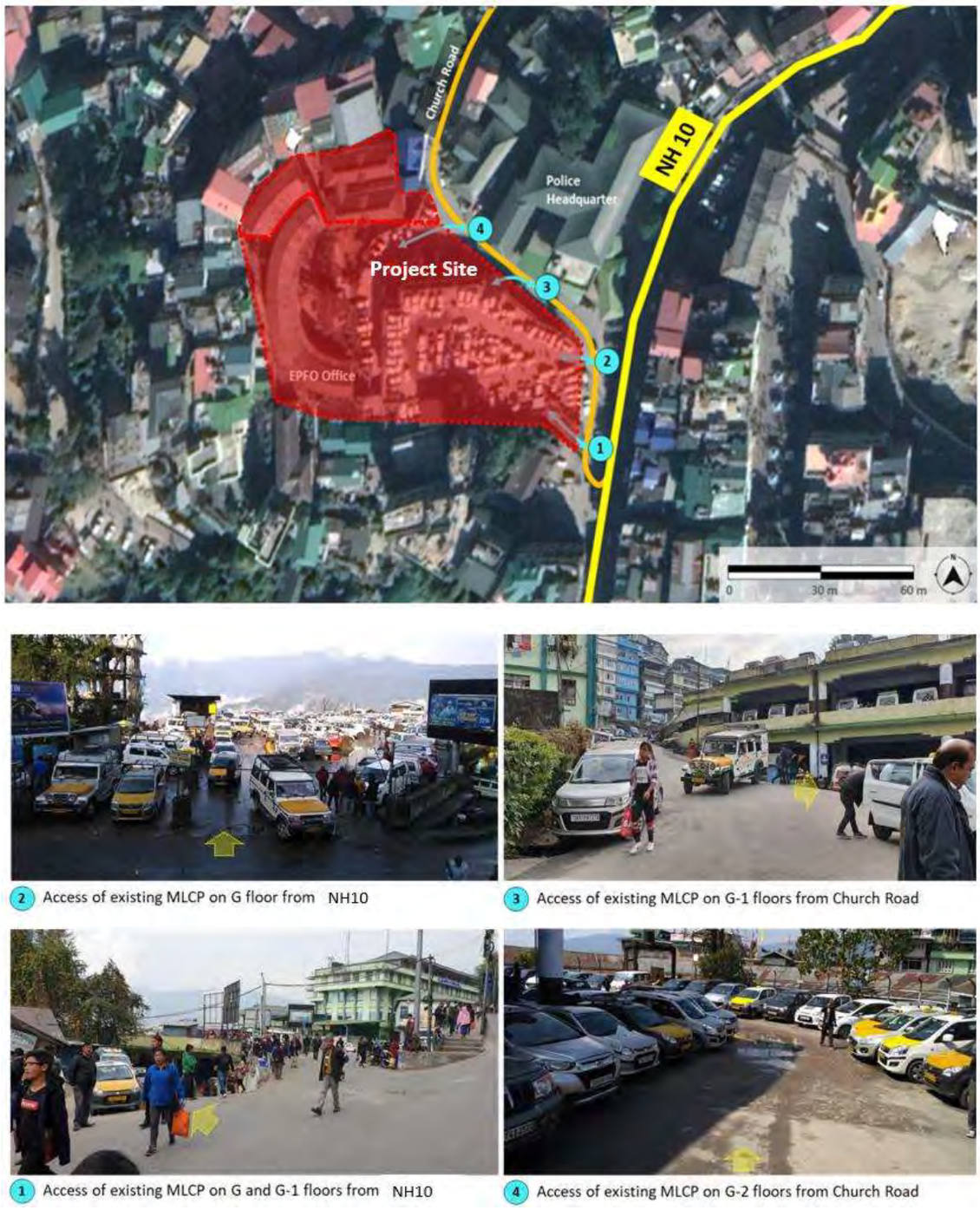


Figure 2 Access to the project site

2.4 Existing Parking Situation at The MLCP

The Existing parking facility is being used by long route intercity taxis as well local taxis and private vehicles. Level G-1 and G-2 are majorly used by long route taxis. However, Local taxis use almost 1/4th of the parking bays on Level G-1 and Private vehicles use level G-2 for parking. Ground floor mostly sees mix parking with Cars/ jeep/ Taxis and

private vehicles. 2 Wheelers are also seen parked on Ground floor level i.e. NH10 level. Figures below depict the Parking conditions within various levels of the existing MLCP.

Figure 3: Parking at NH10 Level

Figure 4: Parking at NH10 Level

Figure 5: Parking at Level G-1

Figure 6: Parking at Level G-2

Figure 7: Parking at Level G-2; within Setback Area

At present, no proper parking bay system is followed. Due to high demand, the parking facility is under tremendous pressure and operates beyond its capacity. As such, even the parking aisles are used for parking activity and vehicles are shifted manually by parking attendants to give way to an incoming or outgoing vehicle.

2.5 Passenger Amenities

The Existing MLCP is of considerably basic nature in terms of passenger amenities and other infrastructural facilities with poorly maintained public toilet and an unplanned passenger waiting area. In absence of a regularised canteen, many unorganised eatery points are operational, mostly at level G-1 and level G-2. Levels G-1 and G-2 are connected by staircase within the building footprint. Although a passenger enquiry counter is operational, no IT based information system is found to be in place. Signage, rate card and input & output terminals were missing at all levels.

2.6 Commercial Development

2.6.1 PROJECT SITE – VICINITY TO M.G. MARG

M.G. Marg is a 'must visit' place in Gangtok and this is the town centre of the hill town. M.G. Marg is also the main market area of Gangtok. The road and the area around it have transformed over the years. It is now more like a long stretch of open mall or boulevard square where locals and tourists take leisure stroll or just sit and relax on one of the many benches laid along the middle and both sides of the road to soak in the ambience.

The road is lined up with glittering shops, restaurants, cafes & bars on both sides. Many tourists take a table on a roadside restaurant and watch the activities on the street. It is like a carnival-like atmosphere out here. In line with government's green initiative, all buildings on both sides of this road are painted green. The Statue of Unity overlooks MG Marg. The statue comprises of the figures of Bhutia Chieftain Khye Bumsa, the Lepcha leader Thetong Tek and his wife Ngo-Kong-ngol. The statue depicts peace, love, and harmony. About midway is an imposing statue of Mahatma Gandhi. There are Victorian lamps along this road. When lit up after dark, the entire place looks magical. As part of Gangtok Annual Food and Culture Festival that takes place in the month of December, many different food stalls are set up at the Titanic park in MG Road, cultural shows take place here opposite to Sikkim Tourism & Civil Aviation Department where ethnic dance performances and musical shows are organized.

Table 1: Proposed Site Details

S. No	Particulars	Details
1	Site Area (sqm.)	5707.8
2	Commercial floor Coverage (sqm.)	50%
3	Parking floor Coverage	<75%
4	Total no. of floors (Nos.)	11*
5	Lower parking Floors (Nos.)	4; Level 0 to 3
6	Ground and Above (Nos.)	7; Level 4 to 10
7	Commercial Built up Area (sqm.)	13,680#
8	Total Built up Area (Sqm.)	30,780*

**The concessionaire shall perform detailed environmental assessment and geo technical studies and obtain the approvals of the relevant authority. The concessionaire shall further submit to GSCDL the detailed structure design and traffic flow designs characteristics duly vetted by one of the IIT's.*

 # The areas are indicative, and deviation will be allowed up to +/-10% at the DPR stage and subject to approval of GSCDL.

2.6.2 COMMERCIAL DEVELOPMENT

The Concessionaire shall be entitled to construct/ develop such components which it deems appropriate from commercial viability point of view provided however that such component does not fall in the category of prohibitive item as per Authority or GoS or GOI norms or applicable law.

- Shopping Mall
- Multiplex
- Hotel
- Food Courts/Restaurants/ coffee shop
- Commercial (Retail cum Office) Area would include retail shopping, branded showrooms, anchor stores, Entertainment Complex/ Zone and business spaces
- Banks
- Coaching Institutes
- Gaming Zone/children play home
- Gymnasium or Health Centre
- Any other activity with the approval of Authority

2.6.3 RESTRICTED COMMERCIAL DEVELOPMENT

Following functions / products are not permitted for development:

- Industrial activities
- Hostel
- Warehousing (except such warehousing facility which is incidental to the use of the Project)
- Wholesale Activity
- Car Service Garage
- Workshops
- Hospitals or health centres
- Other environmentally incompatible functions

A foot over bridge connection is also proposed to connect the proposed MLCP cum commercial building to the MG Marg.

2.7 POTENTIAL PARKING DEMAND

Redevelopment of Old West Point MLCP will attract following set of parking:

- Existing parking demand at Old West Point: 100% (As the existing facility is being redeveloped, it is assumed that all existing demand will remain intact)
- Potential parking demand to be generated by commercial development at Old West Point: 100%

2.7.1 POTENTIAL PARKING DEMAND .

The maximum demand from the existing Old West point school (Hungry Jack), is estimated at 355 ECS. The demand assessed is including of private cars, taxis, govt. Cars and two wheelers. The LCVs and heavy trucks have not been considered for the proposed parking facility.

2.7.2 POTENTIAL PARKING DEMAND THAT CAN BE GENERATED BY PROPOSED COMMERCIAL DEVELOPMENT AT OLD WEST POINT

It is essential to consider the parking demand that can be generated by commercial built up area planned at Old West Point. It has been estimated that the parking demand could be generated by the commercial area up to **415 ECS.**

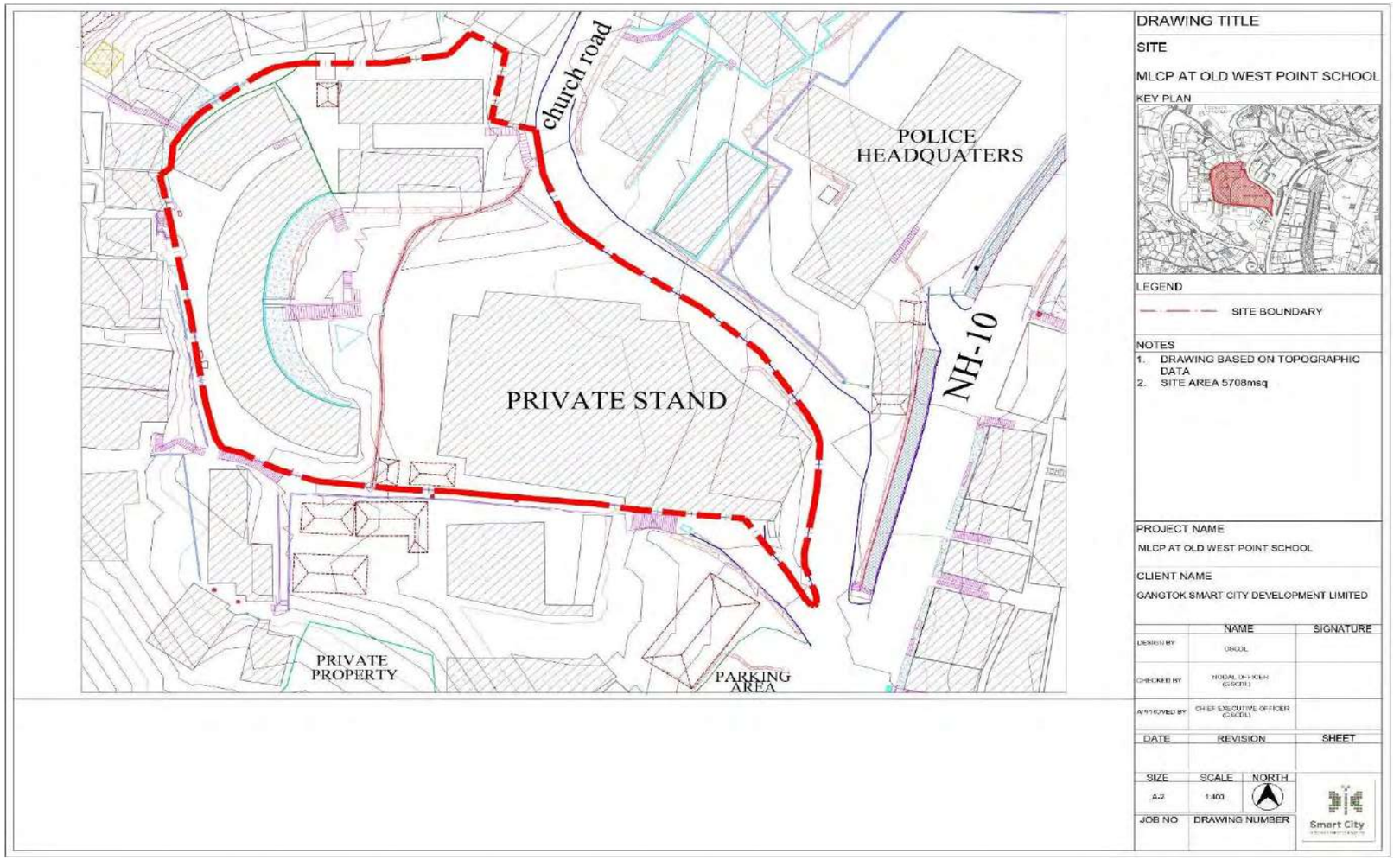
2.8 PARKING SUPPLY

a. The level 0 and level 1 shall be ordinary parking floors, to be handed over to the authority for running the intercity stand.

b. The level 2 and level 3 shall be puzzle / Stack parking within the revenue stream of the concessionaire.

The traffic flowing in or out of the MLCP shall be so designed so as to ensure that the traffic movement in the NH is not delayed due to spillage.

3 PROJECT SITE MAP



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ANNEXURE R-2

Email:spcbsikkim@gmail.com

STATE POLLUTION CONTROL BOARD-SIKKIM

FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI, GANGTOK – 737102

F. No. 202/SPCB/ 3715 Dated: 17/09/2021

To,

The Secretary,
Urban Development Department,
Government of Sikkim,
Gangtok-737101.

Sub: No Objection Certificate.

In consideration of your letter no. 250/UDD/Secy dated 08/09/2021, this is to inform you that the State Pollution Control Board-Sikkim does not have any objection for dismantling/demolition of the existing facility located at Old West Point School, Gangtok, East Sikkim subject to the following conditions:

1. That, you shall ensure that the project proponent carries out the dismantling/demolition work without causing any environmental pollution duly installing pollution control measures such as suppression of dust/fugitive emission , noise controlling measures in the premises by erecting barriers & limiting work during day time only and proper management of demolition waste within the premises, further, that any such dismantling/demolition shall ensure foundational security of the area in question;
2. That, all forms of Demolition waste shall be managed and disposed in accordance with the provisions of the Construction & Demolition Waste Rules, 2016;
3. That, the project proponent shall construct temporary labour camp duly providing proper sanitation & solid waste management facility within the premises in accordance to the Solid Waste Management Rules, 2016.
4. That, you shall obtain any other NOC, wherever required before taking up the demolition work.

Member Secretary
State Pollution Control Board-Sikkim
Dr. Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest Env. & W/L Mangt. Dept.
Govt. of Sikkim, Gangtok

State Pollution Control Board * Govt. of Sikkim * Forest & Environment Dept.

-TRUE COPY-

ANNEXURE R-3

(18)

GOVERNMENT OF SIKKIM
URBAN DEVELOPMENT DEPARTMENT
GANGTOK

No: 255/UDD/Secy. Dated: 21/09/2021

To,

The Chief Executive Officer
Gangtok Smart City Development Limited
Gangtok.

Sub: - Proposal for construction of Multi level Car Parking cum Commercial Complex at Old West Point School complex Gangtok.

Reference proposal for construction of Multi level Car Parking cum Commercial Complex at Old West Point School complex Gangtok, I am directed to convey the approval to start dismantling of existing structure of Old West Point School for construction of the aforesaid work subject to no objection from Private Estate for commencement of the dismantling work, as the said land is yet to be transferred to Urban Development Department.

Special Secretary
Urban Development Department

SPECIAL SECRETARY
Urban Dev. Department
Government of Sikkim
Gangtok

-TRUE COPY-

ANNEXURE R-4

GANGTOK SMART CITY DEVELOPMENT LTD

GANGTOK SMART CITY DEVELOPMENT LIMITE
LEVEL 5, KISAN BAZAAR, LAL MARKET ROAD,
GANGTOK- 737101, SIKKIM, INDIA
CIN-U93090WB2017SGC223807

Memo No: -137/GSCDL/2020-21 **Dated: - 18/06/2021**

LETTER OF ACCEPTANCE (LOA)

To,

M/s. Tirupati Plaza Private Limited
Mr. Akhil Dalmia
Gangtok, Sikkim

Subject: Letter of Acceptance ("LOA") for "Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School Area on Design, Build, Finance, Operate and Transfer (DBFOT) basis" (the "Project").

Sir,

This is with reference to the Bid submitted by your company M/s. Tirupati Plaza Private Limited in accordance with the **RFP Volume-I Clause No. 2.2.2**, dated 7th October 2020 and the corrigendum/ addendum thereto dated 24th November 2020 issued by Gangtok Smart City Development Limited, Sikkim (the "**Authority**"), towards qualification and short listing of Eligible Bidders for evaluation of their respective Financial Proposals in accordance with the **RFP Volume-I Clause No. 2.2.9**, submitted on 11.01.2021.

Pursuant to the evaluation of your Bid in accordance with the terms of the RFP Document, the Authority is pleased to inform that based on your company's Financial Proposal, dated 22.01.2021 (copy attached as **Annexure 'A'**), your company has been identified as the Preferred Bidder for the Project. Further, you are requested to comply with and fulfill the following terms and conditions within the time and in the manner & sequence, as prescribed hereunder:

Chief Executive Officer
Gangtok Smart City Development Ltd.
Gangtok- 737102 Sikkim

- That within 7 (seven) working days of the issuance of LOA, sign and return the duplicate copy of the LOA in acknowledgement thereof along with the Letter of Acknowledgement in the format attached with this LOA as **Annexure 'B'**.
- That Within 14 (fourteen) days of the issuance of this LOA, furnish an irrevocable Development Period Performance Security of Rs 14.75 Crore (Rs. Fourteen Crore Seventy Five Lakhs Only) in accordance with **RFP Volume-I Clause No. 2.2.8**
- That within 14 (fourteen) days from the date of issuance of this LOA, and in accordance with **RFP Volume-I Clause 3.2.8**, you shall incorporate a Special Purpose Vehicle (SPV) to act as the Concessionaire and for executing the Concession Agreement with the Authority and implementing the Project in accordance with the terms thereof, and submit all the documents related to SPV incorporation to Gangtok Smart City Development Limited.
- That within 14 (fourteen) days of date of this LOA and after absolute & unconditional fulfilment of the conditions mentioned hereinabove and in addition thereof, you are requested to execute and ensure execution by the Concessionaire of the, Concession Agreement, in the format set forth in the RFP Document, with the Authority.

Thanking You

Chief Executive Officer
Gangtok Smart City Development Limited, Gangtok
Date: 18/06/2021

Chief Executive Officer
Gangtok Smart City Development Ltd.
Sokaythang, Gangtok- 737102 Sikkim

Annexure A: Financial Proposal of the Preferred Bidder

Appendix XI: Financial Proposal

VEGA CIRCLE

Dated: 05.01.2021

To,
The Chief Executive Officer,
Gangtok Smart City Development Limited
Sokaythang, Below ICAR office,
Gangtok, Sikkim – 737102

Subject: Financial Proposal for "Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School Area near M.G. Marg, Gangtok – East Sikkim on Design, Build, Finance, Operate and Transfer (DBFOT) basis"

Dear Sir,

With reference to your RFP Document for "Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School Area near M.G. Marg, Gangtok – East Sikkim on Design, Build, Finance, Operate and Transfer (DBFOT) basis", dated 16.09.2020, I/we, having examined the RFP Document and understood its contents, hereby submit my/our Financial Proposal for the aforesaid Project. The Bid is unconditional and unqualified.

1. The Financial Proposal is unconditional and unqualified.

2. I/ We acknowledge that the Authority will be relying on the information provided in the Bid and the documents accompanying the Bid for selection of the Concessionaire for the aforesaid Project, and we certify that all information provided therein is true and correct; nothing has been omitted which renders such information misleading; and all documents accompanying the Bid are true copies of their respective originals.

3. This statement is made for the express purpose of our selection as Concessionaire for the "Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School Area near M.G. Marg, Gangtok – East Sikkim on Design, Build, Finance, Operate and Transfer (DBFOT) basis" (the "**Project**").

4. I/ We shall make available to the Authority any additional information it may find necessary or require to supplement or to authenticate the Financial Proposal.

5. I/ We acknowledge the right of the Authority to reject our Financial Proposal without assigning any reason or otherwise and hereby waive, to the fullest extent permitted by applicable law, our right to challenge the same on any account whatsoever.

6. I/ We certify that in the last three years, we/ any of our Associates have neither failed to perform on any contract, as evidenced by imposition of a penalty by an arbitral or judicial Authority or a judicial pronouncement or arbitration award, nor been expelled from any project or contract by any public Authority nor have had any contract terminated by any public Authority for breach on our part.

TIRUPATI PLAZA PVT. LTD.

Chief Financial Officer

VEGA CIRCLE

7. I/ We declare that:
   a) I/ We have examined and have no reservations to the Bid Documents, including any Addendum issued by the Authority; and
   b) I/ We do not have any Conflict of Interest in accordance with **Clauses 3.2.5** of the RFP Document; and
   c) I/ We have not directly or indirectly or through an agent engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice, as defined in **Clause 4.3** of the RFP Document, in respect of any tender or request for proposal issued by or any agreement entered into with the Authority or any other public sector enterprise or any government, Central or State; and
   d) I/ We hereby certify that we have taken steps to ensure that in conformity with the provisions of **Section 4** of the RFP, no person acting for us or on our behalf has engaged or will engage in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice; and
   e) the undertakings given by us along with the Bid in response to the RFP Document for the Project were true and correct as on the date of making the Bid and are also true and correct as on the Bid Due Date and I/we shall continue to abide by them.

8. I/ We understand that you may cancel the Bidding Process at any time and that you are neither bound to accept any Bid that you may receive nor to invite the Bidders to Bid for the Project, without incurring any liability to the Bidders, in accordance with **Clause 3.9** of the RFP Document.

9. I/ We believe that we satisfy(s) the Net Worth and Average Cash Accrual and meet(s) the requirements as specified in the RFP Document.

10. I/ We declare that we or our Associates are not a part of any other Bidder submitting a Bid for the Project.

11. I/ We certify that in regard to matters other than security and integrity of the country, we or any of our Associates have not been convicted by a Court of Law or indicted or adverse orders passed by a regulatory Authority which could cast a doubt on our ability to undertake the Project or which relates to a grave offence that outrages the moral sense of the community.

12. I/ We further certify that in regard to matters relating to security and integrity of the country, we or any of our Associates have not been charge-sheeted by any agency of the Government or convicted by a Court of Law.

13. I/ We further certify that no investigation by a regulatory Authority is pending either against us or against our Associates or against our CEO or any of our directors/ managers/employees.

14. I/ We undertake that in case due to any change in facts or circumstances during the Bidding Process, we are attracted by the provisions of disqualification in terms of the guidelines referred to above, we shall intimate Authority of the same immediately.

TIRUPATI PLAZA PVT. LTD.

Chief Financial Officer

VEGA
CIRCLE

15. I/ We understand that the Selected Bidder shall incorporate SPV under the Indian Companies Act, 2013, as the case may be, prior to execution of the Concession Agreement.

16. I/ We hereby irrevocably waive any right or remedy which we may have at any stage at law or howsoever otherwise arising to challenge or question any decision taken by the Authority in connection with the selection of the Bidder, or in connection with the Bidding Process itself, in respect of the above-mentioned Project and the terms and implementation thereof.

17. In the event of our company being declared as the Preferred Bidder, I/we agree to enter into a Concession Agreement in accordance with the draft that has been provided to us prior to the Bid Due Date [and Addenda thereof]. We agree not to seek any changes in the aforesaid draft and agree to abide by the same.

18. I/ We have studied all the Bid Documents carefully. We understand that except to the extent as expressly set forth in the Concession Agreement, we shall have no claim, right or title arising out of any documents or information provided to us by the Authority or in respect of any matter arising out of or relating to the Bidding Process including the award of Contract.

19. I/ We offer a Bid Security of Rs. 1,50,00,000/- (Rupees One Crore Fifty Lakh Only) to the Authority in accordance with the RFP Document.

20. The Bid Security in the form of a Bank Guarantee is enclosed.

21. I/ We agree and understand that the Financial Proposal is subject to the provisions of the Bid Documents. In no case, I/we shall have any claim or right of whatsoever nature if the Project / Contract is not awarded to me/us or our Bid is not opened or rejected.

22. The Concession Period has been quoted by me/us after taking into consideration all the terms and conditions stated in the RFP, draft Concession Agreement, our own estimates of costs and after a careful assessment of the site and all the conditions that may affect the Project cost and implementation of the project.

23. I/ We agree and undertake to abide by all the terms and conditions of the RFP Document.

24. We shall be liable for all the obligations of the Concessionaire under the Concession Agreement.

25. I/ We shall keep this offer valid for 180 (one hundred and eighty) days from the Bid Due Date specified in the RFP.

TIRUPATI PLAZA PVT. LTD.

Chief Financial Officer

VEGA
CIRCLE

26. **I/ We hereby submit our Bid and seek Grant of Rs. 103.98 Crore (Rupees One Hundred Three Crore Ninety-Eight Lakh only), i.e., 35.25% (Thirty-Five Point Two Five Percentage) of Estimated Project Cost to execute the Project in accordance with the provisions of the draft Concession Agreement.**

27. I/ We shall submit our Financial Model in a soft copy, i.e. in MS Excel in support of our Bid, in accordance with the provisions of the RFP Document.

In witness thereof, I/we submit this Bid under and in accordance with the terms of the RFP Document.

TIRUPATI PLAZA PVT. LTD.

Yours faithfully,

Akhil Dalmia

Chief Financial Officer

Date: 05.01.2021

Tirupati Plaza Private Limited
Akhil Dalmia (FCA)
Chief Financial Officer

Place: Siliguri

Annexure B: Letter of Acknowledgement

(to be submitted by the Preferred Bidder on its letter head along with the signed Duplicate Copy of the LoA)

To
Chief Executive Officer,
Gangtok Smart City Development Limited,
Gangtok, Sikkim

Sub: Letter of Acknowledgement of the Letter of Acceptance ("LOA") for "Multi-Level Car Parking cum Commercial Development at Old West Point School Area on Design, Build, Finance, Operate and Transfer (DBFOT) basis" (the '**Project**').

Sir,

We,....., a company incorporated under the Companies Act, [1956 / 2013] and having its Registered Office at _____, do hereby acknowledge the receipt of the Letter of Acceptance ("**LOA**") for Implementation of "**Multi-Level Car Parking cum Commercial Development at Old West Point School Area on Design, Build, Finance, Operate and Transfer (DBFOT) basis**" project in the state of Sikkim on PPP basis (the "**Project**") issued by Gangtok Smart City Development Limited, Sikkim, vide their Letter no._____ dated, and undertake to absolutely and unconditionally comply with the terms and conditions contained therein.

Signature _____ (Authorised Signatory)

Name:

Address:

Place:

Date:

Enclosed: Signed Duplicate Copy of LOA

CC:

ANNEXURE R-5

Email : spcbsikkim@gmail.com

STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI – 737102

Ref. No. 1142/SPCB. Date: 24/2/2022.

To,

The Vice President (Project),
M/s MESASO Infrastructure Pvt. Ltd.,
Old West Point School, Near M.G. Marg,
Gangtok,Gangtok District, Sikkim-737101.

Sub: Consent to Establish.

In consideration of your application no. 258779 dated 15-02-2022, the State Pollution Control Board – Sikkim, hereby grants you Consent to Establish eleven (11) storied Gold Rated Building and Construction Project in Gangtok, Gangtok District under the provisions of **Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention & Control of Pollution) Act, 1981** subject to the following conditions:

1. That, this consent is meant for specific purpose only and any alteration in the project shall require prior permission from the Board;
2. That, you shall have facilities to prevent and control water, air & noise pollution in the project area as per the conditions specified in relevant Acts;
3. That, you shall obtain Environmental Clearance prior to commencement of work in your project and abide by its terms & conditions;
4. That, you shall obtain Consent to Operate prior to operation of your project;
5. That, you shall construct temporary labour camp duly providing proper sanitation & solid waste management facility within the premises in accordance to the **Solid Waste Management Rules, 2016**;
6. That, you shall carry out third party environmental monitoring from a registered NABL accredited and MoEF&CC registered consultants and submit Report to SPCB-Sikkim on a quarterly basis;
7. That, you shall carry out the dismantling/demolition and construction work without causing any environmental pollution duly installing pollution control measures such as suppression of dust/fugitive emission , noise controlling measures in the premises by erecting barriers & limiting work during day time only and proper management of demolition waste within the premises, further, that any such dismantling/demolition shall ensure foundational security of the area in question;
8. That, all forms of Construction and Demolition waste shall be managed and disposed off in accordance with the provisions of the Construction & Demolition Waste Rules, 2016;
9. That, you shall ensure the general waste generated by your unit shall be collected & disposed off in accordance with **Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016;**

State Pollution Control Board ★ Forest & Environment Dept. ★ Govt. of Sikkim

10. That, you shall ensure the scrap generated by your unit shall be disposed off through authorized vendor only;
11. That, you shall obtain authorization from the SPCB-Sikkim through the OCMMS portal for handling Bio Medical Waste generated during construction of your project;
12. That, you shall obtain authorization from the SPCB-Sikkim through the OCMMS portal for handling Hazardous Waste generated during construction of your project;
13. That, you shall ensure compliance to the provisions of the **Hazardous Chemicals Rules, 1989** for safe storage and management of fuel & other flammable materials;
14. That you shall provide Personal Protective Equipment to the employees to avoid any health hazard;
15. That, you shall prepare an Emergency Response Procedure/Protocol (ERP) and submit a copy of the same to the Board and you shall ensure compliance to the ERP for incidents such as fire, flood, landslides, earthquakes and accidents;
16. That, you shall conduct regular mock drill as per the specifications of the ERP;
17. That, you shall establish and operate the Sewage Treatment Plant to treat sewage/waste generated from operation of various ancillary units of the building project adhering to the standards prescribed under the Environment (Protection) Act, 1986 and Rules made there under from time to time, whichever is stringent;
18. That, you shall develop green belt within your premises;
19. That, you shall apply for renewal of the consent one month in advance before its expiry;
20. That, you shall abide by all the conditions given by the Board from time to time;
21. That, this consent is valid subject to obtaining other required permission/licenses/clearances wherever required;
22. That, the Board reserves the right to cancel and withdraw the consent in the event of any environmental problems arising out of your project;
23. That ,this consent to establish is valid till 31st March 2025;
24. Rs. 4,00,000/- (Rupees four lakhs for four years i.e. 2021- 2025) only has been received as consent fees vide Receipt no. 4660466 & Bank ID No nil dated: 14-02-2022.

(Dr. Gopal Pradhan)
Member Secretary,
State Pollution Control Board-Sikkim.
Dr. Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest Env. & W/L Mangt. Deptt.
Govt. of Sikkim, Gangtok

State Pollution Control Board
Forest & Environment Dept.
Govt. of Sikkim

ANNEXURE R-6

Item No. 11 Court No.1

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)

Original Application No. 05/2022/EZ
(I.A. No.26/2022/EZ)

In the matter of:

Dr. Bina Basnett
D/o Mr. P.B. Basnett
Rani Pool, East Sikkim-737135 .....Applicant(s)

Versus

1. State of Sikkim
Through Chief Secretary,
New Secretariat, Gangtok-737101

2. Gangtok Smart City Development Limited
Through its Chief Executive Officer,
Sokaythang, Below ICAR Office,
Gangtok, Sikkim-737102

3. Department of Mines & Geology,
Through its Secretary,
Secretariat Road, Below Tashiling Secretariat,
Government of Sikkim, Gangtok-737101

4. Urban Development and Housing Department
Through its Secretary,
Government of Sikkim,
Paljor Stadium Road, Gangtok-737101, Sikkim

5. Sikkim State Disaster Management Authority
Through its Chairman,
Manan Bhawan, Gangtok-737101, Sikkim

6. Sikkim State Pollution Control Board,
Through its Chairman,
Forest Secretariat, C Block,
Deorali, Gangtok-737102,
East Sikkim

7. Deputy Commissioner,
Upper Sichey Road, Sungava,
Gangtok, Sikkim-737101

8. State Environment Impact Assessment Authority (SEIAA)
Through Chairman,
Annexe 1, Top Floor, Kazi Road,
Gangtok-737101, Sikkim

9. Forest and Environment Department, Government of Sikkim
Through Secretary,
Forest Secretariat, Deorali,

Gangtok-737102, East Sikkim

10. Gangtok Municipal Corporation,
Through Chairman,
Near Deorali Stand, Gangtok-737101, Sikkim

11. Union of India
Through Secretary,
Jor Bagh, Lodhi Colony,
New Delhi

12. M/s MESASO Infrastructure Pvt. Ltd.
Sevoke Road, Siliguri

.....Respondent(s)

Date of hearing: 02.03.2022

CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s) : Mr. Swetank Shantanu, Advocate

For Respondent(s) : Mr. Pinaki Misra, Sr. Advocate a/w Mr. Sudesh Joshi, AAG and Ms. Fizza Zaidi, Advocate for R-1, 3, 4, 7, 9 & 10,
Mr. ADN Rao, Sr. Advocate a/w Dr. Doma T. Bhutia, Advocate and Ms. Mansi Bachani, Advocate for R-2,
Mr. Salik Shafique, Advocate for R-6,
Mr. Saumitra Jaiswal, Advocate for R-8,
Mr. Sanjay Upadhyay, Advocate for R-12

ORDER

1. Mr. Swetank Shantanu, learned Counsel is present for the Applicant.

2. One counter-affidavit dated 18.02.2022 has been filed by Respondent No.6, Sikkim Pollution Control Board; same is taken on record.

3. One reply affidavit dated 23.02.2022 has been filed by Respondent No.12, M/s MESASO Infrastructure Private Limited; same is taken on record.

4. One counter-affidavit dated 25.02.2022 has been filed by Respondent No.10; Gangtok Municipal Corporation; same is taken on record.

5. One reply affidavit dated 25.02.2022 has been filed by Respondent No.3, Department of Mines and Geology, Government of Sikkim; same is taken on record.

6. One counter-affidavit dated 25.02.2022 has been filed by Respondent No.3, Department of Mines and Geology, Government of Sikkim; same is taken on record.

7. One counter-affidavit dated 25.02.2022 has been filed by Respondent No.8, State Environment Impact Assessment Authority (SEIAA); same is taken on record.

8. One counter-affidavit dated 25.02.2022 has been filed by Respondent Nos.1, 4, 7 & 9; same is taken on record.

9. One counter-affidavit dated 27.02.2022 has been filed by Respondent No.2, Gangtok Smart City Development Limited; same is taken on record.

10. One counter-affidavit dated 01.03.2022 has been filed by Respondent No.5; same is taken on record.

11. Mr. Pinaki Misra, learned Senior Counsel assisted by Mr. Sudesh Joshi, learned Additional Advocate General for Respondent Nos., 3, 4, 7, 9 & 10, Mr. ADN Rao, learned Senior Counsel assisted by Dr. Doma Bhutia, learned Counsel and Mr. Sanjay Upadhay, learned Counsel have raised a preliminary objection that the original application has been filed on mis-representation inasmuch as in paragraph 1 of the original application itself it is alleged that illegal construction of Multilevel Car Parking cum Shopping Hub (STNM-Kanchenzonga Square below NH) at Old West Point School Area, Near Hotel Hungry Jack, Gangtok is coming up which is in a seismic zone and therefore not permissible. The learned Senior Counsels submit that STNM-Kanchenzonga Square below NH is not at Old West Point, Gangtok.

12. The learned Counsel submits that this original application has been filed on absolutely misleading facts, since even the Expression of Interest dated 15.09.2020 (page no. 46 of the paper book) which has been filed in support of the original application, only refers to construction of Multilevel Car Parking cum Shopping Hub (STNM-Kanchenzonga Square below NH) and does not mention that the same is located at Old West Point, Gangtok. This fact is today admitted by Mr. Swetank Shantanu, learned Counsel for the Applicant.

13. The learned Counsel for the Respondents submits that the interim order has been obtained by the Applicant on false representations of facts made in the original application.

14. At this stage, Mr. Swetank Shantanu, learned Counsel submitted that he may be permitted to withdraw this original application.

15. The learned Counsel for the Applicant is therefore permitted to withdraw the original application and the same is dismissed as withdrawn with a cost of Rs. 5,000/- (Rupees five thousand only) on the Applicant to be deposited with the Registrar, National Green Tribunal within 15 days.

16. The I.A. No.26/2022/EZ also stands disposed of accordingly.

17. The interim order, if any, also stands vacated.

.....
B. Amit Sthalekar, JM

.....
Saibal Dasgupta, EM

March 02, 2022
Original Application No. 05/2022/EZ
(I.A. No.26/2022/EZ)
MN

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ANNEXURE R-7

Item No. 2 Court No.1

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)

Original Application No.38/2022/EZ
(I.A. No.131/2022/EZ)

In the matter of:

Dr. Bina Basnett,
D/o Mr. P.B. Basnett,
Ranipool, East Sikkim,
Pin – 737135,

...**Applicant(s)**

Versus

1. State of Sikkim,
Through Chief Secretary,
New Secretariat, Gangtok,
Pin – 737101,

2. Gangtok Smart City Development Limited,
Through its Chief Executive Officer,
Sokaythang, Below-ICAR Office,
Gangtok, Sikkim,
Pin – 737102,

3. Department of Mines & Geology,
Through Secretary,
Secretariat Road, Below Tashiling Secretariat,
Govt. of Sikkim, Gangtok,
Pin – 737101,

4. Urban Development Department,
Through its Secretary,
Govt. of Sikkim,
Paljor Stadium, Gangtok, Sikkim,
Pin – 737101,

5. Sikkim State Disaster Management Authority.
Through Relief Commissioner,
Manan Bhawan, Gangtok,
Sikkim – 737101,

6. Sikkim State Pollution Control Board,
Through Chairman,
Forest Secretariat, C Block,
Deorali, Gangtok, East Sikkim,
Pin – 737102,

7. District Magistrate/Collector,
Upper Sichey Road, Sungava, Gangtok,
Sikkim – 737101,

8. State Environment Impact Assessment Authority (SEIAA),
Through Chairman,
Kazi Road, Gangtok, Sikkim,
Pin – 737101,

9. Forest and Environment Department, Govt. of Sikkim,
Through Addl. Chief Secretary,
Forest Secretariat, Deorali,
Gangtok, East Sikkim,
Pin – 737102,

10. Gangtok Municipal Corporation,
Through Municipal Commissioner,
Near Deorali Stand, Gangtok, Sikkim,
Pin - 737101,

11. Ministry of Environment, Forests and Climate Change,
Through Secretary,
Indira Paryavaran Bhawan, Jor Bagh,
Lodhi Colony, New Delhi,

12. MESASO Infrastructure Private Limited,
Through its Authorised Signatory,
3rd Mile, Sevoke Road, Siliguri,
Pin – 734008,

...**Respondent(s)**

Date of hearing: 10.05.2022

CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s) : Mr. Pratap Shanker, Advocate

For Respondent(s) : Mr. Sanjay Upadhyay, Advocate

ORDER

1. Heard Mr. Pratap Shanker, learned Counsel appearing for the Applicant.

2. This Original Application has been filed by the Applicant, seeking a direction to completely scrap the construction related projects in the State of Sikkim which are against the ecology and environment. It is also prayed that construction of Multi-level Car Parking-cum-Commercial Development at Old West Point of School area, be immediately stopped and a direction be given to revoke the

permission granted for construction of the above mentioned car park of 14 [11+3 (proposed)] storeyed building in Gangtok, Sikkim.

3. The Contention of the Applicant is that the Respondent No.12, MESASO Infrastructure Private Limited, is constructing a 14 storeyed Multi-level Car Park and also creating a Commercial Hub which is in violation of the Government of Sikkim, Department of Mines and Geology, Gangtok, Notification No. 17/DMG/20-21 dated 19.03.2021, copy of which has been filed as Annexure-A-4 (page no. 129 of the paper book) to the Original Application. The learned Counsel for the Applicant submitted that this Notification provides that in Stability Zone-1 the admissible number of floors is 5 ½ whereas the proposed Multi-level Car Paring-cum-Commercial Hub is a 14 storeys building.

4. We put a query to the learned Counsel as to what is the stage of the construction. The learned Counsel submits that it is still at the foundational stage but he added that the Cabinet has taken a decision that the construction should be of 14 storeys, therefore, there would be violation of environmental laws and degradation of environment and, therefore, the Tribunal would be justified in interfering at this stage.

5. We are not satisfied that at the foundational stage of the proposed construction of Multi-level Car Parking-cum-Commercial Hub, it can be said that there is environmental degradation or violation of environmental laws. The construction has not yet reached 5 ½ storeys. We are, therefore, of the view that this Original Application is absolutely premature and that the Applicant has no cause of action to maintain this Original Application on the assumption that

there would be violation of environmental laws or of Government of Sikkim notification at a future date.

6. We also queried from the learned Counsel as to whether any Environmental Clearance had been granted for this construction project. The learned Counsel submitted that he has no knowledge of this fact.

7. Mr. Sanjay Upadhyay, learned Counsel has put in appearance on behalf of the Respondent No.12, MESASO Infrastructure Private Limited, and submits that for this project Environmental Clearance has been granted on 25.02.2022.

8. This Environmental Clearance has not been filed along with the Original Application. We are of the view that if Environmental Clearance has been granted for this project, the Applicant has a remedy by way of appeal challenging the said Environmental Clearance.

9. The Original Application No. 38/2022/EZ is accordingly dismissed on ground of alternative remedy.

10. The I.A. No. 131/2022/EZ is also disposed of.

11. There shall be no order as to cost.

.....
B. Amit Sthalekar, JM

.....
Saibal Dasgupta, EM

May10, 2022,
Original Application No.38/2022/EZ
(I.A. No.131/2022/EZ)
AK

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ANNEXURE R-8

1

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2023
(@ Diary No. 32544/2022)

BINA BASNETT **APPELLANT(S)**

VERSUS

STATE OF SIKKIM & ORS. **RESPONDENT(S)**

O R D E R

Delay condoned.

This appeal impugns the order dated 10.05.2022 passed by the National Green Tribunal (NGT), Eastern Zone Bench, Kolkata. Paragraph 5 of the impugned order states that the proceedings initiated before the NGT were premature, as the construction, subject matter of the proceedings, had not yet reached 5½ storeys. We do not agree with the said finding and reason to dismiss the petition, as the construction post the permissions had admittedly commenced. It is informed at the bar that the construction is now complete.

Without expressing any opinion on the merits of the case, we set aside the impugned order and restore O.A. no. 38/2022/EZ to its original position, to be decided afresh without being influenced by impugned order.

Learned counsel for the respondents have submitted that there has been a considerable delay in listing of the present appeal on

account of lapses on the part of the appellant – Bina Basnett. This is disputed by the appellant - Bina Basnett, who also submits that the plea is contradictory. We express no opinion in this regard. As an order of remand, hearing and decision is being passed, all pleas and contentions of the parties are left open.

The appeal is allowed and disposed of in the above terms. No costs. Parties will appear before the NGT on 18.10.2023, when a date of hearing will be fixed.

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(S.V.N. BHATTI)

NEW DELHI;
SEPTEMBER 25, 2023.

ITEM NO.61 COURT NO.3 SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL Diary No. 32544/2022

(Arising out of impugned final judgment and order dated 10-05-2022 in OA No. 38/2022 passed by the National Green Tribunal, Eastern Zone Bench, Kolkata)

BINA BASNETT Petitioner(s)

VERSUS

STATE OF SIKKIM & ORS. Respondent(s)

(IA No.171217/2023-CONDONATION OF DELAY IN FILING and IA No.171216/2023-STAY APPLICATION and IA No.171219/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 25-09-2023 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)
Mr. Sukumar Pattjoshi, Sr. Adv.
Mr. Prakash Kumar, Adv.
Mr. Pratap Shanker, Adv.
Mr. Rahul Ranjan Singh, Adv.
Mr. Ankit Kumar, Adv.
Mr. Manoj Bhardwaj, Adv.
Mr. Swetank Shantanu, AOR

For Respondent(s)
Mr. Basava Prabhu S. Patil, Sr. Adv./AG
Mr. Sameer Abhyankar, Adv./AOR
Ms. Nishi Sangtani, Adv.
Ms. Vani Vandana Chhetri, Adv.
Mr. Naman Jain, Adv.

Mr. Pinaki Misra, Sr. Adv.
Mr. Sanjay Upadhyay, Adv.
Ms. Mayuri Raghuvanshi, AOR
Ms. Mansi Bachani, Adv.
Ms. Sonali Sen Gupta, Adv.
Mr. Kazi Sangay Thupdan, Adv.
Mr. Soumitra Jaswal, Adv.
Mr. Vyom Raghuvanshi, Adv.

Mr. Balbir Singh, ASG

4

Mr. Shyam Gopal, Adv./AOR

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

The appeal is allowed and disposed of in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(signed order is placed on the file)

ANNEXURE R-9

EXTRACT OF THE CABINET MEETING HELD ON 11th JUNE, 2021, AT 10 A.M IN THE CABINET HALL OF TASHILING SECRETARIAT, GANGTOK, SIKKIM

URBAN DEVELOPMENT DEPARTMENT

283.5 The proposal seeks of approval to take up various activities for construction of Multi Level Car Parking cum Shopping Plaza at old West Point School under Gangtok Smart City Development Limited, as detailed in the Cabinet Memo.No.215/Secy/UDD/2021 Dated 27.06.2021.

CABINET DECISION: The Cabinet approved the proposals contained in para 21 (i) to 21 (vi) only.

sd/-
(S.C GUPTA)IAS
Cabinet Secretary

Cabinet Extract No. CON/CAB/283/2021/6655 Dated: 11.06.2021

To,

The Secretary
Urban Development Department
Government of Sikkim, Gangtok

Copy forwarded for onward action, please.

Joint Secretary, Cabinet
11.06.2021

14.6.21

-TRUE COPY-

ANNEXURE R-10

Geological and Geo-Technical investigation report of the land proposed for the construction of various structures at Old West Point, School, Gangtok, East-Sikkim

DEPARTMENT OF MINES AND GEOLOGY
GOVT. OF SIKKIM
GANGTOK
MARCH\2020

CONTENTS:-

INTRODUCTION

Apropos to letter No. 84/SPV/GSCDL/2018-19 dated 23/11/2019 from Nodal Officer, Gangtok Smart City Development Limited, Gangtok requisition for geological and geo-technical investigation of the land at old STNM complex Gangtok, east Sikkim. Accordingly, a team of Geologists along with technical team from the Department of Mines and Geology, Government of Sikkim conducted a detail Geo-technical investigation by means of diamond core drilling of the area proposed for the construction of various structures at Old West Point School, Gangtok, East Sikkim from February 2020 to March 2020.

Geographically the proposed area is located between N27°19.46' latitude and E88°36.59' longitude at an elevation of 1720 m amsl. The proposed area is located adjacent to Pakyong Main line Taxi stand at Gangtok, East Sikkim.

GEOLOGY OF THE AREA

Sikkim-Darjeeling Himalayas are Techno-stratigraphically defined by four domains with characteristic stratigraphic and structural attributes. From south to north they are:

i. Foot hill belt

ii. Inner Belt

iii. Axial Belt and

iv. Trans-Axial Belt.

The state is mostly covered by Precambrian metamorphites of low to medium grade (Daling Group), high grade gneisses (Darjeeling Gneiss and Kanchendzonga Gneiss), Chungthang Formation (quartzite, calc-silicate rocks, marbles, graphite schist's and occasionally amphibolites) with intrusive granites (Lingtse granite gneiss) and Phanerezoic rocks including Gondwana and Tethyan sedimentary. The Paleozoic and Mesozoic (Tethyan) sequence in the northern and north-western part of Sikkim are fossiliferous.

The Gondwana super Group consists of sandstone, shale and carbonaceous shale with occasional thin bands of coal and pebbly shale horizon.
Daling group of rocks can be classified into three formations:

a. Gorubathan Formation: characterized by quartz-chloride-sericiteschists, phyllite and quartzite's.

b. Reyang Formation: characterized by quartzite's (occasionally calcareous), phylliteinterbanded with carbonaceous slate.

c. Buxa Formation: characterized by presence of dolomitic limestone occasionally interbanded with phyllite and development of organo sedimentary structure (stromatolites).

The Kanchendzonga Gneiss comprises mainly high-grade gneiss The Chungthang gneiss is a quartz-biotite gneiss.A streaky sheared granite gneiss known as "Lingtse Gneiss" occur as a NE-SW to N-S trending strip of rocks and forms a general line of separation between the Daling and high grade Kanchendzonga Gneiss.The Tethyansedimentaries, exposed in the northern part of Sikkim represent Everest Phyllite series (shale's/phyllite), Mount Everest Limestone series, Lachi Formation (conglomerate with thick diamictite base) and TsoLhamo Formation (calcareous shale, limestone band, calcareous sandstone).

Site Geology

Geologically, the proposed area falls within medium to high grade metamorphic rock formation represented in the area by Garnetiferrous Mica Schist and mica schist with quartzite intercalations underlain by a streaky sheared Lingtse Granitic Gneiss. The foliation of the rock strikes NW-SE and dip gently towards North East. The area has moderate to gentle slope gradient with westerly facing slope aspect. The area in consideration has medium to thick soil overburden with low groundwater activity.

GEO-TECHNICAL INVESTIGATION

Diamond drilling is a form of core drilling which uses a rotary drill with a diamond drill bit mounted to a core barrel which is then connected to the drill stem with barrels of various lengths.In this method the movement of drilling is vertically down,the drill bit cuts the rock in a rotatory manner and accordingly rock cores are retrieved in the core barrel from various depths.

Accordingly, two number of boreholes were drilled at Old West Point School Complex which is located adjacent to the Pakyong Main Line Taxi stand,Gangtok,East Sikkim. Bore hole no. 01 **(Geographical coordinates-E 27° 19'47.96" latitude N 88° 36'39.77" longitude, elevation 1606m)** was drilled in front of Old West Point School building a upto 15 m depth. Following type of sub-surface strata is present as per the samples recovered during the drilling i.e. light brown clayey /silty soil is encountered from 3.00m depth, Garnetiferrous Mica Schist with quartz veins is found from 3.00m to 9.00m depth followed by Moderately weathered Garnetiferrous Mica Schist between 9.00m to 13.00m depth underlain by highly weathered Garnetiferrous Mica Schist between 13.00m to 15.00m depth.The photo of the core box containing rock samples from various depth in given below in Photo 01.

Photo 01:-core box showing recovered core samples from various depth of Bore hole no.01.

Borehole number 02 (**Geographical coordinates-E 27° 19'48.19" latitude N 88° 36'38.92" longitude, elevation 1604m**) was drilled behind Old West Point School building upto depth of 15 m. micaceous silty soil overburden can be encountered upto depth of 3.00m followed by highly weathered Garnetiferrous Mica Schist between 3.00m to 6.00m depth.Following strata is present as per the drilling data i.e. Garnetiferrous Mica Schist with quartz veins between 6.00m depth to 9.00m depth followed by fresh Garnetiferrous Mica Schist with quartz veins between 9.00m to 10.50m depth.Moderately weathered Garnetiferrous Mica Schist can be encountered between 10.50m to 13.50 m depth followed by moderately weathered Garnetiferrous Mica Schist and fresh Garnetiferrous Mica Schist. The photo of the core box is shown below.The details of logging of the Boreholes are provided in the enclosed Drill Log Data Sheets.(Annexure I & II)

Photo 02:-core box showing recovered core samples from various depth of Bore hole no.02.

Accordingly, Standard Penetration Test (SPT) were also carried out simultaneously along with drilling in the area. Six numbers of SPT were performed

and the Safe bearing pressure of the soil samples are as under (details provided in Annexure I & II)

Borehole no.01 (Front of Old West Point School building)

Rock (depth 10.50m) i) Brazilian (Tensile strength 70.10 T/m²)

ii) Point load (Compressive strength 115.20 T/m²)

(depth 12.00m) iii) Brazilian (Tensile strength 121.00 T/m²)

iv) Point load (Compressive strength 96.00 T/m²)

Soil i) Depth 1.50 m - 13.84 T/m²

ii) Depth 3.00 m - 20.15 T/m²

Borehole no.02 (Behind Old West Point School building)

Rock (depth 9.00 m) i) Brazilian (Tensile strength 331.20 T/m²)

ii) Point load (Compressive strength 345.60 T/m²)

Soil i) Depth 1.50 m - 6.92 T/ m²

ii) Depth 3.00 m - 11.51 T/m²

iii)Depth 4.50 m - 46.50 T/m²

Rock Quality Designation (RQD)

Rock Quality Designation is a measure of quality of rock core taken from a borehole. RQD signifies the degree of jointing or fracture in a rock mass measured in percentage where RQD of 75% or more shows good quality rocks and less than 50% shows low quality weathered rocks.

Bore hole no. 01

Depth - 0.00m to 1.50m

Lithology – Light brown clayey soil.

Weathering – N.A.

RQD- N.A.

Quality of rock – N.A.

Depth - 1.50m to 3.00m

Lithology – Light brown silty soil.

Weathering – N.A.

RQD- N.A.

Quality of rock – N.A

Depth - 3.00m to 9.00m

Lithology – Garnetiferrous Mica schist with quartz viens.

Weathering – highly weathered.

RQD- < 25%

Quality of rock – Very Poor quality.

Depth - 9.00m to 13.00m

Lithology – Garnetiferrous Mica schist.

Weathering – Moderately weathered.

RQD- > 50%

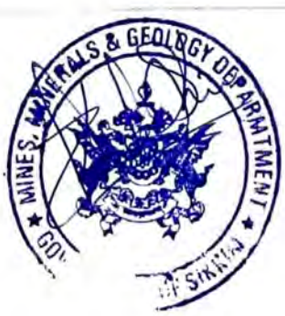
Quality of rock – Good quality

Depth - 13.00m to 15.00m

Lithology – Garnetiferrous Mica schist.

Weathering – Highly weathered.

RQD- < 25%



Quality of rock – Very poor quality

Borehole no. 02

Depth - 0.00m to 3.00m

Lithology – Micaceous silty soil.

Weathering – N.A.

RQD- N.A.

Quality of rock – N.A.

Depth - 3.00m to 6.00m

Lithology – Garnetiferrous Mica Schist.

Weathering – Highly weathered.

RQD- <25%

Quality of rock – Very poor quality.

Depth - 6.00m to 9.00m

Lithology – Garnetiferrous Mica schist with quartz veins.

Weathering – highly weathered.

RQD- <25%.

Quality of rock – Very poor quality.

Depth - 9.00m to 12.00m

Lithology – Garnetiferrous Mica schist.

Weathering – very low weathering.

RQD- >50%

Quality of rock – Good quality.

Depth - 12.00m to 15.00m

Lithology – Garnetiferrous Mica Schist.

Weathering – low weathering.

RQD- >50%

Quality of rock – Good quality.

Conclusions and recommendations.

1. Geologically, the area comprises of medium to high grade metamorphic rock sequence represented by Garnetiferrous Mica schist and Mica schist with quartzite intercalations underlain by Lingtse Granitic Gneiss. The foliation of rocks strike NW-SE and dip gently towards North east with Westerly facing slope aspect which makes the area geologically favourable for proposed construction of structures at Old West Point School area.
2. Based on the drilling data of Borehole no. 01 light brown clayey /silty soil is encountered from 3.00m depth, Garnetiferrous Mica Schist with quartz veins is found from 3.00m to 9.00m depth followed by Moderately weathered Garnetiferrous Mica Schist between 9.00m to 13.00m depth underlain by highly weathered Garnetiferrous Mica Schist between 13.00m to 15.00m depth.
3. For Borehole no. 02 micaceous silty soil overburden can be encountered upto depth of 3.00m followed by highly weathered Garnetiferrous Mica Schist between 3.00m to 6.00m depth.Further Garnetiferrous Mica Schist with quartz veins between 6.00m depth to 9.00m depth followed by fresh Garnetiferrous Mica Schist with quartz veins between 9.00m to 10.50m depth.Moderately weathered Garnetiferrous Mica Schist can be encountered between 10.50m to 13.50 m depth followed by moderately weathered Garnetiferrous Mica Schist and fresh Garnetiferrous Mica Schist.
4. The tensile strength of rock core for Borehole no. 01 of depth 10.50 m is 70.10 T/m^2 and 12 m depth is 115.20 T/m^2 and compressive strength is 121.00 T/m^2 & 96.00 T/m^2 whereas tensile strength of rock core for Borehole no.02 of depth 9 m is 331.20 T/m^2 and compressive strength is 345.60 T/m^2.The low value of strength of the rock is due to high degrees of weathering and nature of flaky micaceous rock. However, strength of the strata greater than 35 T/m^2 in hilly terrain is recommended for construction as per IS CODE.
5. As Garnetiferrous Mica Schist is a foliated and becomes non-competent metamorphic rock when contact continuously with water activity in which incidences of differential settlement is a natural phenomenon under such condition. Therefore, suitable foundation design to be designed by a competent structural engineer based on the sub-surface geological condition of rock strata.

6. The Safe bearing capacity for Bh. 01 at depth of 1.50 m is 13.84 T/M^2 and 3..0m depth is 20.15 T/M^2 and SBC for Bh. 02 at depth of 1.50m is 6.92 T/m^2,3.00m depth is 11.51T/m^2 and 4.50m depth is 46.50T/m^2.

Annexure I

DRILL LOG DATA SHEET

Name of Project : Geo Technical Investigation of the land proposed for construction of various structure at Old West Point School.

SITE : Old West Point School Complex, Gangtok, East Sikkim (Front of the school building)

DRILLING EQUIPMENT: Diamond core drilling with double tube barrel

Co-ordinates: E 27° 19'47.96" latitude N 88° 36'39.77" longitude

DRILLING METHOD: Rotary

DRILLING DIAMETER/ CASING DIAMTER NX Size
BX,NX Size

R.L.(m): 1606m

DRILL HOLE NO: 03

ORIENTATION: Vertical down

Date	From (in m)	To (in m)	Total Run	Drilling log	Core recovery length(m)	Core recovery %	Water loss	Core no.(length in cm)	RQD	Strength(T/M²)	SPT N-Value	LITHOLOGY
31/01/2020	0.00	1.50	1.50		0	0%	No loss	-	-	13.84	16	Light brown clayey soil.
1/02/2020	1.50	3.00	1.50		0	0%	No loss	-	-	20.15	18	Light brown silty soil.
1/02/2020	3.00	4.50	1.50		0.10	6%	No loss	1(3)	<25%	-	core	Garnetiferrous Mica Schist with quartz viens.
2/02/2020	4.50	6.00	1.50		0.15	10%	No loss	2(4)	<25%	-	core	Garnetiferrous Mica Schist with quartz viens
2/02/2020	6.00	7.50	1.50		0.10	6%	No loss	3(1.3)	<25%	-	core	Garnetiferrous Mica Schist with quartz viens
3/02/2020	7.50	9.00	1.50		0.40	26%	No loss	4(2.8),5(1.5),6(2),7(1.8),8(4),9(1.3),10(1.5),11(5)	>50%	-	core	Garnetiferrous Mica Schist with quartz viens
3/02/2020	9.00	10.50	1.50		1.10	73%	100%	12(4.7),13(4.5),14(6),15(6.4),16(6.2),17(9.5),18(10.5),19(4.6),20(18.2),21(5.5),22(17)	>50%	70.10T/m² & 115.20T/m²	core	Moderately weathered Garnetiferrous Mica Schist.
4/02/2020	10.50	12.00	1.50		0.77	51%	100%	23(4.5),24(6),25(5),26(4.3),27(7.5),28(21.5),29(3.2)	>50%	121.00T/m² & 96.00 /m²	core	Moderately weathered Garnetiferrous Mica Schist
5/02/2020	12.00	13.00	1.00		0.80	80%	100%	30(3.7),31(11.2),32(1.9),33(3.5),34(3.9),35(6.3),36(6.5),37(6.4),38(2.4),39(5.6),40(3.3)	<25%	-	core	Moderately weathered Garnetiferrous Mica Schist
7/02/2020	13.00	14.00	1.00		0.50	50%	100%	41(3.7),42(2.4)	<25%	-	core	Highly weathered Garnetiferrous Mica Schist
7/02/2020	14.00	15.00	1.00		0.55	55%	100%	43(2.8)	<25%	-	core	Highly weathered Garnetiferrous Mica Schist

MINES, MINERALS & GEOLOGY DEPARTMENT * GOVERNMENT OF SIKKIM *

ANNEXURE II

DRILL LOG DATA SHEET

Name of Project : Geo Technical Investigation of the land proposed for construction of various structures at Old West Point School.

SITE : Old West Point School Complex, Gangtok, East Sikkim. (Behind School Building)

DRILLING EQUIPMENT: Diamond core drilling with double tube barrel

Co-ordinates: E 27° 19'48.19" latitude N 88° 36'38.92" longitude,

DRILLING METHOD: Rotary

DRILLING DIAMETER/ CASING DIAMTER NX Size BX,NX Size

R.L.(m): elevation 1604m

DRILL HOLE NO: 04

ORIENTATION: Vertical down

Date	From (in m)	To (in m)	Total Run	Drilling log	Core recovery length(m)	Core recovery %	Water loss	Core no.(length in cm)	RQD	Strength(T/M²)	SPT N-Value	LITHOLOGY
10/02/2020	0.00	1.50	1.50		0	0%	No loss	-	-	6.92	8	Micaceous silty soil.
11/02/2020	1.50	3.00	1.50		0	0%	No loss	-	-	11.51	10	Micaceous silty soil.
11/02/2020	3.00	4.50	1.50		0	0%	No loss	-	<25%	46.50	28	Highly weathered Garnetiferrous Mica Schist.
11/02/2020	4.50	6.00	1.50		0	0%	No loss	-	<25%	-	-	Highly weathered Garnetiferrous Mica Schist.
12/02/2020	6.00	7.50	1.50		0	0%	100%	-	<25%	-	core	Garnetiferrous Mica schist with quartz veins.
13/02/2020	7.50	9.00	1.50		0.60	40%	100%	1(9.4),2(6.2),3(4.4)	<25%	331.20T/m² & 345.60 T /m²	core	Garnetiferrous Mica schist with quartz veins
13/02/2020	9.00	10.50	1.50		0.80	53%	100%	4(9.3),5(6.2),6(3),7(3.6),8 (2.5),9(4.5),10(1.6),11(5.2),12(5.4)	>50%	-	core	Fresh Garnetiferrous Mica Schist with quartz veins.
14/02/2020	10.50	12.00	1.50		0.43	28%	100%	13(7),14(6.9),15(11), 16(4.7)	>50%	-	core	Fresh Garnetiferrous Mica Schist with quartz veins.
15/02/2020	12.00	13.50	1.50		0.50	33%	100%	17(3.8),18(4),19(1.3),20(2 .5),21(3),22(4.3)	<50%	-	core	Moderately weathered Garnetiferrous mica schist.
16/02/2020	13.50	15.00	1.50		0.40	26%	100%	-	>50%	-	core	Moderately weathered Garnetiferrous mica schist underlain by fresh Garnetiferrous mica schist.

(Annexure III)

Point Load Test

Location of sample: Old West Point School, Gangtok, East Sikkim

Date of Test: 13.03.2020

Rock type – Garnetiferrous Mica Schist

Point Load = $q_t = 0.96 \times p/D^2$ **IS:8764-1978**

Sample No.	Depth (in m)	D, Diameter	Load (KN)	q_t
BH 01	9.00m	5 cm	9 KN	345.60T/m^2
BH 02	10.5m	5 cm	3 KN	115.20T/m^2
BH 02	12.0m	5 cm	2.5KN	96.00T/m^2

Brazilian Test

Location of sample – Old West Point School, Gangtok, East Sikkim
Date of test – 13.03.2020
Rock type - Garnetiferrous Mica Schist

Tensile Strength = $q_t = 2p/\pi DL$

P = Load (KN)
D = Diameter of core sample (cm)
L = Length of core sample(cm)

IS:10082- 1981

Sample No.	Depth (in m)	D= Diameter (cm)	L=Length(cm)	P=Pressure (KN)	T/m^2
BH 01	9.00	5	10	26	331.20T/m^2
BH 01	10.5	5	10	5.5	70.10T/m^2
BH 02	13.5	5	10	9.5	121.00 T/m^2

(ANNEXURE IV)

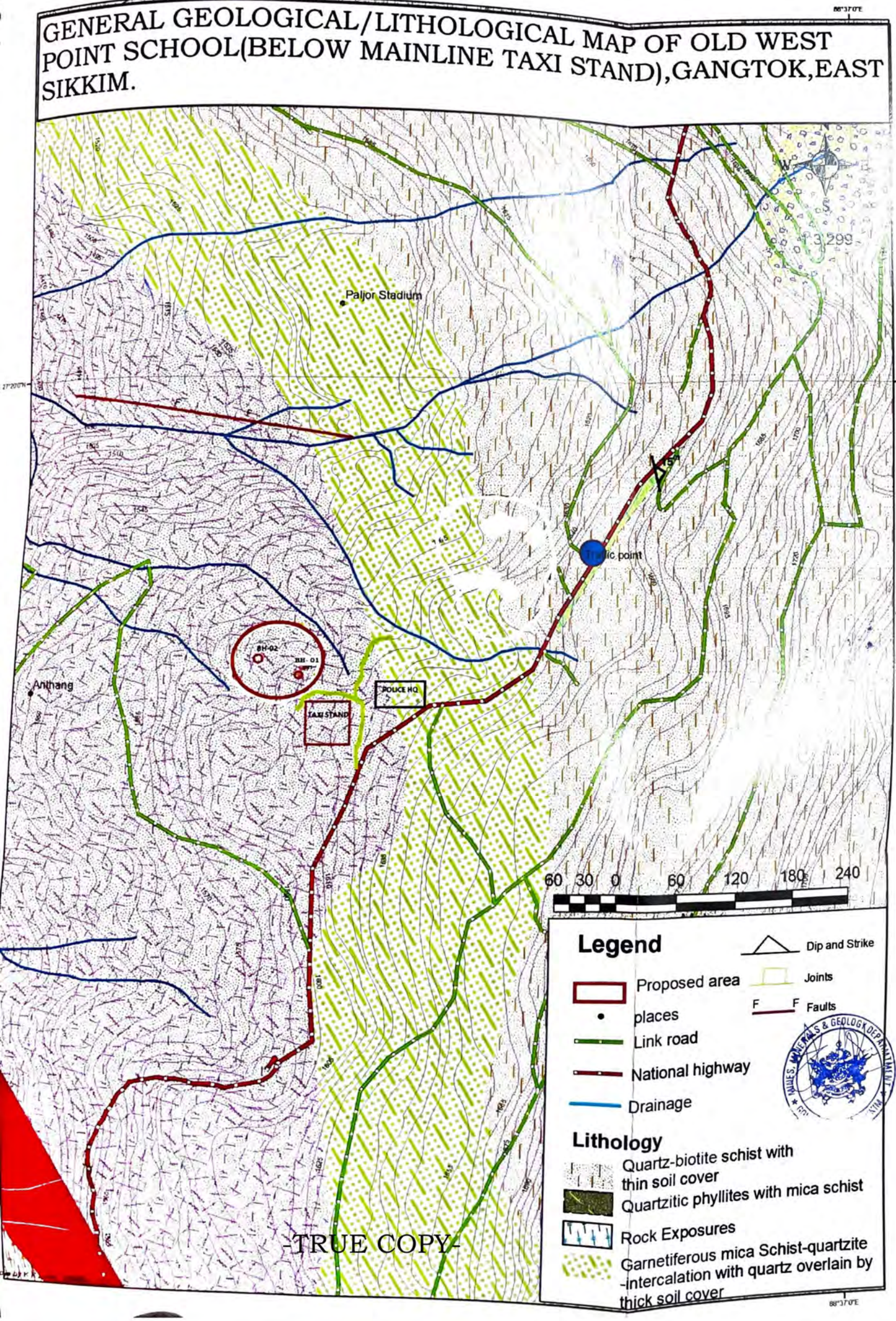
Field Photos

Photos:- Diamond core drilling of Borehole number 01 in progress in front of Old West Point School building at Gangtok,East Sikkim.

Photos:- Diamond core drilling of Borehole number 02 behind Old West Point School building at Gangtok, East Sikkim

LOCATION MAP OF BOREHOLES AT OLD WEST POINT SCHOOL,EAST SIKKIM

GENERAL GEOLOGICAL/LITHOLOGICAL MAP OF OLD WEST POINT SCHOOL(BELOW MAINLINE TAXI STAND),GANGTOK,EAST SIKKIM.



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ANNEXURE R-11

REPORT ON DETAIL GEOLOGICAL, GEO-TECHNICAL & GEO-PHYSICAL INVESTIGATION OF THE LAND PROPOSED FOR CONSTRUCTION OF MULTI-LEVEL CAR PARKING CUM PLAZA AT OLD WEST POINT SCHOOL COMPLEX (PRESENT TAXI STAND) GANGTOK, EAST SIKKIM

WORK CARRIED OUT BY:-

M/S GEO-INFORMATIC CONSULTANCY & SERVICES
TADONG, GANGTOK - 737102, Reg. no.32/DCE

MARCH 2021

CONTENTS

Summary of the report

The area proposed for construction of muiti-level car parking cum plaza is located at Old West Point school Complex, Gangtok, East Sikkim, Geographically the area is located at N 270 20.310' latitude and E 880 36.702' longitude at an elevation of 1609 m above mean sea level and it lies on 10 meters South East of Police Headquater, Gangtok, East Sikkim.

M/S GEO-INFORMATIC CONSULTANCY & SERVICES TADONG, GANGTOK- 737102, Reg. no.32/DCE is entrusted by M/S Trupati Plaza ltd. Gangtok to carry out the detail geological, geo-technical and geo-physical investigation of the land proposed for construction of multi-level car parking cum plaza at Old West Point school Complex, Gangtok, East Sikkim.

Accordingly, Eight (06+02) nos. Boreholes were drilled up to 15m depth in the proposed construction site. The client demarcated the location. As per the samples recovered from drilling, the type of sub-surface strata found are as follows; filling materials, sandy soil mixed with rock fragments were encountered up to depth of 2 meters from existing ground level followed by highly weathered rock garnetiferous mica schist (with and without quartz veins) were encountered in all the locations upto 15meters depth. During conduction of drilling works loss of water has occurred at maximum locations except at BH-06, however core recovery percentage is less due to high degree of weathering in rock mica schist which easily break during rotary drilling, flaky in nature. However at BH-01 the recovery is 47% and at BH-07, 12m-13m highest core recovery is 80%. Few of the recovered core sizes were more than 5cm length, hence testing of

strength in point load test and Brazillian test was done only for seven core samples. The highest point load test strength was found to be 691.20 T/m2. However, the least strength obtained is 192 T/M^2. The Standard Penetration Test (SPT) was also conducted at the weathered strata and safe bearing pressure was estimated using 25mm settlement and 1.5m bottom of footings. The strata having strength more than 30T/M^2 is obtained at 3.0 meter depth, however the strength increases with achieving depth.

Geologically the area falls under medium to high-grade metamorphic rock sequence, represented in the area by garnetiferous mica schist with and without quartz veins, amphibolites bands and underlain by lingtse granitic gneiss occurred as per the regional geo-stratigraphic sequence in the area. The degree of weathering in the country rock is moderate to high. The dip of foliation of the rock is N50^{0}E direction and the amount of foliation is 15^{0}NE. whereas, the slope facing towards West direction makes the area geologically favourable for construction. The proposed area has uniform and highly weathered rock strata, during drilling no geological anomaly was observed except high degree of weathering.

The thickness of soil in the area is less than 2m depth followed by highly weathered rock GMS/ biotite schist from 2m depth onwards. The area has medium ground water circulation zone leading to high degree of weathering in the underlain country rock mica schist. Country rock is not exposed at proposed location, however at downslope of the area granitic gneiss having horizontal foliation exist.

The soil samples collected from the two different locations were tested by direct shear test method. The soil samples have least cohesion and maximum angle of frictional resistance which is more than 30^0. The safe bearing capacity of the soil has been estimated and found to be more than $45T/M^2$ at 3.0m depth, which is higher than the safe bearing capacity of soil as per IS CODE recommended ($35T/M^2$) in hilly terrain (detail soil parameters are enclosed).

One electrical resistivity profiling has been conducted along the profile section perpendicular to slope direction. The profile runs from SE to NW thus, reveals that uniform strata exist along the profile section. However, a high-water circulation zone is suspected in the NW boundary of the plot this is due to seepage of household waste water in the area.

Sikkim Himalayas located over young fold mountain and occurrence of seismic event in the region is frequent. The Sikkim state is placed as seismic zone IV –V by Seismic hazard map of India published by Government of India, hence suitable measures to be incorporated to design of the proposed structures.

The BH-07 and BH-08 was drilled by the department of Mines and Geology, government of Sikkim, Gangtok during January 2020 and the drill log data is enclosed in this report for reference only.

Detail report on Geological, Geo-technical & geo-physical investigation of the land proposed for construction of multi-level Car parking cum Plaza Gangtok, East Sikkim

Introduction

M/S GEO-INFORMATIC CONSULTANCY & SERVICES TADONG, GANGTOK-737102, Reg. no.32/DCE is entrusted by M/S Trupati Plaza ltd. Gangtok to carry out the detail geological, geo-technical and geo-physical investigation of the land proposed for construction of multi-level car parking cum plaza at Old West Point school Complex, Gangtok, East Sikkim.

Geographically the area is located at N 27^0 20.310' latitude and E 88^0 36.702' longitude at an elevation of 1609 m above mean sea level and it lies on 10 meters South East of Police Headquater, Gangtok, East Sikkim.

Scope of the work

The main objective of the work is to carry out the 90 meters drilling at 06 numbers of boreholes vertically down up to 15 meters depth or 60% core recovery whichever is earlier. The location of the drilling point was demarcated by the client. The following are the work components.

1. To carry out detail geological mapping of the area.
2. To conduct 90 meters drilling in 06 different locations (vertically down upto 15 meters depth or 60% core recovery) and logging all complete.
3. To conduct one electrical resistivity survey by geo-physical technique along perpendicular to slope direction.
4. Collection of soil samples from two different locations and estimation of soil bearing capacity.

GEOLOGY OF THE AREA

Sikkim-Darjeeling Himalayas are Techno-stratigraphically defined by four domains with characteristic stratigraphic and structural attributes. From south to north they are classified as follows:

i. Foot hill belt

ii. Inner Belt

iii. Axial Belt

iv. Trans-Axial Belt.

The state is mostly covered by Precambrian metamorphic rocks of low to medium grade (Daling Group), high grade gneisses (Darjeeling Gneiss and Kanchendzonga Gneiss), Chungthang Formation (quartzite, calc-silicate rocks, marbles, graphite schists and occasionally amphibolites) with intrusive granites (Lingtse granite gneiss) and Phanerezoic rocks including Gondwana and Tethyan sedimentary. The Paleozoic and Mesozoic (Tethyan) sequence in the northern and north-western part of Sikkim are fossiliferous. The Gondwana super Group consists of sandstone, shale and carbonaceous shale with occasional thin bands of coal and pebbly shale horizon.

Daling group of rocks can be classified into three formations:

a. Gorubathan Formation: characterized by quartz-chloride-sericite-schists, phyllite and quartzites.

b. Reyang Formation: characterized by quartzites (occasionally calcareous), phylliteinterbanded with carbonaceous slate.

c. Buxa Formation: characterized by presence of dolomitic limestone, occasionally interbanded with phyllite and development of organo sedimentary structure (stromatolites).

The Kanchendzonga Gneiss comprises mainly of high-grade gneisses. The Chungthang gneiss is a quartz-biotite-gneiss. A streaky sheared granite gneiss known as "Lingtse Gneiss" occur as a NE-SW to N-S trending strip of rocks and forms a general line of separation between the Daling and high grade Kanchendzonga Gneiss. The Tethyan sedimentaries; exposed in the northern part of Sikkim represent Everest Phyllite series (shales/phyllite),

Mount Everest Limestone series, Lachi Formation (conglomerate with thick diamictite base) and Tso-Lhamo Formation (calcareous shale, limestone band, calcareous sandstone).

Site geology of the area:

Geologically, the proposed area falls within medium to high grade metamorphic rock formation represented in the area by Garnetiferrous Mica Schist and mica schist with quartzite intercalations underlain by a streaky sheared Lingtse Granitic Gneiss/amphibolites bands (black colour). The foliation of the rock strikes NW-SE and dip gently towards North East. The area has moderate to gentle slope gradient with westerly facing slope aspect. The area in consideration has medium to thin soil overburden (upto 2 meters depth maximum) with low groundwater activity.

GEO-TECHNICAL INVESTIGATION

i. Diamond Core Drilling

Diamond drilling is a form of core drilling which uses a rotary drill with a diamond drill bit mounted to a core barrel which is then connected to the drill stem with barrels of various lengths. In this method, the movement of drilling is vertically down, the drill bit cuts the rock in a rotatory manner and accordingly rock cores are retrieved in the core barrel from various depths in the area.

Accordingly, six numbers of boreholes was drilled at the area on the proposed construction site. The location was demarcated by the client. The Bore hole upto 15m depth was drilled. The following type of sub-surface strata is present as per the samples recovered during the drilling i.e. filling materials sandy soil mixed with rock fragments can be encountered up to depth of 2 meters from existing ground level followed by highly weathered rock garnetiferous mica schist with or without quartz veins encountered in all the locations. The maximum core recovery is along BH-01 depth 8.00m to 9.50meters where 47% of core recovery was obtained. The photo of the core box containing rock samples from various depth in given below in Photo 01.

Photo 01: core box showing recovered core samples from various depth of Bore hole no.01.

Accordingly, Standard Penetration Test (SPT) was also carried out simultaneously along with drilling in the area and the safe bearing capacity of the soil samples is as under (details provided in below).

SITE : Old West Point School Complex, Gangtok, East Sikkim										**JOB NO 01**		
DRILLING EQUIPMENT: Diamond core drilling with single tube barrel												
DRILLING METHOD: Rotary			**DRILLING DIAMETER BX,NX Size**							**CASING DIAMTER** NX Size		
DRILL HOLE NO: 01(BH-01)										**R.L.(m): 1605m**		
ORIENTATION: Vertical down										**Co-ordinates: N27° 19.793',E 88° 36.654'**		
Date	**From (in m)**	**To (in m)**	**Run**	**Core**	**Core %**	**Water loss**	**Water colour**	**SPT N60-Value**	**SBC/strength**	**Formation**		**Log**
										Remarks	**lithology**	
26/02/2021	**0.00**	**0.50**	**0.50**	**Slush**	**10%**	NO LOSS	**Dark Brown**			**NX Casing**	Dark brown colored silty clayey soil overburden.	
27/02/2021	**0.50**	**2.00**	**1.50**	**10cm**	**15%-**	LOSS	**White**			**NX Casing**	Rock boulders intermixed with soil cover	
	2.00	**3.50**	**1.50**	**33cm**	**22%**	NO LOSS	**Brown**			**NX Casing**	Moderately weathered Garnetiferous mica schist	
28/02/2021	**3.50**	**5.00**	**1.50**	**32cm**	**21%**	LOSS	**White**			**NX Casing**	Moderately weathered Garnetiferous mica schist	
	5.00	**6.50**	**1.50**	**93cm**	**25%**	LOSS	**White**			**NX Barrel**	Moderately weathered Garnetiferous mica schist	
01/03/2021	**6.50**	**8.00**	**1.50**	**65cm**	**43%**	LOSS	**White**		**192 T/m²**	**Casing Rib**	Moderately weathered Garnetiferous mica schist	
02/03/2021	**8.00**	**9.50**	**1.50**	**70cm**	**47%**	LOSS	**White**			**NX Barrel**	Moderately weathered Garnetiferous mica schist with quartz veins	
03/03/2021	**9.50**	**11.00**	**1.50**	**50cm**	**33%**	LOSS	**White**			**NX Barrel**		
	11.00	**12.50**	**1.50**	**Slush (28cm)**		LOSS	**White**	**30**	**86T/M²**	**NX Barrel**		
04/03/2021	**12.50**	**14.00**	**1.50**	**15cm**	**21%**	NO LOSS	**White**			**NX Barrel**	highly weathered Garnetiferous mica schist with quartz veins	
	14.00	**15.00**	**1.00**	**11cm**	**18%**	NO LOSS	**White**			**NX Barrel**		

SITE : Old West Point School Complex, Gangtok, East Sikkim										**JOB NO 02**		
DRILLING EQUIPMENT: Diamond core drilling with single tube barrel												
DRILLING METHOD: Rotary			**DRILLING DIAMETER BX,NX Size**							**CASING DIAMTER** NX Size		
DRILL HOLE NO: 02(BH-02)										**R.L.(m): 1609m**		
ORIENTATION: Vertical down			**Co-ordinates: N27° 19.701',E 88° 36.665'**									
Date	**From (in m)**	**To (in m)**	**Run**	**Sample type**	**Sample length(SPT)**	**Water loss**	**Water colour**	**SPT N60 Value**	**SBC/strength**	**Formation**		**Log**
										Remarks	**Lithology**	
05/03/2021	0.00	0.50	0.50	Slush	21cm	NO LOSS	Dark Brown	8	7.7T/M²	NX Casing	Dark brown colored silty clayey soil overburden.	
	0.50	2.00	1.50	Slush	30cm	NO LOSS	White	9	9.5T/M²	NX Casing	Rock boulders intermixed with soil cover	
	2.00	3.50	1.50	Slush	18cm	NO LOSS	Brown	12	14.9T/M²	NX Casing	Moderately weathered Garnetiferous mica schist	
	3.50	5.00	1.50	Slush	12cm	NO LOSS	Brown	29	44.5T/M²	NX Casing	Moderately weathered Garnetiferous mica schist	
	5.00	6.50	1.50	Slush	13cm	LOSS	Brown	26	47.3T/M²	NX Barrel	Moderately weathered Garnetiferous mica schist	
06/03/2021	6.50	8.00	1.50	Slush /core	15cm	NO LOSS	Brown	22	48.2T/M²	Casing Rib	Moderately weathered Garnetiferous mica schist	
06/03/2021	8.00	9.50	1.50	Slush	27cm	NO LOSS	Brown	30	71.8T/M²	NX Barrel	Moderately weathered Garnetiferous mica schist with quartz veins	
07/03/2021	9.50	11.00	1.50	Slush	24cm	NO LOSS	Brown	30	83.2T/M²	NX Barrel	Moderately weathered Garnetiferous mica schist with quartz veins	
	11.00	12.50	1.50	Slush	12cm	NO LOSS	Brown	29	86.0T/M²	NX Barrel		
08/03/2021	12.50	14.00	1.50	Slush	17cm	NO LOSS	Brown	36	120.5T/M²	NX Barrel	Weathered Garnetiferous mica schist with quartz veins	
	14.00	15.00	1.00	Slush	15cm	NO LOSS	Brown	40	141.5T/M²	NX Barrel		

SITE : Old West Point School Complex, Gangtok, East Sikkim										JOB NO 03		
DRILLING EQUIPMENT: Diamond core drilling with single tube barrel												
DRILLING METHOD: Rotary			DRILLING DIAMETER BX,NX Size							CASING DIAMTER NX Size		
DRILL HOLE NO: 03(BH-03)										R.L.(m): 1609m		
ORIENTATION: Vertical down										Co-ordinates: N27° 19.800',E 88° 36.672'		
Date	From (in m)	To (in m)	Run	Core	Sample length	Water loss	Water colour	SPT N60-Value	SBC/strength	Formation		Log
										Remarks	Lithology	
09/03/2021	0.00	0.50	0.50	Slush	21cm	NO LOSS	Dark Brown	-		NX Casing	Dark brown colored silty clayey soil overburden.	
	0.50	2.00	1.50	Slush	18cm	NO LOSS	Brown	23	22.1T/M²	NX Casing	Highly weathered mica schist	
	2.00	3.50	1.50	Slush	30cm	NO LOSS	Brown	15	18.7T/M²	NX Casing	Highly weathered mica schist	
	3.50	5.00	1.50	Slush	16cm	NO LOSS	Brown	24	36.8T/M²	NX Casing	Highly weathered mica schist	
10/03/2021	5.00	6.50	1.50	Slush	20cm	NO LOSS	Brown	30	54.6T/M²	NX Barrel	Highly weathered Garnetiferous mica schist	
	6.50	8.00	1.50	Slush	32cm	LOSS	Brown	16	33.7T/M²	Casing Rib	Highly weathered Garnetiferous mica schist	
	8.00	9.50	1.50	Slush	26cm	LOSS	Brown	15	35.9T/M²	NX Barrel	Highly weathered Garnetiferous mica schist with quartz veins	
11/03/2021	9.50	11.00	1.50	Slush	19cm	LOSS	Brown	25	66.9T/M²	NX Barrel	Moderately weathered Biotite schist	
	11.00	12.50	1.50	core	14cm	LOSS	Brown	-		NX Barrel	Fresh rock Biotite schist	
12/03/2021	12.50	14.00	1.50	Slush	22cm	LOSS	Brown	30	97.5T/M²	NX Barrel	Highly weathered mica schist	
	14.00	15.00	1.00	Slush	23cm	LOSS	Brown	24	84.9T/M²	NX Barrel		

SITE : Old West Point school complex, Gangtok, East Sikkim										JOB NO 04		
DRILLING EQUIPMENT: Diamond core drilling with single tube barrel												
DRILLING METHOD: Rotary			DRILLING DIAMETER BX,NX Size							CASING DIAMTER NX Size		
DRILL HOLE NO: 04(Bh-04)										R.L.(m): 1609m		
ORIENTATION: Vertical down										Co-ordinates: N27° 19.790',E 88° 36.684'		
Date	From (in m)	To (in m)	Run	Sample type	Sample length	Water loss	Water colour	SPT N60-Value	SBC/strength	Formation		Log
										Remarks	Lithology	
14/03/2021	0.00	0.50	0.50	Slush	21cm	NO LOSS	Dark Brown	24	23.1T/M²	NX Barrel	Dark brown colored silty clayey soil overburden.	
	0.50	2.00	1.50	Slush	42cm	NO LOSS	Brown	17	17.9T/M²	NX Barrel	Light brown colour Parent soil.	
	2.00	3.50	1.50	Slush	26cm	NO LOSS	Brown	18	22.4T/M²	NX Barrel	Highly weathered Mica Schist	
	3.50	5.00	1.50	Slush	32cm	NO LOSS	Brown	20	30.7T/M²	NX Barrel	Highly weathered Mica Schist	
15/03/2021	5.00	6.50	1.50	core	14%	LOSS	Brown			NX Barrel	Highly weathered Garnetiferous Mica Schist with quartz veins	
	6.50	8.00	1.50	core	08%	LOSS	Brown			Casing Rib	Highly weathered Garnetiferous Mica Schist with quartz veins	
	8.00	9.50	1.50	core	07%	LOSS	Brown			NX Barrel	Moderately weathered Mica Schist with quartz veins	
16/03/2021	9.50	11.00	1.50	core	07%	LOSS	Brown			NX Barrel	Highly weathered Garnetiferous mica schist	
17/03/2021	11.00	12.50	1.50	Slush	-	LOSS	Brown	32	94.9T/M²	NX Barrel	Highly weathered Mica schist	
	12.50	14.00	1.50	Slush	-	LOSS	Brown	24	78.0T/M²	NX Barrel	Highly weathered Mica schist	
	14.00	15.00	1.00	Slush	-	LOSS	Brown	30	106.1T/M²	NX Barrel	Highly weathered Mica schist	

SITE : Old West Point school complex, Gangtok, East Sikkim										**JOB NO 05**		
DRILLING EQUIPMENT: Diamond core drilling with single tube barrel												
DRILLING METHOD: Rotary			**DRILLING DIAMETER BX,NX Size**							**CASING DIAMTER** NX Size		
DRILL HOLE NO: 05(Bh-05)										**R.L.(m): 16012m**		
ORIENTATION: Vertical down										**Co-ordinates: N27° 19.792',E 88° 36.685'**		
Date	**From (in m)**	**To (in m)**	**Run**	**Sample type**	**Sample length**	**Water loss**	**Core recy. %**	**SPT N60-Value**	**SBC/strength**	**Formation**		**Log**
										Remarks	**Lithology**	
21/03/2021	0.00	0.50	0.50	Core	25cm	LOSS	18%			NX Barrel	Rock fragments/boulders	
22/03/2021	0.50	2.00	1.50	Slush	42cm	LOSS		14	17.48T/M²	NX Barrel	Highly weathered rock mica schist	
	2.00	3.50	1.50	Slush	26cm	LOSS		23	33.11T/M²	NX Barrel	Highly weathered Mica Schist	
	3.50	5.00	1.50	core	40cm	LOSS	22%		422.4T/M²	NX Barrel	Highly weathered Garnetiferous Mica Schist	
23/03/2021	5.00	6.50	1.50	core	50cm	LOSS	31%			NX Barrel	Highly weathered Garnetiferous Mica Schist	
	6.50	8.00	1.50	core	41cm	LOSS	23%			NX Barrel	Highly weathered Mica Schist with quartz veins	
24/03/2021	8.00	9.50	1.50	core	20cm	LOSS	18%			NX Barrel	Highly weathered Mica Schist with quartz veins	
	9.50	11.00	1.50	core	35cm	LOSS	24%			NX Barrel	moderately weathered Mica Schist (muscovite)	
25/03/2021	11.00	12.00	1.00	Slush	38cm	LOSS	33%			NX Barrel	Cashing Jam onwards depth	

SITE : Old West Point school complex, Gangtok, East Sikkim										JOB NO 06		
DRILLING EQUIPMENT: Diamond core drilling with single tube barrel												
DRILLING METHOD: Rotary			DRILLING DIAMETER BX,NX Size							CASING DIAMTER NX Size		
DRILL HOLE NO: 06(Bh-06)										R.L.(m): 1615m		
ORIENTATION: Vertical down										Co-ordinates: N27° 19.793',E 88° 36.686'		
Date	From (in m)	To (in m)	Run	Sample type	Sample length	Water loss	Water colour	SPT N60-Value	SBC/strength	Formation		Log
										Remarks	Lithology	
28/03/2021	0.00	0.50	0.50	core	27%	LOSS				NX Barrel	Rock fragments/boulders	
	0.50	2.00	1.50	core	29%	LOSS				NX Barrel	Rock fragments/boulders .	
29/03/2021	2.00	3.50	1.50	Slush	27cm	NO LOSS	Brown	15	15.83T/M²	NX Barrel	Highly weathered rock GMS	
	3.50	5.00	1.50	Slush	22cm	NO LOSS	Brown	29	35.86T/M²	NX Barrel	Highly weathered rock GMS	
29/03/2021	5.00	6.50	1.50	Slush	27cm	NO LOSS	Brown	29	56.33T/M²	NX Barrel	Highly weathered rock GMS	
	6.50	8.00	1.50	Slush	30cm	NO LOSS	Brown	26	55.06T/M²	Casing Rib	Highly weathered rock GMS	
	8.00	9.50	1.50	Slush	19cm	NO LOSS	Brown	18	43.93T/M²	NX Barrel	Highly weathered rock GMS	
30/03/2021	9.50	11.00	1.50	Slush	18cm	NO LOSS	Brown	28	74.92T/M²	NX Barrel	Highly weathered rock GMS	
30/03/2021	11.00	12.50	1.50	Slush	22cm	NO LOSS	Brown	21	66.29T/M²	NX Barrel	Highly weathered rock GMS	
	12.50	14.00	1.50	core	12%	NO LOSS	Brown			NX Barrel	Amphibolites band black colour	
	14.00	15.00	1.00	Slush	15cm	NO LOSS	Brown	19	67.28T/M²	NX Barrel	Highly weathered rock GMS	

SITE : Old West Point School Complex, Gangtok, East Sikkim (Front of the school building)(BH-07)											
DRILLING EQUIPMENT: Diamond core drilling with doubl					Co-ordinates: E 27° 19'47.96" latitude N 88° 36'39.77" longitude						
DRILLING METHOD: Rotary					DRILLING DIAMETER/ CASING DIAMTER NX Size BX,NX Size					R.L.(m): 1606m	
DRILL HOLE NO: 07					ORIENTATION: Vertical down					LITHOLOGY	
Date	From (in m)	To (in m)	Total Run	Drilling log	Core recovery length(m)	Core recovery %	Water loss	RQD	Strength(T/M²)	SPT N-Value	
31/01/2020	0.00	1.50	1.50		0	0%	No loss	-	13.84	16	Light brown clayey soil.
1/02/2020	1.50	3.00	1.50		0	0%	No loss	-	20.15	18	Light brown silty soil.
1/02/2020	3.00	4.50	1.50		0.10	6%	No loss	<25%	-	core	Garnetiferrous Mica Schist with quartz viens.
2/02/2020	4.50	6.00	1.50		0.15	10%	No loss	<25%	-	core	
2/02/2020	6.00	7.50	1.50		0.10	6%	No loss	<25%	-	core	
3/02/2020	7.50	9.00	1.50		0.40	26%	No loss	>50%	-	core	
3/02/2020	9.00	10.50	1.50		1.10	73%	100%	>50%	70.10T/m² & 115.20T/m²	core	Moderately weathered Garnetiferrous Mica Schist.
4/02/2020	10.50	12.00	1.50		0.77	51%	100%	>50%	121.00T/m² & 96.00 /m²	core	
5/02/2020	12.00	13.00	1.00		0.80	80%	100%	<25%	-	core	
7/02/2020	13.00	14.00	1.00		0.50	50%	100%	<25%	-	core	Highly weathered Garnetiferrous Mica Schist
7/02/2020	14.00	15.00	1.00		0.55	55%	100%	<25%	-	core	

Data Source : Mines & Geology Report.

SITE : Old West Point School Complex, Gangtok, East Sikkim. (Behind School Building)(BH-08)												
DRILLING EQUIPMENT: Diamond core drilling with double tube barrel					**Co-ordinates: E 27° 19'48.19" latitude N 88° 36'38.92" longitude,**							
DRILLING METHOD: Rotary					**DRILLING DIAMETER/ CASING DIAMTER** NX Size **BX,NX Size**							**R.L.(m): elevation 1604m**
DRILL HOLE NO: 08					**ORIENTATION: Vertical down**							**LITHOLOGY**
Date	From (in m)	To (in m)	Total Run	Drilling log	Core recovery length(m)	Core recovery %	Water loss		RQD	Strength(T/M ^{2})	SPT N-Value	
10/02/2020	0.00	1.50	1.50		0	0%	No loss		-	6.92	8	Micaceous silty soil.
11/02/2020	1.50	3.00	1.50		0	0%	No loss		-	11.51	10	Micaceous silty soil.
11/02/2020	3.00	4.50	1.50		0	0%	No loss		<25%	46.50	28	Highly weathered Garnetiferrous Mica Schist.
11/02/2020	4.50	6.00	1.50		0	0%	No loss		<25%	22.13	12	Highly weathered Garnetiferrous Mica Schist.
12/02/2020	6.00	7.50	1.50		0	0%	100%		<25%	-	core	Garnetiferrous Mica schist with quartz veins.
13/02/2020	7.50	9.00	1.50		0.60	40%	100%		<25%	331.20T/m ^{2} & 345.60 T /m^2	core	
13/02/2020	9.00	10.50	1.50		0.80	53%	100%		>50%	-	core	Fresh Garnetiferrous Mica Schist with quartz veins.
14/02/2020	10.50	12.00	1.50		0.43	28%	100%		>50%	-	core	
15/02/2020	12.00	13.50	1.50		0.50	33%	100%		<50%	-	core	Moderately weathered Garnetiferrous mica schist.
16/02/2020	13.50	15.00	1.50		0.40	26%	100%		>50%	-	core	Moderately weathered Garnetiferrous mica schist underlain by fresh Garnetiferrous mica schist.

Data source : Mines & Geology report.

ESTIMATION OF SAFE BEARING PRESSURE (N value obtained during drilling)

N-value observed in the field is corrected according to the following relation

$N_{60} = N*C_s*C_R*C_b*E_m/60$

Where:

N_{60}= Standard penetration number corrected for field conditions to an average energy ratio 60%.

N= measured penetration number

C_s= correction for sampler

C_R= Correction for rod length

C_b = correction for borehole diameter

E_m= hammer efficiency in percent

N_{60} obtained in this manner is corrected again for overburden pressure as given below:

$(N_1)_{60} = [100/p'_0]^{0.5}N_{60}$

$(N_1)_{60}$=N value corrected for both field testing procedures and overburden pressure.

P'_0=effective overburden pressure, kN/m^2

Corrected values of N are given in Table -1.

Net allowable bearing pressure of a footing of width 3m, placed at 3m below the ground level, is calculated from the following relation:

$q_a = 11.98N_{60}((3.28B + 1)/3.28B)^2 K_d R_w(S_e/25)$

Where:

$K_d = (1+0.33d_f/B) \leq 1.33$

d_f=depth of foundation, m

B= width of foundation, m

R_w= correction factor

S_e= settlement, mm

q_a= net allowable bearing pressure, T/m^2

The value of R_w equals to 0.5 is considered.

$q_{net\ allowable}$ for 1.50m sizes of footings are calculated for 25 mm settlement and placed in table 2., the allowable bearing pressure is calculated from N60 i.e corrected penetration value from field, further considering overburden pressure the N 1(60) is also obtained and can be calculated from above relations.

If the tolerable settlement is other than 25 mm, say S_a (mm),the $q'_{net\ allowable}$ can be obtained from

$$q'_{net\ allowable} = q_{net\ allowable} * S_a/25$$

BH-No.	Depth in meters		Allowable bearing pressure with 1.5mX 1.5 bottom of footing having settlement 25mm
BH-01	**11.00M-12.50M**		**86.00T/M²**
BH-02	**0.00m**	**0.50m**	**7.7T/M²**
BH-02	**0.50m**	**2.00m**	**9.5T/M²**
BH-02	**2.00m**	**3.50m**	**14.9T/M²**
BH-02	**3.50m**	**5.00m**	**44.5T/M²**
BH-02	**5.00m**	**6.50m**	**47.3T/M²**
BH-02	**6.50m**	**8.00m**	**48.2T/M²**
BH-02	**8.00m**	**9.50m**	**71.8T/M²**
BH-02	**9.50m**	**11.00m**	**83.2T/M²**
BH-02	**11.00m**	**12.50m**	**86.0T/M²**
BH-02	**12.50m**	**14.00m**	**120.5T/M²**
BH-02	**14.00m**	**15.00m**	**141.5T/M²**
BH-03	**0.00m**	**0.50m**	**22.1T/M²**
BH-03	**0.50m**	**2.00m**	**18.7T/M²**
BH-03	**2.00m**	**3.50m**	**36.8T/M²**
BH-03	**3.50m**	**5.00m**	**54.6T/M²**
BH-03	**5.00m**	**6.50m**	**33.7T/M²**

BH-03	6.50m	8.00m	35.9T/M²
BH-03	8.00m	9.50m	66.9T/M²
BH-03	11.00m	12.50m	97.5T/M²
BH-03	12.50m	14.00m	84.9T/M²
BH-03	14.00m	15.00m	22.1T/M²
BH-04	0.00m	0.50m	23.1T/M²
BH-04	0.50m	2.00m	17.9T/M²
BH-04	2.00m	3.50m	22.4T/M²
BH-04	3.50m	5.00m	30.7T/M²
BH-04	12.50m	14.00m	94.9T/M²
BH-04	14.00m	15.00m	78.0T/M²
BH-05	1.50m	2.00m	17.48T/M²
BH-05	3.50m	5.00m	33.11T/M²
BH-06	2.00m	3.50m	15.83T/M²
BH-06	3.50m	5.00m	35.86T/M²
BH-06	5.00m	6.50m	56.33T/M²
BH-06	6.50m	8.00m	55.06T/M²
BH-06	8.00m	9.50m	43.93T/M²
BH-06	9.50m	11.00m	74.92T/M²
BH-06	11.00m	12.50m	66.29T/M²
BH-06	14.00m	15.00m	67.28T/M²

Geo-physical investigation (2D-Electrical Resistivity Tomography)

Electrical resistivity determination is usually made by injecting a specified amount of electric current through a pair of electrodes and with the aid of a pair of potential electrodes. The potential difference between any two points at the surface caused by the flow of the electric current in the sub-surface is measured. From the measured current (I) and the voltage (V) values, the ensuing resistivity is determined.

The approach of geophysical study is to reveal the sub-surface characteristics materials based on the subsurface geology and hydrological conditions. Geophysical investigation provides us the in-situ subsurface conditions, which can be translated into geo-technical information, which provides complete understanding of physical behavior of a sub-surface geology. Feasibility of various direct and indirect geophysical techniques resolve details of sub-surface masses present there on, such as movement of ground water, thickness, relief of bed rock, water saturated zone (Bogoslovsky et al.1977; Mills.1990; Caris and Van Asch,1991; Hermann et al. 2000). Recently, the role of Electrical Resistivity Tomography (ERT) or electrical imaging (I.B osazuwa and E. ChiiChii 2010) in Lake Investigations is on wide practice, due to cost, time and other parameters.

Electrical resistivity surveys with vertical electrical soundings (Schlumberger method) which provides characteristics of sub surface layer, depths and resistivities at a single place. Furthermore 2D resistivity imaging techniques provide 2D and even 3D high resolution electrical images of sub surfaces (Griffiths and Baker 1993).

Objectives:

1. **To investigate the sub-surface water activity, if any.**
2. **Thickness of overburden in the area.**
3. **Type of materials present/inferred geological condition.**

4. Approximate Depth of rock and their physical properties.

Methodology:

Electrical Resistivity Tomography Method

Two-dimensional (2D) electrical imaging surveys are widely used to map areas of moderately complex geology where conventional resistivity sounding and profiling techniques are inadequate. The data from such surveys are plotted in the form of a pseudo-section which gives an approximate and sub-surface geology is slightly distorted. The data collected in saturated zone of study areas were interpreted by 2D Resistivity Imaging software. Integrated Geo-Instrumentation Service resistivity meter model **SSR-MP1**, is used to obtain the resistivity data to reasonable depths of 20- 30 m (depth of investigation depends on local geological conditions) from the ground surface. For a good lateral, vertical and horizontal resolution, **hybrid Wenner-Schlumberger profiling is preferred**. Multi-electrode Resistivity imaging techniques were used in the area. A GARMIN made GPS was used for the position location of electrodes along the profile.

Resistivity data were collected using **Wenner-Schlumberger** (Vertical Electrical Sounding) array configuration with electrode separation 2-5 m. Topographic corrections and 2D inversion model were carried out using **Res2Divin of GEOTOMO Software**. This resistivity inversion software based on the least – square method proposed by Locke and Barker (1996) is used during the investigation. In all inversion 5 attempts of iteration was kept.

one number of resistivity tomography profile were carried out in the area, PS 01 – PS 01' was carried along SE-NW direction perpendicular to the slope direction (marked slope forming materials map). The adopted contour color code provides the key information on parameters of deposited material like presence of low resistivity saturated sandy soil horizons and the depth of bed rock.

Tentative true resistivity versus sub-surface depth is inferred from geological literature (Telford et al.1990). The data so obtained are used in the preparation of subsurface lithological sections along each profile and also inferred geo-hydrological regimes were carried out.The details of inferred sub-surface strata and tomography are described in details which are given below.

Profile section (PS01-PS01'):

Site Geology: Medium thick soil overburden underlain by highly weathered mica schist rock and its variants are inferred in PS01-PS01'. The depth wise inferred geology is formulated in the table1.

Results and analysis of Geophysical observations:

Multi-electrode resistivity survey with Schlumberger-Wenner array was carried out in profile section, PS01-PS01', the first electrode is placed at location 0.00 meter of section. (Geographically it is located at N27^0 19.789' latitude E88^0 36.660' at an elevation of 1609 m amsl). The direction of the profile section runs SE-NW from the first electrode. The last electrode was placed at a distance at 70 meters, geographically it is located at N27^0 19.822' latitude to E88^0 36.649' longitude at an elevation of 1604 m amsl) (profile section01-01'), to delineate probable sub-surface geology. Observation from 2D-inversion resistivity in the profile section 01-01' shows that the top layer consists of highly weathered mica schist rock followed by moderately weathered mica schist rock. Groundwater circulation zone exists between 34-67m horizontal distance with depth between 2m to 16 m(average) as seen in the tomography.


ELECTRICAL RESISTIVITY SURVEY PROFILE-01 AT OLD WEST POINT SCHOOL COMPLEX, GANGTOK
Elev.
1615
1610
1605
1600
1595
1590
Model resistivity with topography
Iteration 7 Abs. error = 4.7
0.0
20.0
40.0
60.0
SUSPECTED GROUNWATER CIRCULATION ZONE
MICA SCHIST ROCK
19.8
46.1
107
250
583
1359
3168
7385
Resistivity in ohm.m
Horizontal scale is 126.88 pixels per unit spacing
Vertical exaggeration in model section display = 1.05
First electrode is located at 0.0 m.
Last electrode is located at 70.0 m. Unit Electrode Spacing = 5.00 m.

Table: 1 showing the inferred geology of sub-surface at PS-01 to PS-01'.

Sl. No.	PS01-PS01' (0.0mts.– 70mts.)	Depth (m)	Resistivity(ohm-meter)	Inferred geology/type of materials Present
1	0m - 3m	-	-	*Field Data Gap(no information)*
2	3m - 5m	0m –16m	500 Ωm-600 Ωm	*Moderately saturated mica schist rock.*
3	5m – 8m	0m – 3m	500 Ωm-600 Ωm	*Moderately saturated mica schist rock.*
		3m – 16m	900 Ωm-1200 Ωm	*Highly weathered mica schist rock.*
4	8m - 15m	0m – 2.5m	300 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		2.5m – 3m	500 Ωm-600 Ωm	*Moderately saturated mica schist rock.*
		3m – 4m	900 Ωm-1200 Ωm	*Highly weathered mica schist rock.*
		4m – 7.5m	1500 Ωm-3000 Ωm	*Moderately weathered mica schist rock.*
		7.5m-16m	900 Ωm-1200 Ωm	*Highly weathered mica schist rock.*
5	15m - 16m	0m – 2.5m	500 Ωm-600 Ωm	*Moderately saturated mica schist rock.*
		2.5m – 16m	900 Ωm-1200 Ωm	*Highly weathered mica schist rock.*
6	16m – 19m	0m-16m	900 Ωm-1200 Ωm	*Highly weathered mica schist rock.*
7	19m – 23m	0m -16m	500 Ωm-600 Ωm	*Moderately saturated mica schist rock.*
8	23m – 25m	0m-2.5m	300 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		2.5m – 16m	500 Ωm-600 Ωm	*Moderately saturated mica schist rock.*
9	25m - 30m	0m - 2m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		2m-3m	1000 Ωm-1500 Ωm	*Highly weathered mica schist rock.*
		3m-7m	1500 Ωm-3000 Ωm	*Moderately weathered mica schist*
		7m-16m	1000 Ωm-1500 Ωm	*Highly weathered mica schist rock.*
7	30m - 32m	0m –3m	1000 Ωm-1500 Ωm	*Highly weathered mica schist rock.*
		3m – 7m	1500 Ωm-3000 Ωm	*Moderately weathered mica schist*
		7m-16m	1000 Ωm-1500 Ωm	*Highly weathered mica schist rock.*
8	32m – 34m	0m –1m	1000 Ωm-1500 Ωm	*Highly weathered mica schist rock.*
		1m-2.5m	1500 Ωm-3000 Ωm	*Moderately weathered mica schist*
		2.5m – 16m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
9	34m - 41m	0m – 2m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		2m-16m	**20 Ωm-200 Ωm**	***Groundwater circulation zone between 2m-7m depth surrounded by highly saturated weathered flaky materials composed of micaceous rock.***
10.	41m -46m	0m-16m	200 Ωm-300 Ωm	*Highly saturated weathered flaky mica schist.*

11.	46m-50m	0m-2.5m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		2.5m-6m	200 Ωm-300 Ωm	*Highly saturated weathered flaky mica schist.*
		6m-16m	**20 Ωm-100 Ωm**	***Highly saturated micaceous rock***
12.	50m-52m	0m-5m	200 Ωm-300 Ωm	*Highly saturated weathered flaky mica schist.*
		5m-16m	**20 Ωm-100 Ωm**	***Highly saturated micaceous rock***
13.	52m-56m	0m-3m	200 Ωm-300 Ωm	*Highly saturated weathered silty soil.*
		3m-6m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		6m-7.5m	200 Ωm-300 Ωm	*Highly saturated weathered flaky mica schist.*
		7.5m-16m	**20 Ωm-100 Ωm**	***Highly saturated micaceous rock***
14.	56m-60m	0m-2.5m	200 Ωm-300 Ωm	*Highly saturated weathered silty soil.*
		2.5m-3m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		3m-5m	900 Ωm-3000 Ωm	*Highly weathered mica schist rock intermixed with moderately weathered rock.*
		5m-7m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		7m-8m	200 Ωm-300 Ωm	*Highly saturated weathered flaky mica schist.*
		8m-16m	**20 Ωm-100 Ωm**	***Highly saturated micaceous rock***
14.	60m-63m	0m-3m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		3m-5m	900 Ωm-3000 Ωm	*Highly weathered mica schist rock intermixed with moderately weathered rock.*
		5m-6m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		6m-8m	200 Ωm-300 Ωm	*Highly saturated weathered flaky mica schist.*
		8m-16m	**20 Ωm-100 Ωm**	***Highly saturated micaceous rock***
15.	63m-65m	0m-4m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		4m-5m	1000 Ωm-1500 Ωm	*Highly weathered mica schist rock.*
		5m-6m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		6m-9m	200 Ωm-300 Ωm	*Highly saturated weathered flaky mica schist.*
		9m-16m	**20 Ωm-100 Ωm**	***Highly saturated micaceous rock***
`16.	65m-67m	0m-3m	7000 Ωm-8000 Ωm	*Mica schist with low density of quartz veins.*
		3m-4m	200 Ωm-500 Ωm	*Highly saturated mica schist rock.*
		4m-5m	1000 Ωm-1500 Ωm	*Highly weathered mica schist rock.*
		5m-7m	1500 Ωm-3000 Ωm	*Moderately weathered mica schist rock.*
		7m-9m	200 Ωm-300 Ωm	*Highly saturated weathered flaky mica schist.*
		9m-16m	**20 Ωm-100 Ωm**	***Highly saturated micaceous rock***
17.	67m-70m	-	-	*Field Data Gap(no information*

PHOTO;- DRILLING UNDER PROGRESS AT LOCATION BH-05.

PHOTO;- CORE RECOVERY AT BH-01 LOCATION.

PHOTO; - CORE RECOVERY AT LOCATION BH-02.

FIG;- CORE RECOVERY AT LOCATION BH-03.

FIG;- CORE RECOVERY AT LOCATION BH-04.

FIG;- CORE RECOVERY AT LOCATION BH-05.

Photo;- Selec on of core recovery samples for laboratory tes ng.

Photo: - Iden ed/selected core samples for tes ng of its strength.

Photo:-Electrical resis vity Pro ling Survey is at progress along, N20^{0}W-S20^{0}E direc on at site.

Excavation of pits and soil profile in the area

Two pits were excavated in the area and four soil samples were collected from the site (1.5m depth and 3.0m depth from each location). The samples were packs in moisture tight polythene bags and sent for analysis at Kolkata (NABL accredited laboratory) for analysis. The soil is characterised by sandy silty in nature where high percentage of sand fallowed by silt and gravels, clay is the least percentage present in the area. The soil bearing capacity of the soil was calculated as per IS code: 6403:1981 considering squire type of footing with 04 as factor of safety. The soil gave more than 45 T/M^2 which is more than the recommended soil bearing capacity as per IS Code in hilly terrain ($35T/M^2$). The details of soil profile along with photographs and soil bearing capacity are as fallows.

Fig;- Soil pro le of the Pit-01 at old west point school complex, Gangtok.

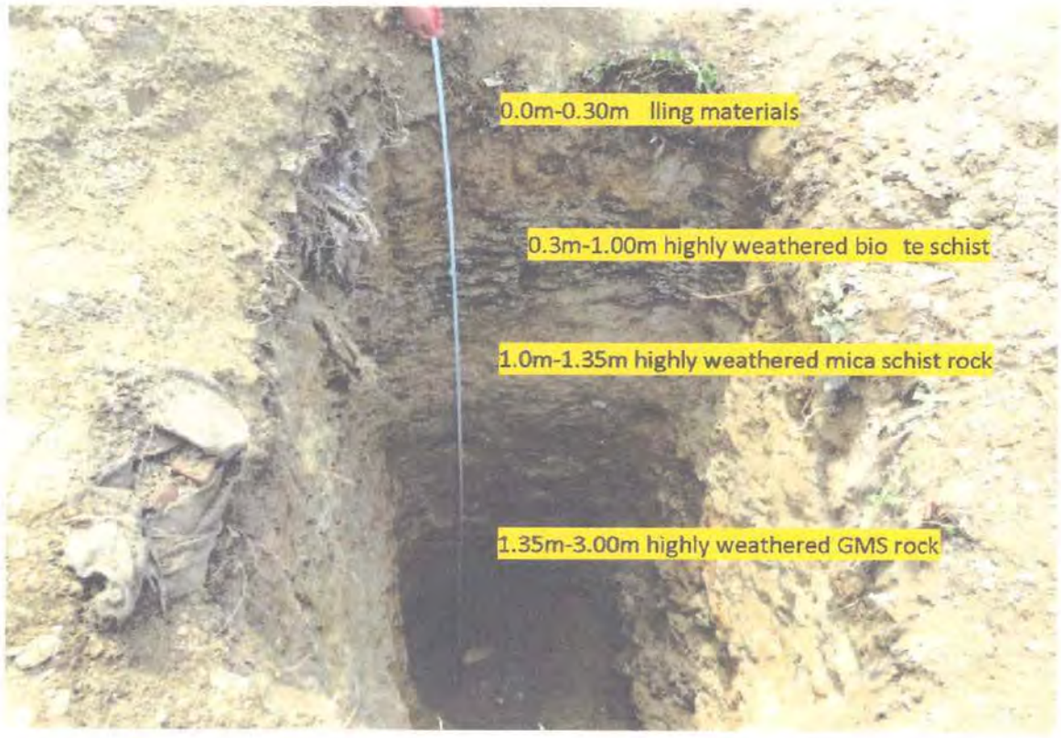

Fig:- Soil pro le of pit-02 at old west point school complex, Gangtok.

DETAILS OF LABORATORY TESTING OF SOIL SAMPLES.

MOISTURE CONTENT

The water content of samples has been evaluated after drying each sample in an oven at 100°C – 110°C for 24 hours as per procedure laid down in the Indian Standard 2720(Part II).

GRAIN SIZE DISTRIBUTION

To obtain the information concerning the soil found at various depths and to classify each strata of soil, it was necessary to conduct grain size distribution analysis. This has been done by passing dried samples over a net of sieves. The grain size distribution was evaluated and the percentage of gravel, coarse sand, medium sand, fine sand, silt and clay, fractions are calculated. These percentages are indicated in annexure and represented in graph at annexure. The overall grain size distribution in the soil gave highest percentage of sands

followed by silt, gravels and least percentage of clay. The uniformity coefficient of the soil gives the uniformly graded in nature. Hence, the chances of differential settlement in future are minimum.

BULK DENSITY

Bulk density was determined by measuring the weight and dimension of the undisturbed samples.

DIRECT SHEAR TEST:

Direct shear test of soil samples was conducted in laboratory as per IS code: 72720 and soil parameters were obtained and placed in annexure. The graph between shear stress and Normal stress is also plotted and placed as annexure II. Only four graphs are shown in annexure and cohesion value is obtained from the graph, angle of frictional resistance.

ESTIMATION OF NET ULTIMATE BEARING CAPACITY (NUBC) and soil bearing capacity.

The Net Ultimate Bearing capacity of soil is calculated considering the shear failure as per IS:6403-1981.the result is placed in annexure I.

The ultimate net bearing capacity obtained and modified to take into account, the shape of the footing, inclination of loading, depth of embedment and effect of water table. The modified bearing capacity formulas are given as under:

a) In case of general shear failure (**Qd**) = $cN_cS_cd_ci_c+q(Nq-1)S_qd_qi_q + ½ B\gamma N_\gamma S_\gamma d_\gamma i_\gamma W'$.

b) In case of local shear failure (Qd) = 2/3 $cN_cS_cd_ci_c+q(Nq-1)S_qd_qi_q + ½ B\gamma N_\gamma S_\gamma d_\gamma i_\gamma W'$.

Symbols used for calculation of Net Ultimate Bearing Capacity of soil.

B = Width of strip footing, width of footing, side of square footing, diameter of circular footing in cm

c = Cohesion in kgf/cm²

d_c, d_q, $d\gamma$ = Depth factors

i_c, i_q, $i\gamma$ = Inclination factors

N_c, N'_c, N_q, N'_q, $N\gamma$, $N'\gamma$ = Bearing capacity factors

q = Effective surcharge at the base level of foundation in kgf/cm²

q_d = Net ultimate bearing capacity based on general shear failure in kgf/cm²

W' = Correction factor for location of water table

s_c, s_q, $s\gamma$ = Shape factors

α = Inclination of the load to the vertical in degrees

ϕ = Angle of shearing resistance of soil in degrees

γ = Bulk unit weight of foundation soil kgf/cm³

Table: Safe bearing capacity of soil at various depth below ground level as per IS code: 6403-1981

Location	Depth, (m)	Surcharge q,(kN/m^2)	Bulk density(kN/m^3)	Width of foundation(m)/ bottom of footing	Factor of safety	SBC(T/M^2)
PIT -01	1.50m	26.34	17.56	1.50 X1.50	4	25.89 T/M^2
				2.00 X 2.00		26.88 T/M^2
				2.50 X 2.50		28.00 T/M^2
				3.00 X 3.00		29.22 T/M^2
PIT-01	3.00m	52.38	17.46	1.50 X1.50	4	45.04 T/M^2
				2.00 X 2.00		44.75 T/M^2
				2.50 X 2.50		45.05 T/M^2
				3.00 X 3.00		45.65 T/M^2
PIT -02	1.50m	37.00	17.76	1.50 X1.50	4	33.59 T/M^2
				2.00 X 2.00		34.97 T/M^2
				2.50 X 2.50		36.58 T/M^2
				3.00 X 3.00		38.30 T/M^2
PIT-02	3.00m	52.38	17.46	1.50 X1.50	4	44.99 T/M^2
				2.00 X 2.00		44.70 T/M^2
				2.50 X 2.50		45.00 T/M^2
				3.00 X 3.00		44.68 T/M^2

SBC **Safe Bearing Capacity**

Note: The above soil samples and soil parameters were collected & determine during absolute dry condition

Conclusion and suggestions

1. Geologically, the area comprises of medium to high grade metamorphic rock sequence represented by Garnetiferrous Mica schist and Mica schist with quartzite intercalations underlain by Lingtse Granitic Gneiss/amphibolites band. The foliation of rocks strike NW-SE and dip gently towards North east with southerly facing slope aspect which makes the area geologically favourable for proposed construction of structures at Old West Point School area.

2. The thickness of soil in the area is less than 2m depth fallowed by highly weathered rock GMS from 2m depth onwards. The area has medium to high ground water circulation zone leading to high degree of weathering in the underlain country rock mica schist. Country rock is not exposed at present location, however in surrounding areas the rock shows no joint spacing but degree of weathering is high.
3. During conduction of drilling works loss of water has occurred at maximum locations except at BH-06, however core recovery percentage is less due to highly degree of weathering in rock mica schist which easily break during rotary drilling, flaky in nature. However at bh-01 the recovery at 47% and at BH-07 12m-13m highest core recovery percentage is 80%.
4. The recovered core size few having more than 5cm length hence testing of strength in point load and Brazillian in was done only for five core samples. The highest point load strength is **691.20 T/m^2 however least strength is 192 T/M^2.**
5. The SPT conducted during weathered strata has been noted and safe bearing pressure is estimated using 25mm settlement and 1.5m bottom of footings. The calculation gives the strata having more than 30T/M^2 at 3.0m depth however at greater depth the strength is continuously increasing.

6. The soil samples collected from the two different location was tested by direct shear test method and the soil are least cohesion and maximum angle of frictional resistance which is more than 30^0. The safe bearing capacity of the soil has been estimated and soil gave more than $45T/M^2$ at 3.0m depth, which is higher than safe bearing capacity of soil as per IS CODE recommended in hilly terrain.(detail soil parameters are enclosed).
7. One electrical resistivity profiling has been conducted along the profile section diagonal to slope direction. The profile runs from SE to NW reveals that uniform strata exist along the profile section. However high water circulation zone suspected at the towards North West boundary of the plot. The water activity is due to high moisture retention capacity and nature of rock Garnetiferous mica schist exist in the area.
8. Sikkim Himalayas located over young fold mountain and occurrence of seismic event in the region is frequent. The Sikkim is placed as seismic zone IV –V by Seismic hazard map of India published by Government of India hence suitable measures to be incorporated to design of the proposed structures.
9. The BH-07 and BH-08 was drilled by the department of Mines and Geology, government of Sikkim, Gangtok during January 2020 and the drill log data is enclosed in this report for reference only.

Point Load Test

Location of sample: **Old West Point School Complex, Gangtok**

Date of Test: 30/03/2021

Rock type – Garnetiferous mica schist (GMS) with or without quartz veins

Point Load = $q_t = 0.96 \times p/D^2$ **IS:8764-1978**

Bore Hole No.	Depth (in m)	D, Diameter	Load (P)	q_t (T/m^2)
01	6.5 m	5 cm	5 KN	192 T/m^2
02	6.5 m	5 cm	18 KN	691.20 T/m^2
03	10 m	5cm	13 KN	499.20 T/m^2
04	9m	5cm	8 KN	307 T/m^2
05	4.5m	5cm	11 KN	422.4 T/m^2

P= Load (KN) D= Minimum Dia sample (cm)

Brazillian Test

Location of sample – **Old West Point School Complex, Gangtok**
Date of test – 30/03/2021
Rock type - Garnetiferous mica schist(GMS) with or without quartz veins

Tensile Strength = q_t = $2p/\pi DL$

P = Load (Kn)
D = Diameter of core sample (cm)
L = Length of core sample(cm)

IS:10082- 1981

Bore Hole No.	Depth (in m)	D= Diameter (cm)	L=Length(cm)	P=Pressure (Kn)	T/m^2
01	5.5m	5cm	10cm	22KN	280.25 T/m^2
05	4.5m	5cm	10cm	50.5KN	643.31 T/m^2

COMPUTATION OF SOIL BEARING CAPACITY AS PER IS CODE 6403-1981 AT PIT-01,DEPTH 1.50M WITH 1.5 X1.5 M SIZE OF FOOTING AT OLD WEST POINT SCHOOL COMPLEX, GANGTOK

Cohesion, c	0.10
Bulk density(kN/m3)	17.56
Depth(df)	1.50
Surcharge q,kN/m2	26.34
Phi	34.00
Water table w'	0.50
width B (m)	1.50
Shape factor	
sc	1.30
Sq	1.20
Sr	0.80
Depth factor	
dc	1.33
dq	1.10
dr	1.10
inclination factor	
Ic	1.00
Iq	1.00
Ir	1.00
Bearing capacity factor	
Nc	46.12
Nq	33.30
Nr	48.03
out put	
c*Nc*Sc*Dc*Ic	7.97
Q(Nq-1)*Sq*dq*Iq	1123.03
0.5*B*r*Nr*Sr*dr*Ir*W'	278.32
UBC in kN/m2	1409.32
UBC in T/m2	140.93
FOS	4.00
NUBC Ton/m2	35.23
SBC	NUBC(LOCAL/GENERAL)+ Q
Safe Bearing Capacity(SBC)	25.89 T/m²

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SUMMARY OF LABORATORY TEST RESULTS

SL No	Sample ID	Location	Depth	NMC (%)	Density (gm/cc)	Grain Size Analysis (%)			Direct Shear Test	
						Gravel	Sand	Silt + Clay	C (Kg/sqcm)	Φ (Degree)
1	Pt-01	Old West Point Complex, Gangtok	5 Ft	13.30	1.79	24	60	16	0.10	35
2	Pt-01		10 Ft	6.70	1.78	10	61	29	0.12	34
3	Pt-02		5 Ft	6.30	1.81	39	49	12	0.13	37
4	Pt-02		10 Ft	9.80	1.78	19	62	19	0.08	34

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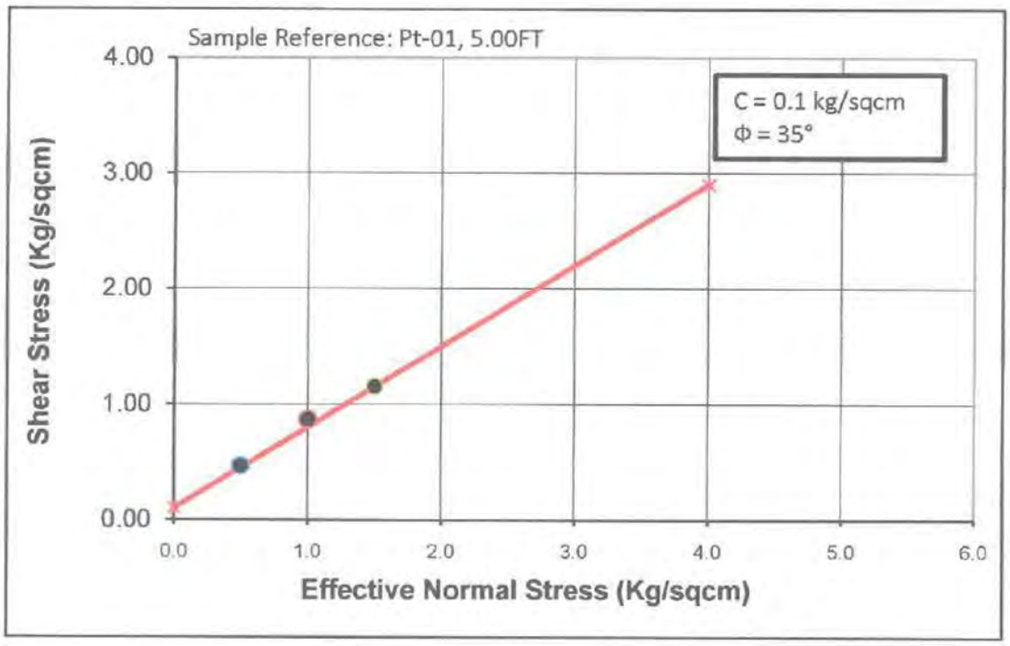

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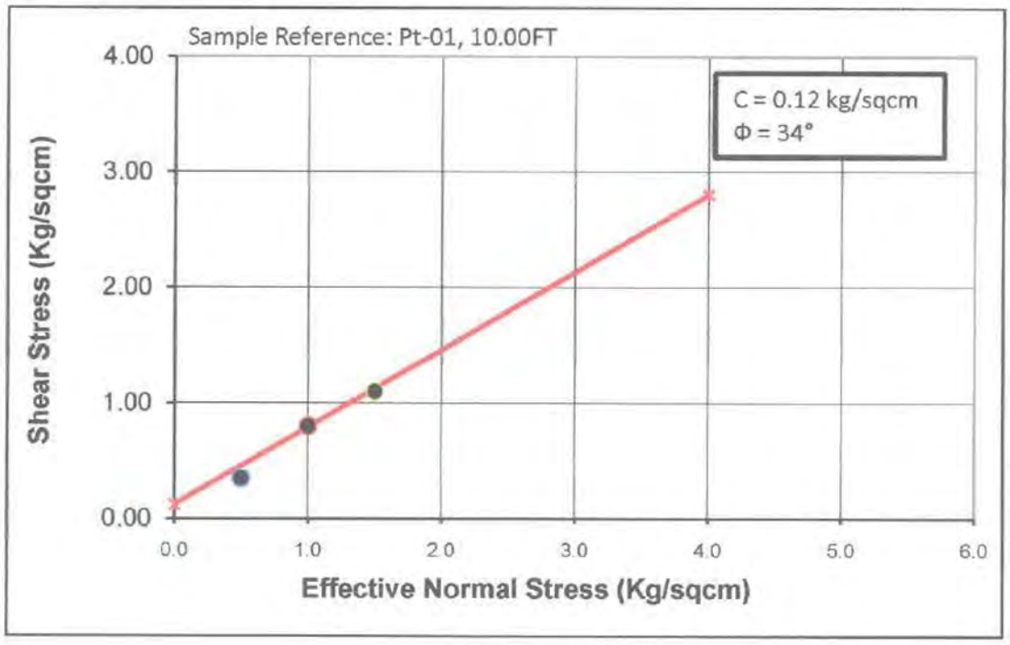

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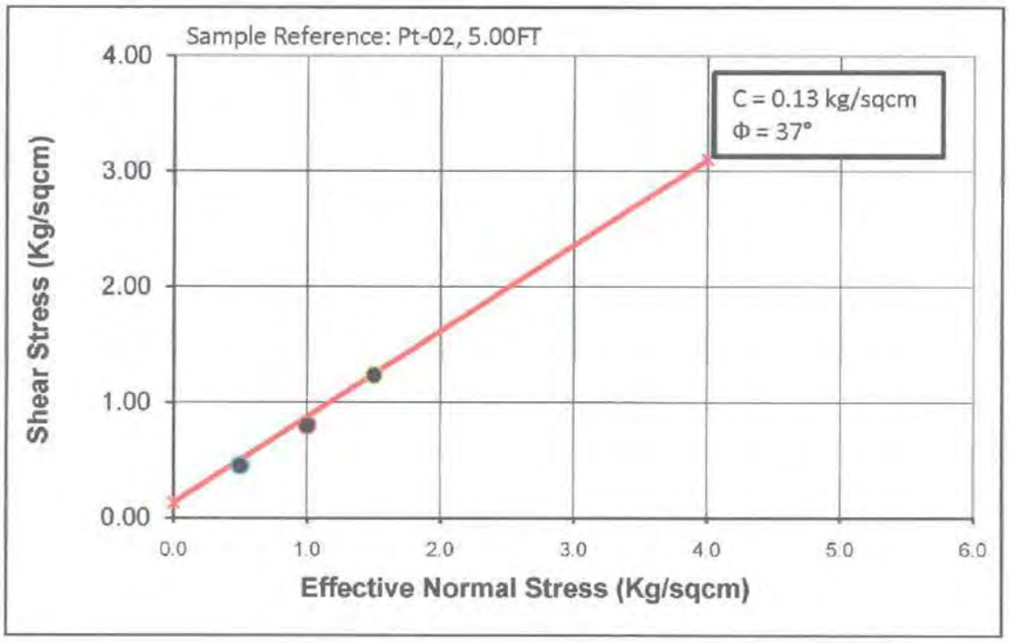

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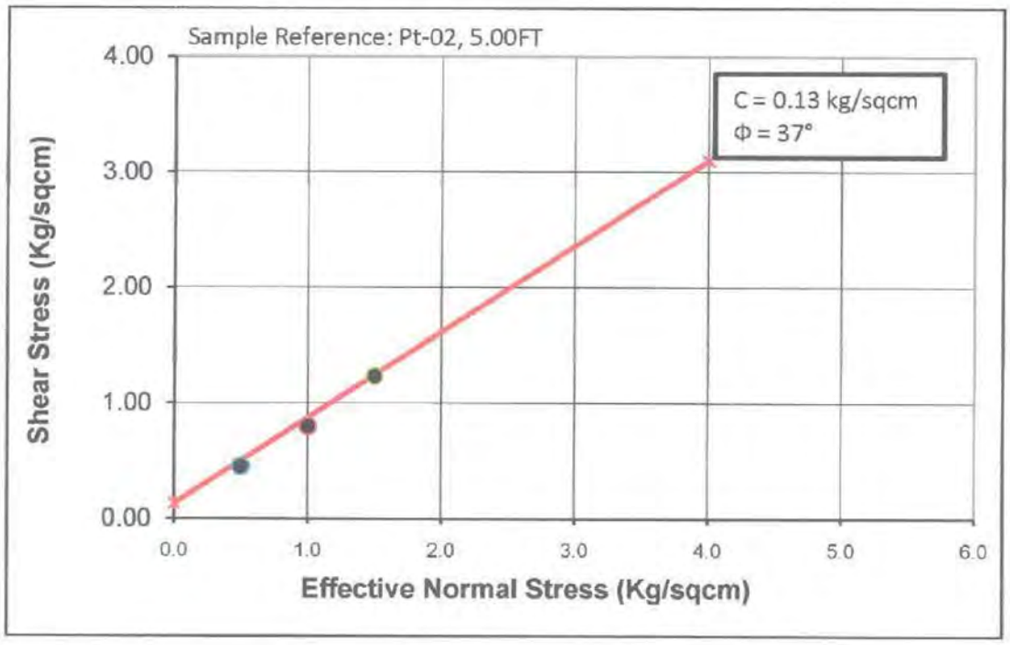

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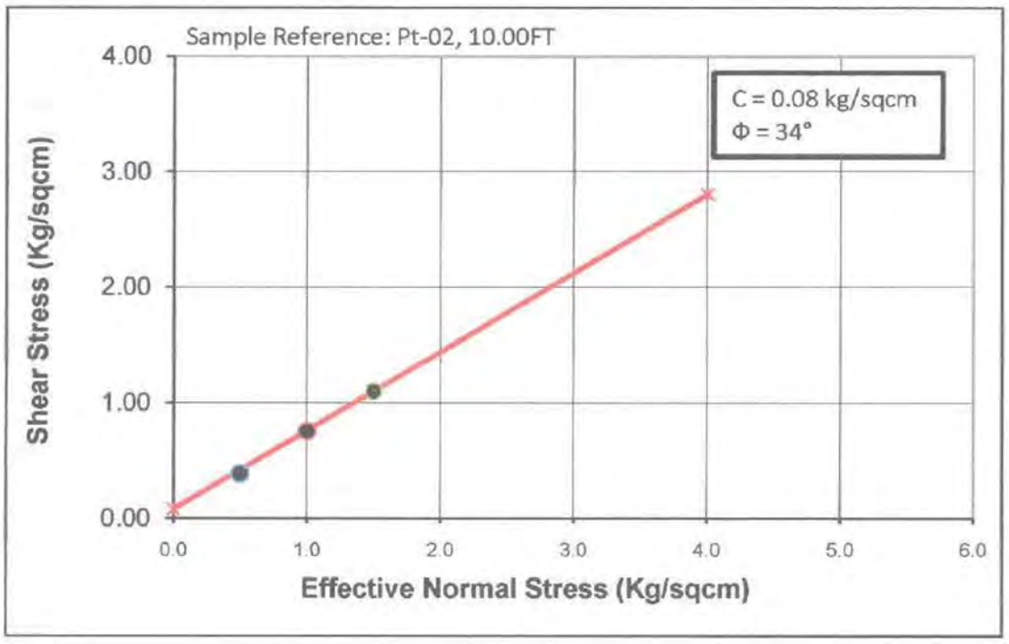

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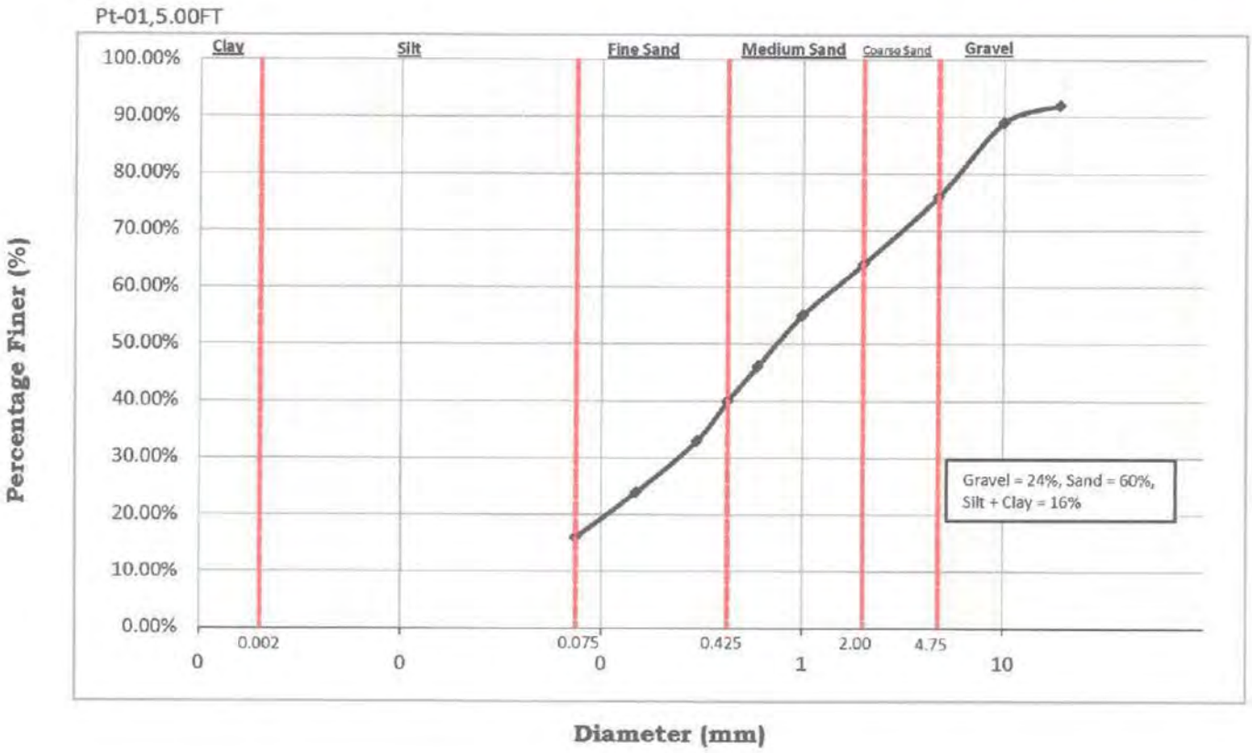

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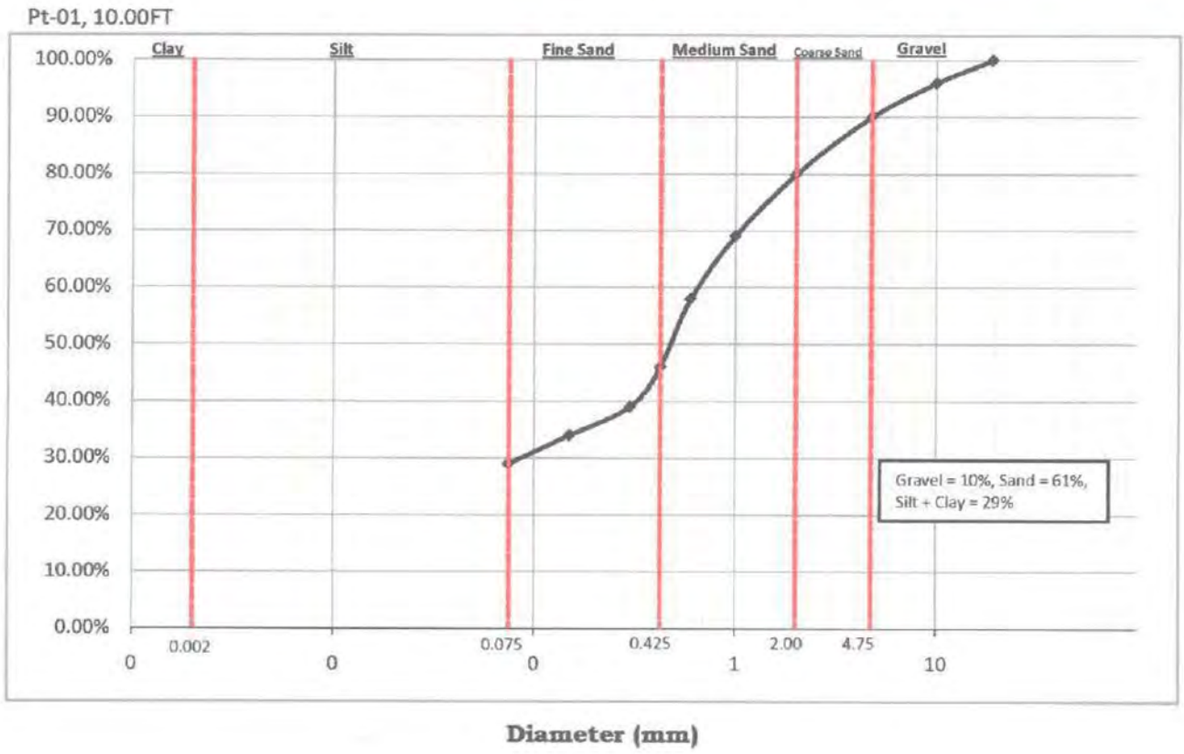

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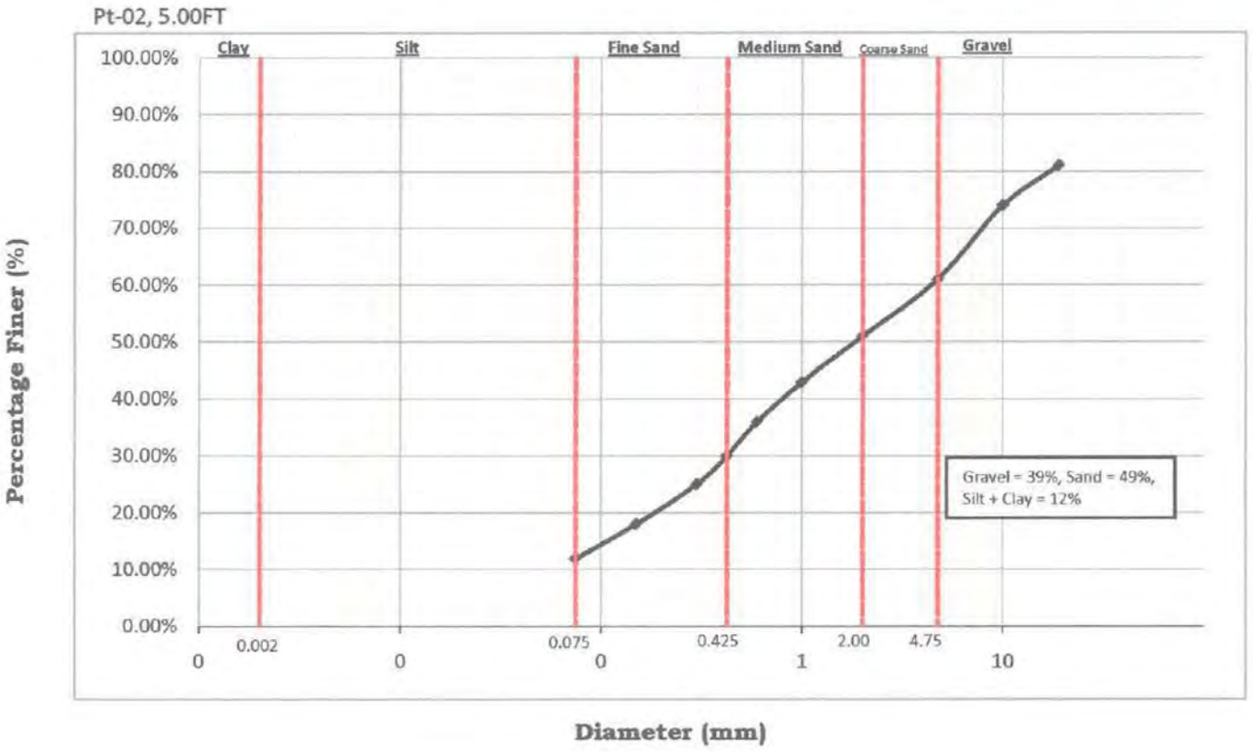

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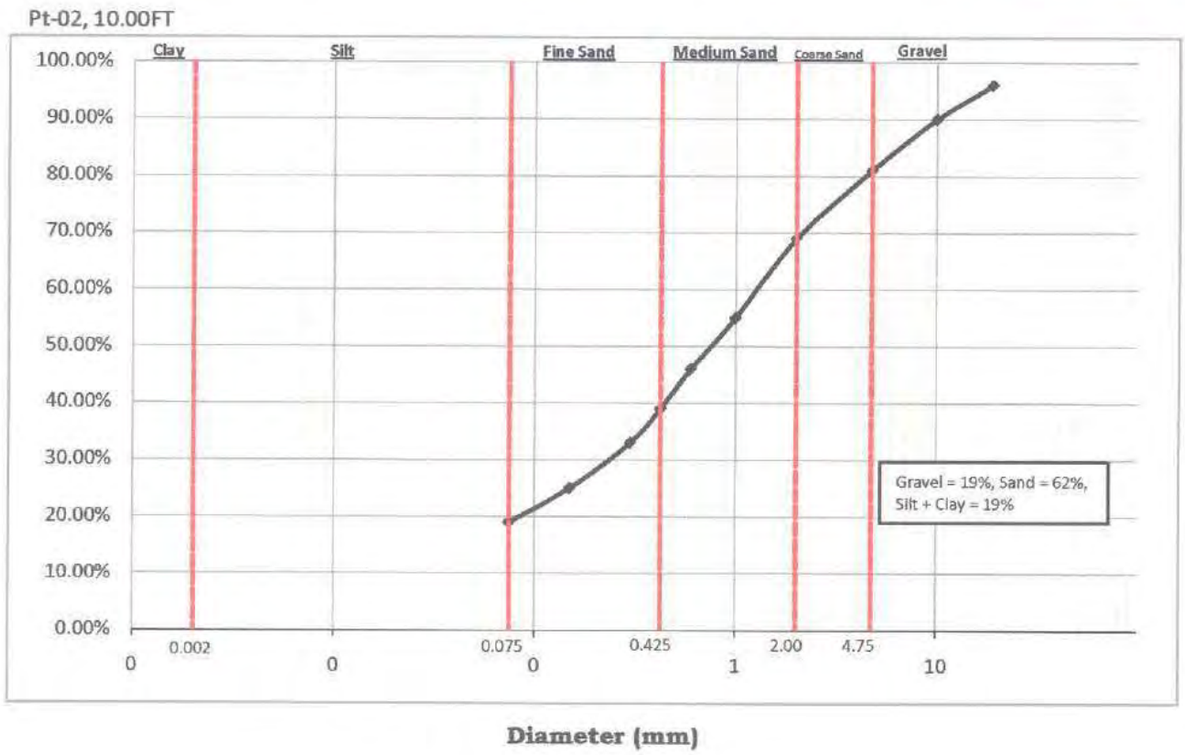

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Date :20/03/2021

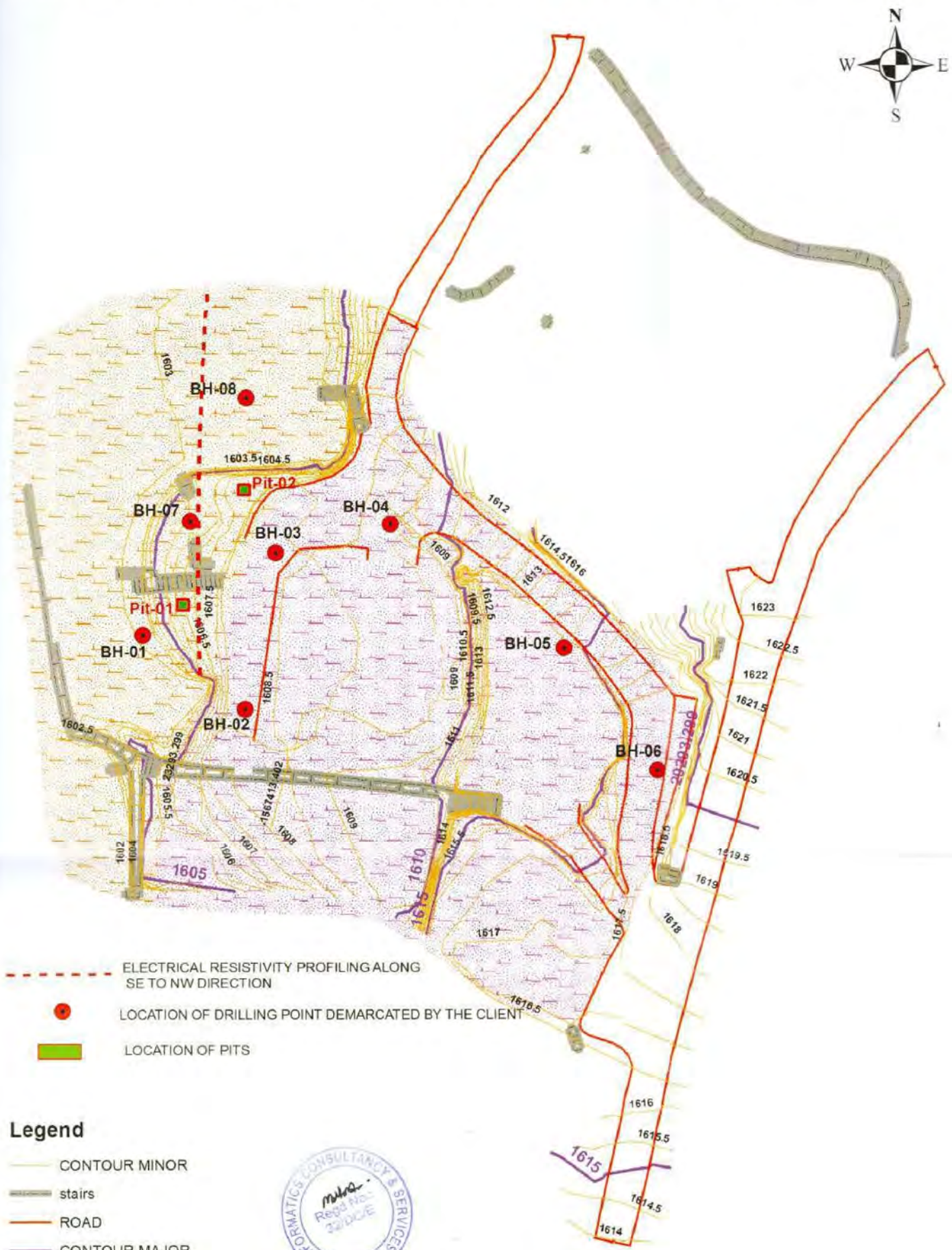
TO WHOM IT MAY CONCERN

This is to certify that the soil samples send by M/s Geo-Informatics Consultancy & Services, Gangtok is tested in our laboratory (NABL Accredited) using the specification prescribed in IS Codes and manuals.

CENTRE FOR ADVANCED ENGINEERING
KOLKATA
700055

Authorized Signatory

SLOPE FORMING MATERIALS MAP OF THE AREA AT OLD WEST POINT SCHOOL COMPLEX, GANGTOK, EAST SIKKIM.



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SLOPE FORMING MATERIALS

Medium thick to thin Soil Cover underlain by highly weathered rock Garnetiferous mica schist

Medium thick to thin Soil Cover underlain by moderately weathered rock Garnetiferous mica schist

ANNEXURE R-12

GEOTECHNICAL INVESTIGATION REPORT

FOR

PROPOSED MULTISTORIED BUILDING

AT

GANGTOK, SIKKIM

JOB ENTRUSTED BY

M/S MESASO INFRASTRUCTURES PRIVATE LIMITED
OLD WEST POINT SCHOOL, M.G.MARG
GANGTOK, EAST SIKKIM

Vetted
Manoj Kumar Sahis
BE, ME(Geotechnical Engineering), MIGS, MIE, MICI, Chartered Engineer
Associate Professor
Department of Construction Engineering
Jadavpur University

JOB CONDUCTED BY

JP GEO CONSULTANTS
AN ISO 9001:2015 CERTIFIED ORGANISATION

Geo Consultants

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PREFACE

A detailed geotechnical investigation including laboratory testing was carried out for the **proposed Multi-Storied Building at Gangtok, Sikkim.** The objective of this investigation was to evaluate the soil parameters for design of foundation for proposed structure with particular reference to safe bearing capacity and anticipated settlement.

The Geo-technical investigation work was awarded by **M/s Mesaso Infrastructures Private Limited, Old West Point School, M.G.Marg, Gangtok, East Sikkim.** The investigation work for this project was commenced on **22nd September 2021** and completed on **28th September 2021.**

The report has been prepared after careful study of all data collected during fieldwork and laboratory testing and it deals with geotechnical properties of the sub-soil. **Section – I** of this report covers the fieldwork while **Section – II** contains the results of all the laboratory test and discussions thereon. **Section – III** deals with the engineering appraisal and recommendations.

SECTION – I

1.0 INTRODUCTION

M/s Mesaso Infrastructures Private Limited, Old West Point School, M.G.Marg, Gangtok, East Sikkim, entrusted the soil investigation work for the **proposed Multi-Storied Building at Gangtok, Sikkim**. At the onset of the work, four (04) no. of PLT have been envisaged.

2.0 AIMS AND OBJECTIVES

The aim of the present study was to determine the Safe Bearing Capacity of the subsoil based upon physical test at site.

3.0 INVESTIGATION SCHEME AND LOCATION OF TESTS

The scheme of investigation was formulated by the Consultants, which involved carrying out four (04) nos of Plate Load Tests at suitable depth below the existing ground level, at the locations finalized by clients.

4.0 FIELD EXPLORATION

Routine plate load test (PLT) was conducted at specified location and depth in accordance with IS: 1888. Size of test plate was 45 cm x 45 cm. Load on test plate was applied by hydraulic jack through ball & socket joint reacting against a gravity type kentledge made of R.S. joists, drum sheets and earth filled bags. At first a seating load was applied. Subsequent load increments were applied in stages up to required intensity. Settlement of plate with elapsed time was recorded through multiple dial gauges for every stage of loading and unloading. After reaching final settlement/load, load was released in stages and settlements were recorded with time. Net settlement of plate sufficiently after completion of unloading was recorded.

The test pit log, load – settlement have been drawn and enclosed in Appendix-I of this report.

5.0 PLATE LOAD TESTS

Bearing Capacity from Plate Load Tests:

Safe Bearing Capacity (SBC) and settlement of foundation given in the table have been determined using the following formula given below:

$Sf = Sp \times [\{B(bp + 0.3)\}/\{bp(B + 0.3)\}]2$

Where, B = size of footing in metre
bp = size of test plate in metre
Sf = Settlement of footing in mm
Sp = settlement of test plate in mm

PLT No.	Soil Type	Max Load	Settlement '(mm)	
		(T/m^2)	Gross	Net
PLT-01	Yellowish brown decomposed mica-schist	54.3	6.025	3.53
PLT-02	Yellowish brown decomposed mica-schist	54.3	6.23	3.66
PLT-03	Yellowish brown decomposed mica-schist	54.3	5.785	3.29
PLT-04	Yellowish brown decomposed mica-schist	54.3	6.45	3.89

PLT No.	Safe Bearing Capacity (T/m^2)	Settlement of plate under imposed loading (mm)	Settlement of prototype footing having width 3.0m under the imposed loading
PLT-01	36.21	4.20	**8.45**
PLT-02	36.21	4.24	**8.54**
PLT-03	36.21	4.00	**8.06**
PLT-04	36.21	4.40	**8.88**

Conclusion: Depending upon the load test done, it can be observed from the graphs that no specific yield load is obtained up to the ultimate load applied and even the settlement occurring under the imposed loading is well within the acceptable limit hence the design load may be selected by applying a factor of safety of 1.50 over the ultimate load.

Vetted

Manoj Kumar Sahis
BE, ME(Geotechn... Chartered Engineer
Associate Professor
Department of Construction Engineering
Jadavpur University

JP GEO CONSULTANTS HOWRAH 711 109 98, ANDUL ROAD

FOR JP Geo Consultants

Jishnu Pal
B.Tech(Civil), M.E(Geo-tech)

PLATE LOAD TEST

Test No. : 1 **Location:** Gangtok

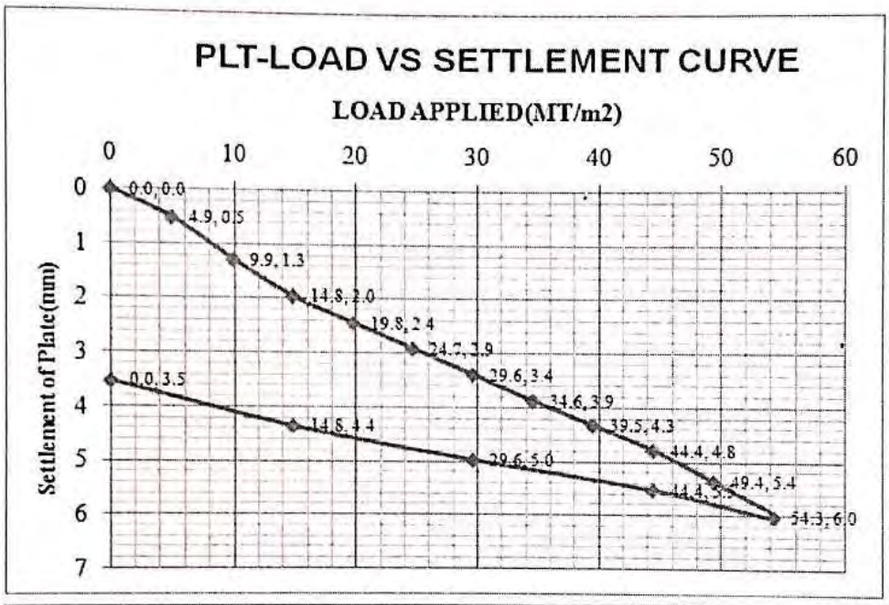
Soil Type: Yellowish brown decomposed micaschist

Dial Gauge Constant: 0.01mm

Plate Size: 450mm x 450mm

Standing Water Level: Nil **Ram diameter of jack:** 7cm

Date of Test: 22.09.2021



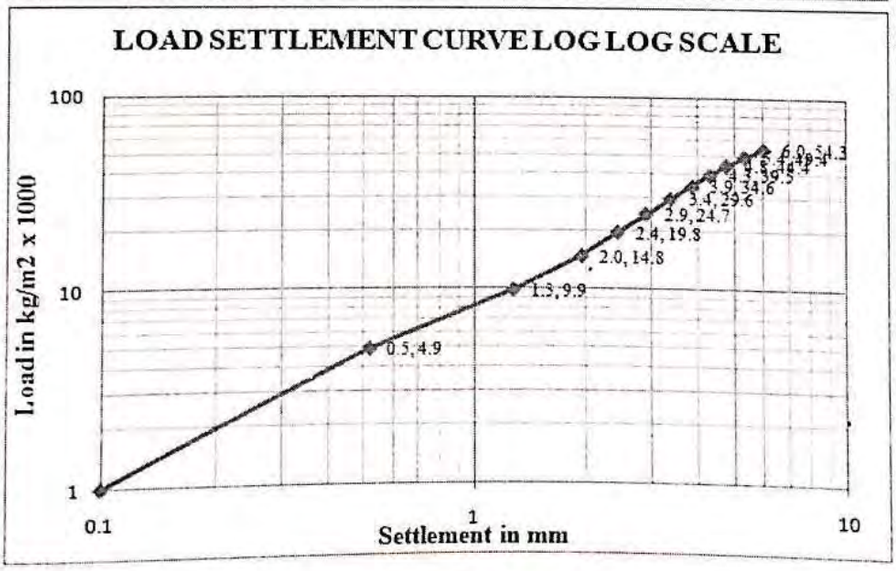


PLATE LOAD TEST

Test No. : 2 **Location:** Gangtok

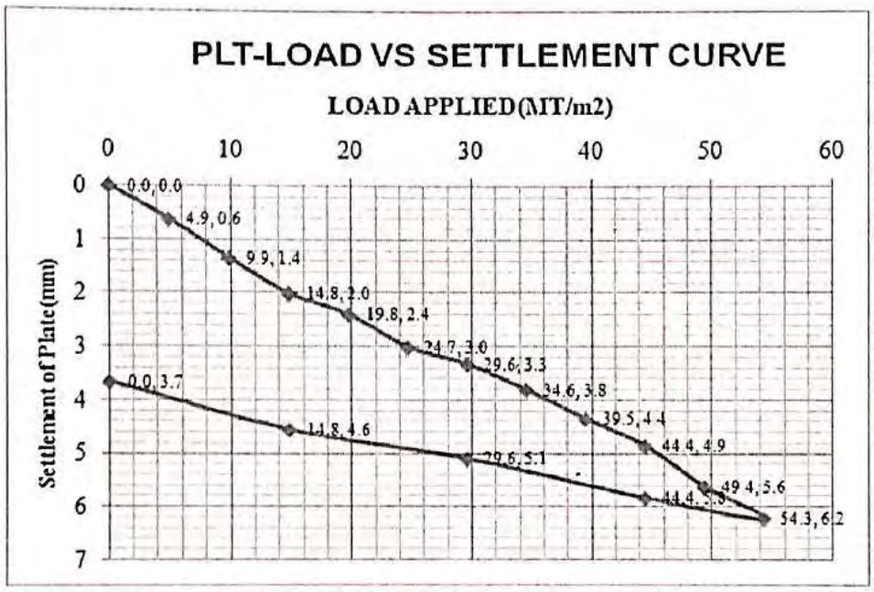
Soil Type: Yellowish brown decomposed micaschist

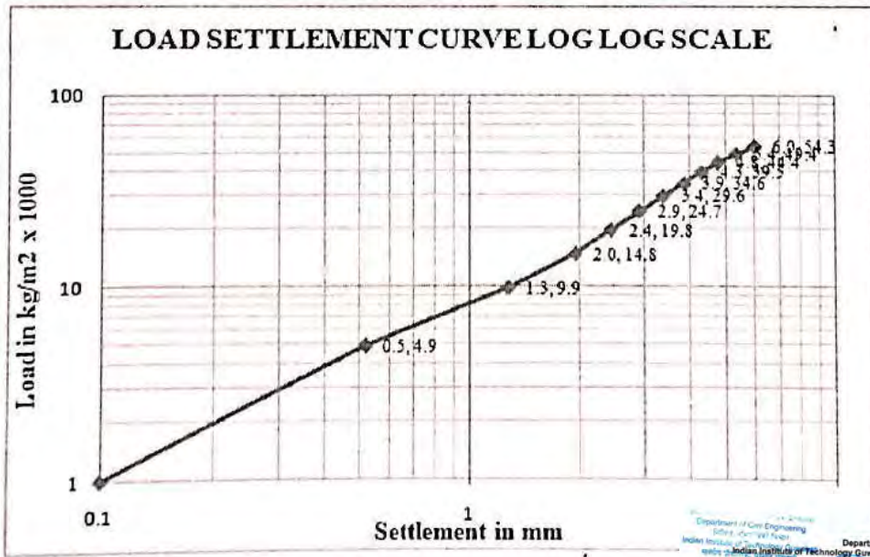
Dial Gauge Constant: 0.01mm

Plate Size: 450mm x 450mm

Standing Water Level: Nil **Ram diameter of jack:** 7cm

Date of Test: 24.09.21





Dr. Hrishikesh Sharma
Department of Civil Engineering
Indian Institute of Technology Guwahati, Guwahati-781 039
Email id: shrishi@iitg.ac.in
Ph No: +91-9435321894

PLATE LOAD TEST

Test No. : 3 **Location:** Gangtok

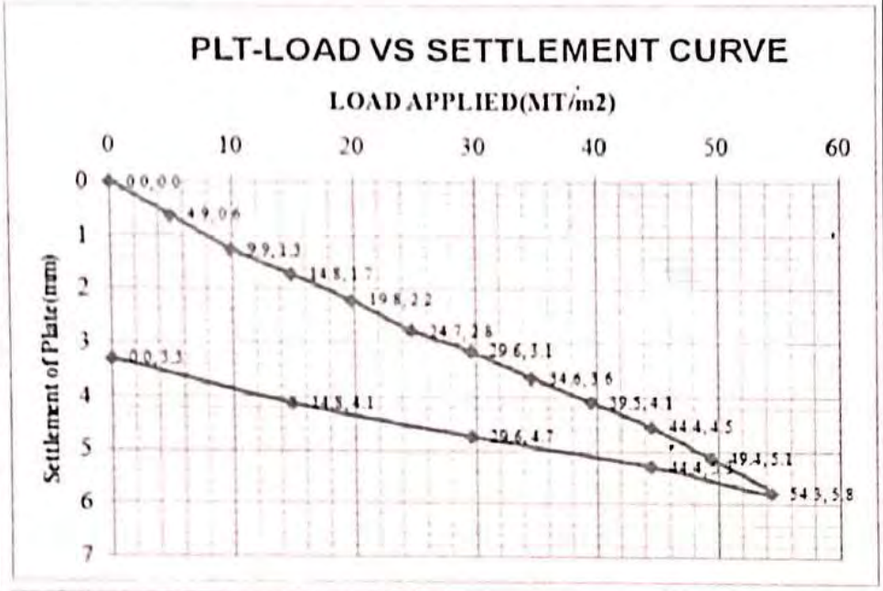
Soil Type: Yellowish brown decomposed micaschist

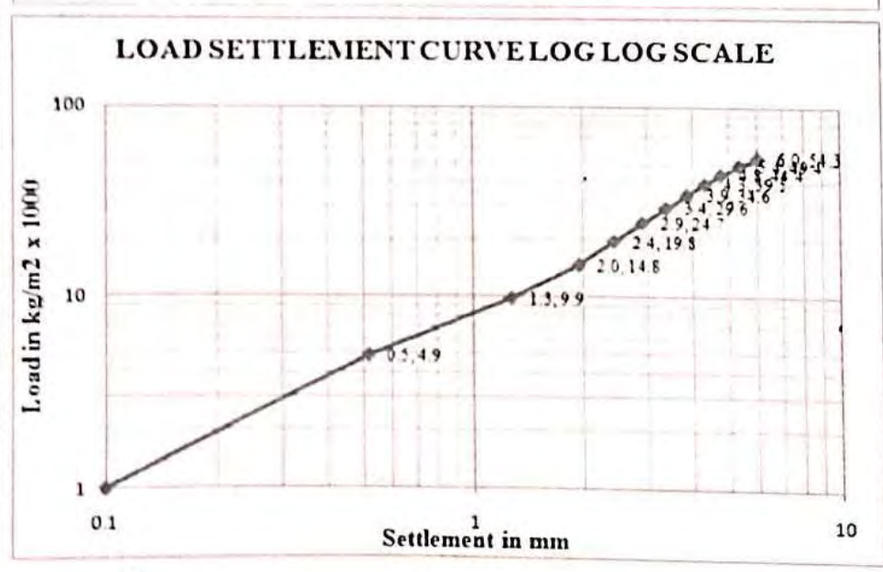
Dial Gauge Constant: 0.01mm

Plate Size: 450mm x 450mm

Standing Water Level: Nil **Ram diameter of jack:** 7cm

Date of Test: 26.09.2021





Dr. Hrishikesh Sharma
Department of Civil Engineering
Indian Institute of Technology Guwahati, Guwahati-781 039
Email id: hrishi@iitg.ac.in
Ph No: +91-9435321894

PLATE LOAD TEST

Test No. : 4 **Location:** Gangtok

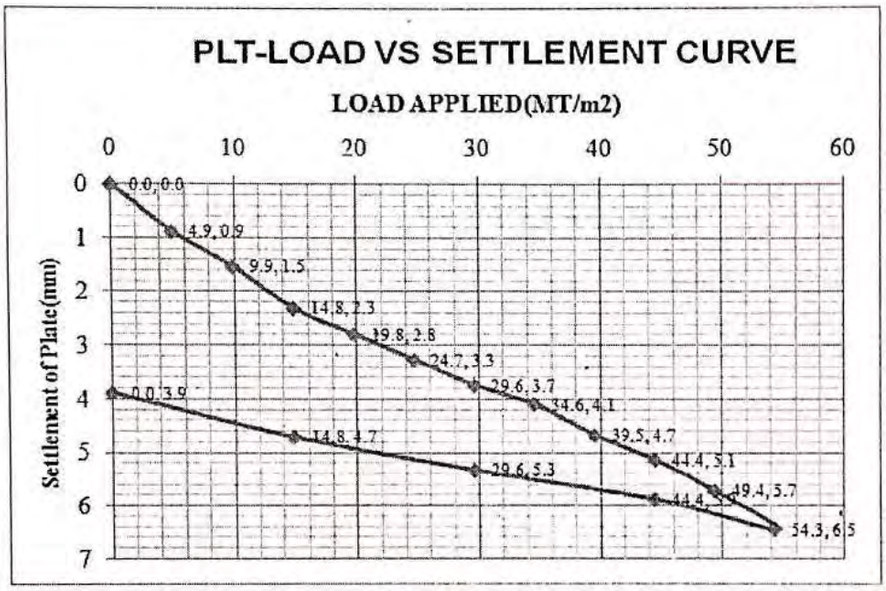
Soil Type: Yellowish brown decomposed micaschist

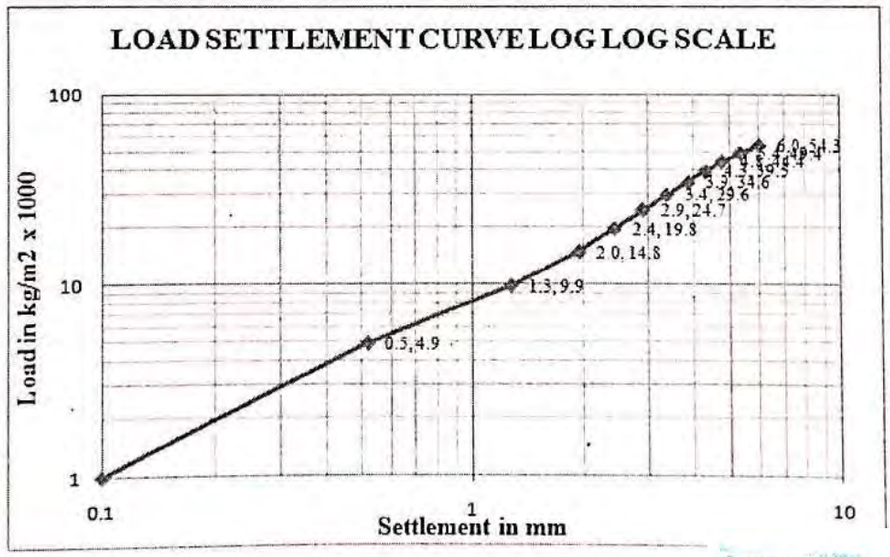
Dial Gauge Constant: 0.01mm

Plate Size: 450mm x 450mm

Standing Water Level: Nil **Ram diameter of jack:** 7cm

Date of Test: 28.09.2021





Dr. Rishikesh Sharma
Department of Civil Engineering
Indian Institute of Technology Guwahati, Guwahati-781 039
Email id: shrishi@iitg.ac.in
Ph No: +91-9435321894

REVISION	NO	DATE
ISSUED FOR		

PROJECT

CLIENT NAME

PROJECT MANAGEMENT CONSULTANT

TITLE

BORE HOLE LOCATION PLAN

CONSULTANT: ARCHITECTURE LANDSCAPE INTERIOR

salient

Ecostation BP - 7 8th Floor Sector V Salt Lake Kolkata - 700091 India
email.projects@salientdesignstudio.com Tel. 033-23670979 23679080 81
www.salientdesignstudio.com

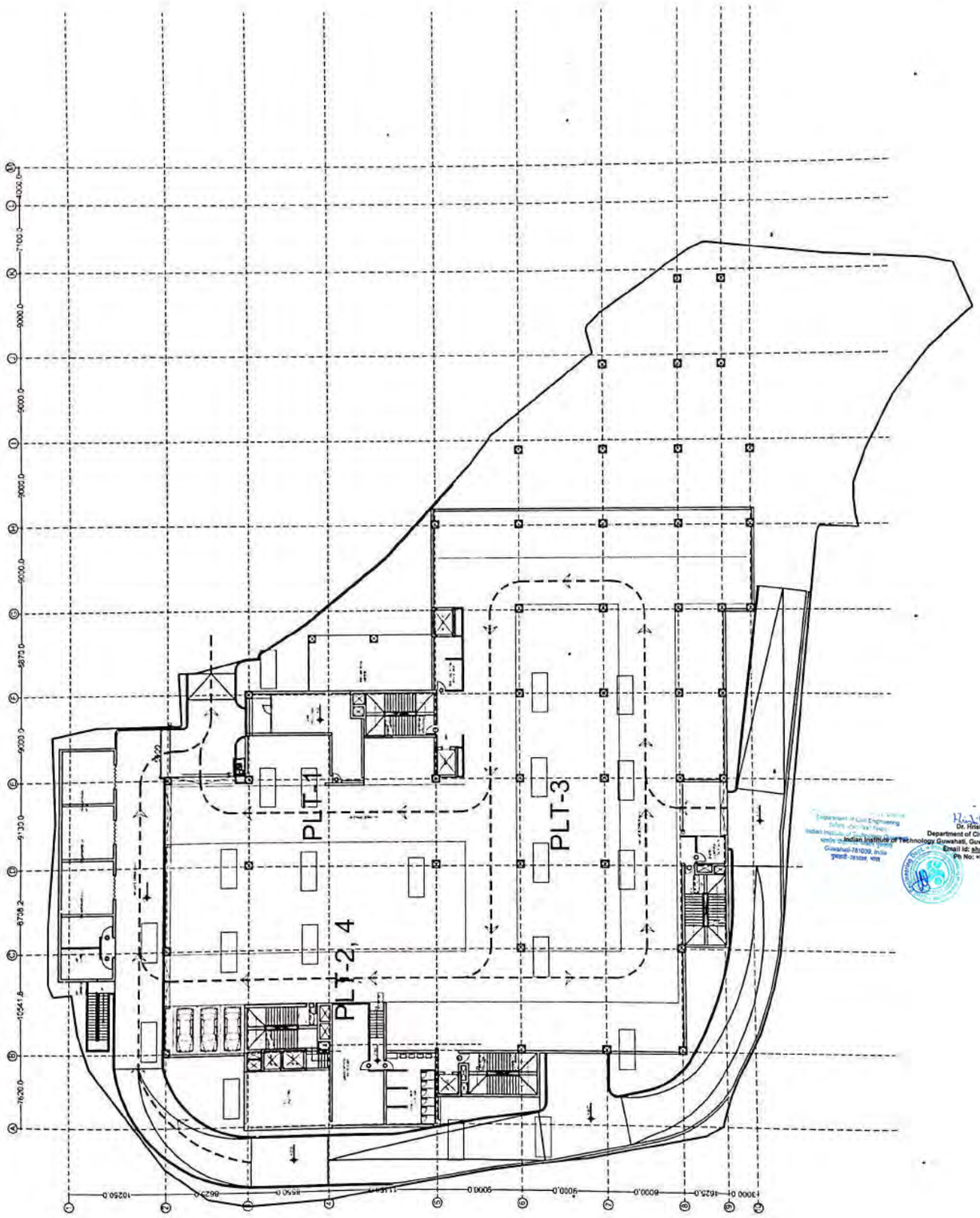
STRUCTURAL ENGINEERS

S.P.A.CONSULTANTS
34, RAM MOHAN DUTTA ROAD
CALCUTTA - 700020
PH. NO 2485-5448 9 2475 7614, TELE FAX
E-mail spa_cons@yahoo.co.in

DRAWN BY -	CHECKED BY -	DATE -	SCALE-
DLBASIS		16.11.2021	NTS

JOB NO -	2019	154	SALIENT	SPA	VILLA PLANNING

DRG NO - 2019 154 SALIENT SPA VILLA PLANNING-BHATIA



Dr. Hrishikesh Sharma
Department of Civil Engineering
Indian Institute of Technology Guwahati, Guwahati-781 039
Email id: ahrishi@iitg.ac.in
Ph No: +91-9435321894

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ANNEXURE R-13

যাদবপুর বিশ্ববিদ্যালয়

Faculty of Engineering & Technology
DEPT. OF CONSTRUCTION ENGINEERING

JADAVPUR UNIVERSITY
BLOCK - LB, PLOT - 8, SECTOR - III, SALT LAKE,
KOLKATA - 700 098, INDIA

Quotation

Ref : JU/CON/21-22/MKS/G/15 **Date :** 07.10.2021

To
MESASO Infrastructure Private Limited
3rd Floor, Vega Circle Mall, 3rd Mile
Sevoke Road, Siliguri, West Bengal - 734001

Ref. No: MIPL/SITE/01/2021-22 Dated: 04.10.2021

Sl. No.	*Description of Jobs*	*Unit*	*Qnt.*	*Rate*	*Amount*
1	Charges for Vetting of Plate Load test report for the site at Old West Point School, MG Marg, Gangtok, East Sikkim	Lumpsum			15000.00
				Total	15000.00
				CGST @ 9%	1350.00
				SGST @ 9%	1350.00
				Grand Total	**17700.00**

Rupees seventeen thousand seven hundred only

The payment should be made in advance by ECS / Demand Draft in favour of "Jadavpur University" payable at Kolkata.

GST No: 19AAAJJ0500E1ZU

(M. K. Sahis)

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ANNEXURE R-14

Ref. No. MIPL/HO/18/2021-22

Date: 21.09.2021

To,
The Principal Secretary
Mines & Geology Department,
Gangtok,
East Sikkim, Sikkim 737101

Sub.: Request letter for issue of Stability report for Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School, Near M.G. Marg, Gangtok, East Sikkim

Ref.: Appointment Letter vide Memo No. 197/GSCDL/2020-21; Dated 30/06/2021

Dear Sir,

With reference to the above subject matter, MESASO Infrastructure Private Limited is appointed as concessionaire for "Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School, Near M.G. Marg, Gangtok, East Sikkim".

We hereby request you to kindly issue a stability report.

Thanking You.

Yours Faithfully,

For, MESASO Infrastructure Private Limited

(Authorised Signatory)

MESASO Infrastructure Private Limited Siliguri

Mines & Geology Deptt. Govt. of Sikkim

Received on 06/12/21

-TRUE COPY-

mesaso

ANNEXURE R-15

Ref. No. MIPL/HO/23/2021-22

Date: 01.10.2021

To,
Chief Executive Officer,
Gangtok Smart City Development Limited,
Level 5, Kisan Bazaar, Lal Market Road,
Gangtok, East Sikkim - 737101

Sub.: Submission of Architectural Plans for Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School, Near M.G. Marg, Gangtok, East Sikkim.

Dear Sir,

With reference to above subject matter, we are submitting herewith the following plans & specifications in triplicate copy duly signed as per concession agreement between Gangtok Smart City Development Limited and MESASO Infrastructure Private Limited; Dated 29.06.2021 and in accordance with the building code of India:

1. Key plan
2. Site plan
3. Building plan
4. Structural plan
5. Geo technical report

Kindly do the needful.

Thanking You.

Yours Faithfully,

For, MESASO Infrastructure Private Limited

MESASO Infrastructure Private Limited

Director

Received

1/10/2021

Assistant Engineer
Gangtok Smart City Dev. Ltd.
Gangtok, East Sikkim

-TRUE COPY-

ANNEXURE R-16

Dr. H. Sharma
Associate Professor

Indian Institute of Technology, Guwahati,
North Guwahati, Guwahati-781 039, Assam, India.

Phone : +91-361-258- 3326
Fax : +91-361-258-2440
email : shrishi@iitg.ac.in

DEPT. OF CIVIL ENGINEERING

To,
MESASO Infrastructure Private Limited
3rd Floor, Vega Circle Mall,
3rd Mile Sevoke Road,
Siliguri-734001

Date: 04-10-2021

Sub:-Structural Vetting of design and drawing of Proposed 04 Level Parking + 10 Level Commercial Development at Old West Point School, Near M.G. Marg, Gangtok, East Sikkim

Dear Sir,

This is to certify that the above-mentioned Project the composite steel structure design with steel and concrete structure, drawing & design is being checked, and vetted by IIT Guwahati team, Department of Civil Engineering, as per relevant BIS Code and as per design it's found satisfactory for the execution of 04 Level Parking + 10 Level Composite Steel Structure. The Structure can withstand seismic load up to Richter scale 8 as per norms of IS 1893 – 2016.

with regards

Dr. Hrishikesh Sharma
Associate Professor
Department of Civil Engineering
Indian Institute of Technology, Guwahati, Guwahati-781 039, Assam, India
Email id: shrishi@iitg.ernet.in, Ph No: +91-9435321894

-TRUE COPY-

ANNEXURE R-17

Dr. H. Sharma
Assistant Professor

Indian Institute of Technology, Guwahati,
North Guwahati, Guwahati-781 039, Assam, India.

Phone : +91-361-258- 3326
Fax : +91-361-258-2440
email : shrishi@iitg.ac.in

DEPT. OF CIVIL ENGINEERING

Date: 26th May 2021

To,
Tirupati Plaza Pvt Ltd
Vega circle Mall
3rd Mile Sevoke Road
Siliguri west Bengal.
GST No. 19AACCT3538M1ZW

Subject: Quotation for Proof checking of design and drawings of Project titled, "Mixed use development - WESTPOINT" located at Gangtok.

Dear Director
The charges for the work are as follows:-

Sr. No.	Nature of Work	Consultancy Fee	GST (18%)	Total Amount
1	Proof checking of design and drawings of Project titled, "Mixed use development - WESTPOINT located at Gangtok".	Rs. 8,75,000	Rs. 1,57,500	Rs. 10,32,500

i) IIT Guwahati is exempt from income tax under Section 10 (23 C) and 194J of the Income Tax Act 1961. No Income Tax deduction has to be made and the amount is required to be paid in full. ii) A/c Name: llT Guwahati ll&Sl Consultancy A/c No.: 8652101030326, Bank: Canara Bank, llT Guwahati Branch Guwahati-781039, IFSC: CNR80008652 MICR Code: 78'1015008, Swifl Code: CNRBINBBGUD iii) GSTIN: 18AAAJI0130P1Z8, PAN : AAAJI0130P iv) **The total amount has to be paid in full in IIT Guwahati account before the start of the work.**

With regards

Dr. Hrishikesh Sharma
Assistant Professor, Department of Civil Engineering
Indian Institute of Technology, Guwahati, Guwahati-781 039, Assam, India
Email id: shrishi@iitg.ac.in, Ph No: +91-9435321894

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ANNEXURE R-18
(Colly)

Dr. H. Sharma
Assistant Professor

Indian Institute of Technology,

Guwahati,

North Guwahati, Guwahati-781 039,
Assam, India.

Phone : +91-361-258- 3326
Fax : +91-361-258-2440
email : shrishi@iitg.ac.in

DEPT. OF CIVIL ENGINEERING

Date: 7th September 2021

To,
Shri Kumar Manish
V.P.-Project
West Point
Gangtok

Dear Shri Kumar Manish

In response to the discussions held for association for the upcoming Project Integrated Commercial Cum MLCP Complex at GANGTOK, SIKKIM, we are happy to accept the offer and give our consent for the same for the prestigious project.

The proposal includes the a) Team from IIT Guwahati b) topics covered, c) the scope of the work, d) consultancy charges and, e) rules and regulations as per IIT Guwahati norms.

The project is of National importance and our dedicated technical expertise with utmost diligence and care will be provided for the project.

With regard

Dr. Hrishikesh Sharma
Assistant Professor, Department of Civil Engineering
Indian Institute of Technology, Guwahati, Guwahati-781 039, Assam, India
Email id: shrishi@iitg.ac.in, Ph No: +91-9435321894

Proposal for Association for providing Technical Expertise on construction of

Upcoming Project Integrated Commercial Cum MLCP Complex at GANGTOK, SIKKIM

Dear **Shri Kumar Manish, V.P.-Project, West Point, Gangtok,** I, **Dr. Hrishikesh Sharma**, Structural Engg expert, Department of Civil Engineering, express Interest for providing technical support for the prestigious project of construction of **Integrated Commercial Cum MLCP Complex at GANGTOK, SIKKIM for the entire duration of project.**

The detailed scope of the work and Consultancy charges are mentioned below.

1) Technical expertise on the Structural Components including design, fabrication and installation aspects.
2) Technical expertise on the Geotechnical Components and aspects including the feasibility and implementation aspects.
3) Concrete design for to Sustain Design Life – Detailed RECOMMENDATIONS
4) Soil Stabilizing measures that has greater longevity
5) Special treatment for water logging, structural protection and/or similar that are deemed fit for the survival and performance of the Whole system. - Recommendations only
6) Specified Testing requirements and TPQA measures for the field implementation – Detailed Testing and Evaluation
7) Detailed technical recommendations on different aspects of project during the entire duration of project including regular site visits.

C) CONSULTANCY CHARGES

Sl No	Nature of Work	Amount (Rs) including IIT Guwahati OH Charges (30% on Total)	Taxes GST (18%)	Total Amount (Rs)
1	Technical expertise on the Structural Components including design, fabrication and installation aspects.	**15,00,000**		
2	Technical expertise on the Geotechnical Components and aspects including the feasibility and implementation aspects.			
3	Concrete design for to Sustain Design Life – Detailed RECOMMENDATIONS			
4	Specified Testing requirements and TPQA measures for the field implementation			
5	Soil Stabilizing measures that has greater longevity			
6	Special treatment for water logging, structural protection and/or similar that are deemed fit for the survival and performance of the Whole system. - Recommendations only			
7	Specified Testing requirements and TPQA measures for the field implementation – Detailed Testing and Evaluation			
8	Detailed technical recommendations on different aspects of project during the entire duration of project including regular site visits.			
	Total		**2,70,000**	**17,70,000**
9	**Regular site visit as per the progress of work during the entire duration of project is required. The costs including travel expenses persons, boarding, lodging cost and arranging necessary permissions as per the on-going CoVID19 protocol has to be arranged by Office of V.P.-Project, West Point, Gangtok**	Arranged by Office of **Office of V.P.-Project, West Point, Gangtok** **(Separate from the Consultancy Charges as detailed in SL No 1-8 Above)**		

Note: IIT Guwahati is exempt from income tax under Section 10 (23 C) and 194J of the Income Tax Act 1961. No Income Tax deduction has to be made and the amount is required to be paid in two equal installments. ii) A/c Name: IIT Guwahati II&SI Consultancy A/c No.: 8652101030326, Bank: Canara Bank, llT Guwahati Branch Guwahati-781039, IFSC: CNR80008652 MICR Code: 78'1015008, Swift Code: CNRBINBBGUD iii) GSTIN: 18AAAJI0130P1Z8, PAN : AAAJI0130P iv) An advance amount of 50% has to be paid to IIT Guwahati account b3fore the start of the work

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Ref. No.-MIPL/SITE/WO/01/2021-22 **Date: 14.09.2021**

To,
Dr. Hrishikesh Sharma
Associate Professor
Department of Civil Engineering
Indian Institute of Technology
Guwahati – 781039, Assam, India

Department of Civil Engineering
सिविल अभियांत्रिकी विभाग
Indian Institute of Technology Guwahati
भारतीय प्रौद्योगिकी संस्थान गुवाहाटी
Guwahati-781039, India
गुवाहाटी-781039, भारत

Dr. Hrishikesh Sharma
Department of Civil Engineering
Indian Institute of Technology Guwahati, Guwahati-781 039
Email id: shrishi@iitg.ac.in
Ph No: +91-9435321894

(Kind Attention: Dr. Hrishikesh Sharma)

Subject: Consultancy for "Vetting of Design and Third-Party Quality Assurance of Integrated Commercial cum MLCP Complex at Old West Point School, Near M.G. Marg, Gangtok, Sikkim".

Reference: 1. Your offer dated 7th September, 2021

Dear Sir,

With reference to the proposal submitted by you on behalf of IIT Guwahati and subsequent references mentioned above, we are pleased to award the Consultancy works of "Vetting of Design and Third-Party Quality Assurance of Integrated Commercial cum MLCP Complex at Old West Point School, Near M.G.Marg, Gangtok, Sikkim" subject to following terms & conditions:

1. Scope of work: Vetting of Design and Third-Party Quality Assurance of Integrated Commercial cum MLCP Complex at Old West Point School, Near M.G.Marg, Gangtok, Sikkim".

The detailed scope of the work and Consultancy charges are mentioned below:

a. Technical expertise on the Structural Components including design, fabrication and installation aspects, vetting of design.
b. Technical expertise on the Geotechnical Components and aspects including the feasibility and implementation aspects.
c. Concrete design for to Sustain Design Life – Detailed Recommendations.
d. Soil Stabilizing measures that has greater longevity.
e. Special treatment for water logging, structural protection and/or similar that are deemed fit for the survival and

mesaso

performance of the Whole system recommendation.

f. Specified testing requirements and TPQA measures for the field implementation detailed testing and evaluation.
g. Detailed technical recommendations on different aspects of project during the entire duration of project including regular site visits.

2. Time Frame: From September.2021 to March,2026

3. Submission of the Reports/Deliverables: The key deliverables for the project are:

i. Vetted Drawings, Designs.
ii. Quality Assurance /Inspection Reports.

4. Consultancy Fee: Rs.15,00,000/- (Rupees Fifteen Lacs only) including Institute Administrative & Overhead Charges and GST 18% extra.

5. Schedule of Payment:

i) The schedule of payment shall be as under:

i) The initial advance of 10% of the Consultancy charge shall be released after acknowledgement and acceptance of the award letter along with its terms and conditions.

ii) Balance 90% of the total project cost shall be released during execution of the Project on quarterly or pro-rata basis of financial progress of the Project only after submission of quarterly report.

It is requested that a duplicate of this Work Order duly stamped signed and accepted.

Thanking You.

For Mesaso Infrastructure Pvt. Ltd.

Vice President Project

MESASO Infrastructure Private Limited * Siliguri

Department of Civil Engineering
Indian Institute of Technology Guwahati
Guwahati-781039, India

Dr. Hrishikesh Sharma
Department of Civil Engineering
Indian Institute of Technology Guwahati, Guwahati-781 039
Email id: shrishi@iitg.ac.in
Ph No: +91-9435321894

Dr. H. Sharma
Associate Professor

Indian Institute of Technology, Guwahati,
North Guwahati, Guwahati-781 039, Assam, India.

Phone : +91-361-258- 3326
Fax : +91-361-258-2440
email : shrishi@iitg.ac.in

DEPT. OF CIVIL ENGINEERING

Date: 15th September 2021

To,
Shri Kumar Manish
V.P.-Project, West Point, Gangtok, Sikkim

Subject: Consultancy for "Vetting of Design and Third-Party Quality Assurance of Integrated Commercial Cum MLCP Complex at Old West Point School, Near M.G. Marg, GANGTOK, SIKKIM."– Acceptance of the Work Order

Ref: Work Order dated MIPL/SITE/WO/01/2021-22 dated 14.09.2021

Dear Shri Kumar Manish, V.P.-Project, West Point, Gangtok

Pursuant to your request to associate with your organization Vetting of Design and Third-Party Quality Assurance of Integrated Commercial Cum MLCP Complex at Old West Point School, Near M.G. Marg, GANGTOK, SIKKIM, I do hereby give my consent for association.

I also hereby accept the assignment for Vetting of Design and Third-Party Quality Assurance of Integrated Commercial Cum MLCP Complex at Old West Point School, Near M.G. Marg, GANGTOK, SIKKIM as per **Work Order dated MIPL/SITE/WO/01/2021-22 dated 14.09.2021.**

As a mark of acceptance your letter duly signed is also attached along.

Kindly let me know in case you need additional information.

with regards

Dr. Hrishikesh Sharma
Associate Professor
Department of Civil Engineering
Indian Institute of Technology, Guwahati, Guwahati-781 039, Assam, India
Email id: shrishi@iitg.ernet.in, Ph No: +91-9435321894

-TRUE COPY-

ANNEXURE R-19

GANGTOK SMART CITY
DEVELOPMENT LTD

(1)

Gangtok Smart City Development Limited,
Level 5 Kissan Bazar, Gangtok,
Sikkim – 737101
E Mail – gangtoksmartcity@gmail.com
CIN – U9309090WB2017SGC223807

Memo No: 608/GSCDL/2021

Dated: 04/10/2021

To

The Additional Chief Town Planner,
Gangtok Municipal Corporation,
Gangtok, East Sikkim.

Subject: Submission of one set of architectural & structural drawing pertaining to the work 'Multilevel-Level Car Parking cum Commerical Development at old West Point School near MG Marg, Gangtok, East Sikkim'.

Sir,

I am forwarding herewith one set of architectural & structural drawing pertaining to the work 'Multilevel-Level Car Parking cum Commercial Development at old West Point School near MG Marg, Gangtok, East Sikkim' for accord of approval from Gangtok Municipal Corporation.

04/10/21

Thanking you

Yours faithfully

Chief Executive Officer
Gangtok Smart City Dev. Ltd.

Chief Executive Officer
Gangtok Smart City Development. Ltd.
Kishan Bazar, Gangtok-7[illegible]
Sikkim.

Enclosure: as above

ATP-I

for need but pl.

04/10/21

UDC

Pls open a new file

04/10/2021

-TRUE COPY-

mesaso

ANNEXURE R-20

Ref. No. MIPL/08/2021-22

Date: 01.11.2021

To,
Chief Executive Officer
Gangtok Smart City Development Limited,
Level 5, Kisan Bazaar, Lal Market Road,
Gangtok, East Sikkim - 737101

Sub.: Detail Project Report (DPR) for "Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School Area on Design, Build, Finance, Operate and Transfer (DBFOT) basis"

Ref.: Concession Agreement, Dated 29.06.2021

Sir,

With reference to above subject matter, as per the Article 4 "Conditions Precedent" of the Concession Agreement dated 29.06.2021 we hereby enclosed Detail Project Report (DPR) along with annexures for your record.

Thanking You.

Yours Faithfully,

For, MESASO Infrastructure Private Limited

MESASO Infrastructure Private Limited

Chief Financial Officer

Chief Financial Officer

Encl.: Detail Project Report along with annexures

-TRUE COPY-

ANNEXURE R-21

GEOTECHNICAL INVESTIGATION REPORT

FOR

PROPOSED MULTISTORIED BUILDING

AT

GANGTOK, SIKKIM

JOB ENTRUSTED BY

M/S MESASO INFRASTRUCTURES PRIVATE LIMITED

OLD WEST POINT SCHOOL, M.G.MARG
GANGTOK, EAST SIKKIM

JOB CONDUCTED BY

JP GEO CONSULTANTS
AN ISO 9001:2015 CERTIFIED ORGANISATION

JP Geo Consultants

REG. OFFICE- 66, ANDUL ROAD, HOWRAH – 711 109
CORPORATE OFFICE & LABORATORY
AC–73, PRAFULLA KANON, KESTOPUR, KOLKATA – 101
EMAIL: jpgeoconsultants@gmail.com, Mob: 9830813308

GEOTECHNICAL INVESTIGATION REPORT

FOR

PROPOSED MULTISTORIED BUILDING

AT

GANGTOK, SIKKIM

JOB ENTRUSTED BY

M/S MESASO INFRASTRUCTURES PRIVATE LIMITED
OLD WEST POINT SCHOOL, M.G.MARG
GANGTOK, EAST SIKKIM

Vetted

Manoj Kumar Sa
Associate Professor
Department of Construction Engineering
Jadavpur University

JOB CONDUCTED BY

JP GEO CONSULTANTS
AN ISO 9001:2015 CERTIFIED ORGANISATION

Department of Civil Engineering
Indian Institute of Technology Guwahati
Guwahati-781039, India

Dr. Hrishikesh Sharma
Department of Civil Engineering
Indian Institute of Technology Guwahati, Guwahati-781 039
Email id: shrishi@iitg.ac.in
Ph No: +91-9435321894

JP Geo Consultants

REG. OFFICE- 66, ANDUL ROAD, HOWRAH – 711 109
CORPORATE OFFICE & LABORATORY
AC–73, PRAFULLA KANON, KESTOPUR, KOLKATA – 101
EMAIL: jpgeoconsultants@gmail.com, Mob: 9830813308

PREFACE

A detailed geotechnical investigation including laboratory testing was carried out for the **proposed Multi-Storied Building at Gangtok, Sikkim.** The objective of this investigation was to evaluate the soil parameters for design of foundation for proposed structure with particular reference to safe bearing capacity and anticipated settlement.

The Geo-technical investigation work was awarded **M/s Mesaso Infrastructures Private Limited, Old West Point School, M.G.Marg, Gangtok, East Sikkim.** The investigation work for this project was started on **7th November 2021** and completed on **10th December 2021.**

The report has been prepared after careful study of all data collected during fieldwork and laboratory testing and it deals with geotechnical properties of the sub-soil. **Section – I** of this report covers the fieldwork while **Section – II** contains the results of all the laboratory test and discussions thereon. **Section – III** deals with the engineering appraisal and recommendations.

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SECTION-I

SECTION – 1

1.0 INTRODUCTION

M/s Mesaso Infrastructures Private Limited, Old West Point School, M.G. Marg, Gangtok, East Sikkim, entrusted the soil investigation work for the **proposed Multi-Storied Building at Gangtok, Sikkim**. At the onset of the work, thirty three (33) nos. of boreholes have been envisaged.

2.0 AIMS AND OBJECTIVES

The aim of the present study was to bring out the stratiography, strength characteristics of the sub-strata at the site, by conducting bore holes studies including in situ tests and laboratory investigations the findings were to be applied for realistic selection.

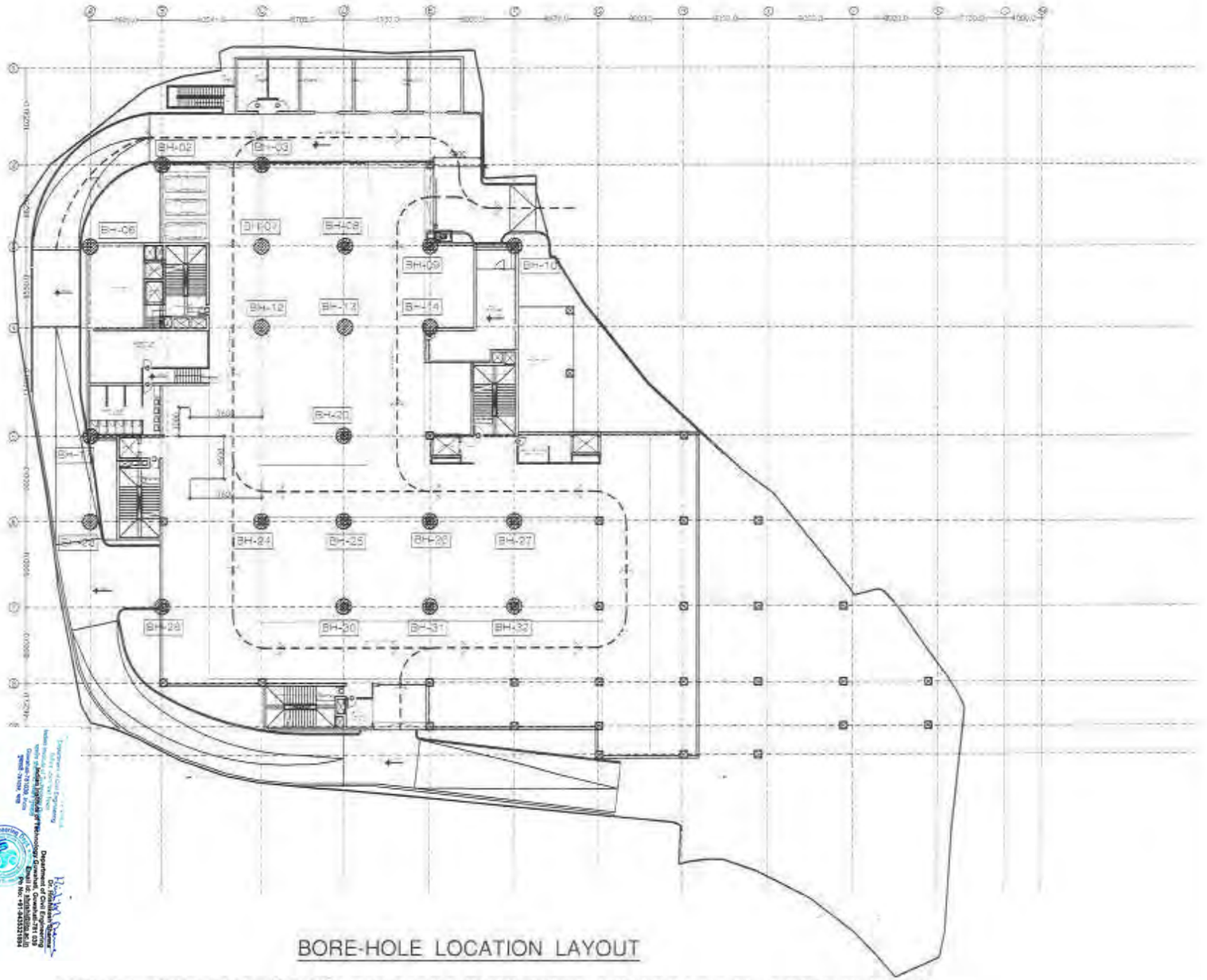
3.0 INVESTIGATION SCHEME AND LOCATION OF TESTS

The scheme of investigation was formulated by the Clients, which involved sinking of thirty three (33) Nos. of boreholes with the an average depth of 12.00m depth respectively from existing ground level, collection of undisturbed samples from cohesive deposit, carrying out standard penetration tests within the borehole, performing necessary laboratory tests on selected soil samples and submission of a report.

4.0 FIELD EXPLORATION

At the proposed project site, thirty three (33) Nos. of boreholes were sunk. Locations were finalized by client/consultants. The field operations consisted of boring, field test, and collection of disturbed and undisturbed samples, identification, labeling and preservations of the samples collected. The soil samples were collected by pushing a sampling tube in the bore hole at suitable intervals and depth and then taken out. The samples so recovered and collected in plastic bags, sealed, marked and taken for laboratory analysis. The boring operation has been done in two stages (Shell and Rotary Drilling).

Sketch showing location of boreholes is given in the following page



BORE-HOLE LOCATION LAYOUT

FOR ALL BORE HOLES DRILLING TO BE DONE UPTO MINIMUM 3.0 M. INTO THE ROCK

REVISION	NO	DATE
ISSUED FOR		

PROJECT
MLCP
AT OLD WEST POINT SCHOOL

CLIENT
NAME
GANGTOK SMART CITY DEVELOPMENT LIMITED

PROJECT MANAGEMENT CONSULTANT
M/S. Grant Thornton LLP

TITLE
BORE HOLE LOCATION PLAN

CONSULTANT: ARCHITECTURE LANDSCAPE AND INTERIOR

salient

STRUCTURAL CONSULTANTS
S.P.A.CONSULTANTS
34, RAJENDRA DUTTA ROAD
KOLKATA - 700026
PH. NO. (033) 2448 9475 / 7614 FAX

DRAWN BY –	CHECKED BY –	DATE	SCALE –
DP/BASIS		16/12/2021	N.T.S.

JOB NO. 2019 | 134 | SALIENT | SPA | DRG NO. 2019-134-SALIENT-SPA-

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4.1 BORING

The boring was done by a combination of Shell & Rotary Drilling at lower depths. Flush jointed steel casing tubes were used to prevent side collapse of boreholes in Shell method of boring. No casing was provided in the Rotary wash borings since stabilization of hole was made by circulation of bentonite mud. The depth of casings at various stages of sampling, borehole depths, depth of collection of undisturbed soil samples (UDS), description of soil, 'N' values during SPT at various depths and the depth at which ground water was encountered at different locations are shown in the respective borehole logs in Appendix-I of this report.

4.2 SAMPLING

Disturbed samples were taken at suitable intervals of depth and at changes of strata in order to physical examination of the nature of all the representative strata. These were collected from the auger and the barrel of the split spoon sampler after the standard penetration tests. The depth wise locations of the entire disturbed and standard penetration test samples have been given in the bore log data sheets, enclosed with this report.

4.2.1 COLLECTION OF UN-DISTURBED SAMPLES

Un-disturbed samples were collected as per specifications given in IS: 1892-1979. After recovery of the samples, the sample tubes were properly sealed at both ends by wax, marked and sent for laboratory testing.

4.3 IN-SITU TEST

a) Standard Penetration Test:

Standard penetration tests (SPT) were carried out in soil strata inside boreholes to determine consistency and strength characteristics of the subsoil in accordance with IS: 2131. The number of blows (N-value) required to drive the standard split spoon sampler of 50mm diameter for a penetration of last 30cm when driven with a 63.5kg monkey falling freely from a height of 750mm is given in the borehole logs at corresponding depths (Appendix-I).

SECTION-II

SECTION – II

5.0 LABORATORY TESTS

All laboratory tests have been done by through NABL Accreditary laboratory of **M/s SoilTech Consultants, 106/E, South S.K.Puri, Patna, Bihar, India**. The results and graphs are attached herewith.

6.0 GROUND CONDITION

On the basis of findings in the field, onsite identification & examination of samples the subsoil deposits of this site have been subdivided into **three (03) different strata for the site**. Following table gives a brief description about the subsoil conditions and subsoil parameters at site obtained at site.

Stratum & Thickness (m)	Description of Soil	Average Field N value	Liquid Limit (%)	Plastic Limit (%)	Y_b KN/m^3	Shear Parameters		(m_v) m^2/kN×10^{-4} Range(kPa)		
						C (kPa)	Φ^0	25-50	50-100	100-200
I 0 to 15.00	Medium dense greyish brown to brown micaceous silty sand	32	NP	NP	19.5*	-	34*	E = 35MPa, μ = 0.38		
II 0.00 to 9.00	Dense to very dense greyish brown to brown micaceous silty sand	51	NP	NP	20.0*	-	35*	E = 80MPa, μ = 0.35		
III >3.00	Highly weathered highly fractured whitish grey micaschist	>100	Core Recovery (%) 0 to 56	RQD (%) 0	22	-	Rock Strength (MPa) qc = 4.01	E = 120 MPa, μ = 0.3		

* Suggested Value

Generalized Soil Profile With Design Parameters

SECTION-III

SECTION – III

7.0 ENGINEERING APPRAISAL & RECOMMENDATIONS

The proposed structure for the sites will be Multi-storeyed Building. It is expected to have a load of around **210 to 225 kPa.** It is known from client/consultants that the proposed structure will have a partial UGR along the foot print of the building and in the remaining portion the basement will continue. As per structural requirement the depth of the UGR is expected to be at a depth of 4.50m below EGL and the the basement will be placed at a depth of 4.50m below EGL. The borehole location plan attached shows the region of UGR in thick line.

Boreholes are sunk at the site at individual column locations at close intervals to identify any variation in the subsoil conditions. During the period of field work the entire site was excavated upto a level of 1.00m below EGL and all the boring activity have been carried out from this level. Hence 0.00m marked in the borelogs refer to -1.00m from the EGL.

Now as per the borehole data it was observed that there was no major variation in the subsoil conditions. Individual bore-logs and cross sections may be referred to identify the stratum. The subsoil condition mainly comprised medium dense micaceous silty sand (Stratum-I) followed by dense to very dense micaceous silty sand (Stratum-II) and finally the rocky strata (Stratum-III).

Safe carrying capacities of raft foundations placed at a depth of 4.50m below Finished Ground level is given below in the following table. The calculations have been computed considering the average subsoil condition of the site.

Footing Size (m^2)		Depth of foundation below FGL (m)	Settlement(mm) corresponding to following imposed pressure (kPa)					
Width	Length		125 kPa	150	175	200	210	225
57.00	67.00	4.50	33	40	46	53	55	59

Based upon the above table it can be understood that as per IS 1904, the overall settlement of the raft foundation under an applied load of 210 to 225 kPa is well within the acceptable limit of 75mm. The subsoil encountered at site is non plastic and sandy in nature, hence it can be understood that the settlement occurring at site will be of immediate type i.e. during the period of construction and no long term settlement is predicted.

It may be noted that the stress relief for excavation of basement may be considered as **90 kPa** for excavation of 4.50m. Hence it can be understood that upto a pressure of **90** kPa there will be theoretically no settlement. **It shall be noted that there shall be minimum disturbance to the founding level due to excavation process or due to ingress of seepage water to use the additional stress relief with theoretically no settlement.**

9.0 GENERAL RECOMMENDATIONS

a) All foundation design should be carried out as per latest BIS code of practice.

b) Backfilling should be done with excavated earth in layers with proper compaction and addition of water, as required.

c) The surface of the excavated area should not be left exposed and immediate mud mat must be carried out.

d) Special care needs to be taken during excavation for foundations so that the founding stratum does not get disturbed by excavation process and especially by ground/seepage water.

e) The foundation bed should be properly shaped, levelled and properly compacted before laying the mud mat and the mud mat should also be compacted.

Vetted

Manoj Kumar Sahis
BE, ME(Geotechnical Engineering), MICE, MIE, MIGS, Chartered Engineer
Associate Professor
Department of Construction Engineering
Jadavpur University

FOR JP Geo Consultants

JP GEO CONSULTANTS 86, AMOLI ROAD HOWRAH 711 109

Jishnu Pal
B.Tech(Civil), M.E(Geo-tech)

Dr. Hrishikesh Sharma
Department of Civil Engineering
Indian Institute of Technology Guwahati, Guwahati-781 039
Email id: shrishi@iitg.ac.in
Ph No: +91-9435321694

ANNEXURE R-22

যাদবপুর বিশ্ববিদ্যালয়

Faculty of Engineering & Technology
DEPT. OF CONSTRUCTION ENGINEERING

JADAVPUR UNIVERSITY
BLOCK - LB, PLOT - 8, SECTOR - III, SALT LAKE,
KOLKATA - 700 098, INDIA

Quotation

Ref : JU/CON/21-22/MKS/G/26 **Date :** 27.12.2021

To
MESASO Infrastructure Private Limited
3rd Floor, Vega Circle Mall, 3rd Mile
Sevoke Road, Siliguri, West Bengal - 734001

Ref. No: MIPL/SITE/05/2021-22 Dated: 24.12.2021

Sl. No.	*Description of Jobs*	*Unit*	*Qnt.*	*Rate*	*Amount*
1	Charges for Vetting of Soil Investigation report for the site at Old West Point School, MG Marg, Gangtok, East Sikkim	Lumpsum			30000.00
				Total	30000.00
				CGST @ 9%	2700.00
				SGST @ 9%	2700.00
				Grand Total	**35400.00**

Rupees thirty five thousand four hundred only

The payment should be made in advance by ECS / Demand Draft in favour of "Jadavpur University" payable at Kolkata.

GST No: 19AAAJJ0500E1ZU

(M. K. Sahis)

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mesaso

ANNEXURE R-23

Ref. No. MIPL/10/2021-22

Date: 27.12.2021

To,
Chief Executive Officer
Gangtok Smart City Development Limited,
Level 5, Kisan Bazaar, Lal Market Road,
Gangtok, East Sikkim - 737101

Sub.: Detailed Environmental Impact Assessment and Geo Technical Studies for "Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School Area on Design, Build, Finance, Operate and Transfer (DBFOT) basis"

Ref.: Concession Agreement, Dated 29.06.2021

Sir,

With reference to above subject matter, as per the Article 12 "Obligations of The Concessionaire" of the Concession Agreement dated 29.06.2021 we hereby enclosed following documents for your record:

1. Environmental Impact Assessment Report
2. Geotechnical Investigation Report (Soil Test Report)
3. Geotechnical Investigation Report (Plate Load Test Report)
4. Structural Vetting Certificate from Indian Institution of Technology, Guwahati

Thanking You.

Yours Faithfully,

For, MESASO Infrastructure Private Limited

MESASO Infrastructure Private Limited

Chief Financial Officer

Chief Financial Officer

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ANNEXURE R-24

DEPARTMENT OF MINES & GEOLOGY
GOVERNMENT OF SIKKIM

***Ref.No*:F.1/62 (3)DM&G/21-22/478** **Date:** 29/12/21
Challan No:33300/Sl. No:138545

Site Stability Report

Reference: - Applicant's Letter. Dated:29.12.2021

1. **(i) Name of Applicant-** M/S Mesaso Infrastructure Pvt. Ltd. (Authorized vide Memo no. 197/GSCDL/2021-22 dated 30.06.2021).

   (ii) Name of Land owner- Secretary, UD & HD, Government of Sikkim.

2. **Location of Site-** Old West point school Complex, Gangtok, East Sikkim

3. **Location (with reference to prominent Structure within area and physical features with appropriate distance & direction)-** 10 meters SW of the Police Headquarter at Gangtok, East Sikkim land bearing plot no.683/P,715,716 under Gangtok Revenue Block, East Sikkim.

4. **Bounded by-** East: Road Leading to Primula lodge.
   West: Footpath
   North: Footpath
   South: Footpath

5. **Physical features**

a) Slope- Gentle.

b) Drainage system – No erosion potential Jhora present nearby plot.

c) Status of structure in the vicinity – No adverse situation presents at the time of inspection.

6. **Geological setup**

a) Type & condition of Lithology – The area comprises of medium grade metamorphic rock sequence represented in the area by mica schist with and without quartz veins overlain by medium thick to thin soil cover.

b) Fractures / Faults / Weathering- Surfacial weathering.

c) Overburden – Medium thick to thin soil cover.

d) Dip of bed rock – Favourably oriented.

e) Ground water activities – Low surface/sub-surface water regime.

f) Nature of contact zone of rock & overburden materials – Undulating surface with high frictional resistance is expected.

g) Other geo-features – No any other adverse geological features were observed at the time of inspection.

7. **Conclusion** – Falls within Zone one (1) of areal Stability Zonation Mapping System adopted by department of Mines & Geology.

8. Recommendation – The foundation of the structures should be footed at considerable depth with uniform condition, also consult a competent structural engineer for appropriate foundation design of the structures including earthquake resilience.

Further,

1. The proposed area falls under zone one (1) as per the parameters notified by the department of Mines and Geology vide Gazette no.86 dated 06th April 2021. However as Sikkim lies over young fold mountains, seismic zone IV and with fragile geological condition micro seismic studies in the area and load impact assessment of the surrounding areas, to be carried out prior to construction of multi-storied structures and provide suitable mitigation measures, if required, to avoid future complications.

Joint Director(Geology)
Mines & Geology Department
Government of Sikkim,
Gangtok

-TRUE COPY-

Senior Geologist
Deptt of Mines & Geology
Govt of Sikkim
Gangtok

ANNEXURE R-25

1 PROPOSED MIXED USE DEVELOPMENT BUILDING 4 LEVEL PARKING + 10LEVEL COMMERCIAL DEVELOPMENT AT OLD WEST POINT SCHOOL, NEAR M.G. MARG, GANGTOK, EAST SIKKIM

EXECUTIVE SUMMARY-STRUCTURAL DESIGN

Architects

SALIENT

Kolkata

Structural Consultants

SPA Consultants
Kolkata

Date: 26TH January, 2022

SANJIV J. PAREKH
M.E.(STRUCT.), M.E.(CONST. ENG.),
B.C.E., FIE-(F-018202-4)
E. S. E. No. 104 (I) K. M. C.

CONTENTS

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M.E.(STRUCT.), M.E.(CONST. ENG.),
B.C.E., FIE-(F-018202-4)
E. S. E. No. 104 (I) K. M. C.

1. PROJECT BRIEF

Project	:	STRUCTURAL DESIGN OF PROPOSED MIXED USE DEVELOPMENT BUILDING 4 LEVEL PARKING +10LEVEL COMMERCIAL DEVELOPMENT AT OLD WEST POINT SCHOOL, NEAR M.G. MARG, GANGTOK, EAST SIKKIM
Architect	:	SALIENT
Structural Consultants	:	M/S. S.P.A.CONSULTANTS,

1.1. Description of the Site

The general topography of the plot is almost flat and partly hilly. The lower four parking shall be constructed as per natural contour of the site so that minimum excavation could be required.

1.2. Executive Summary:

The proposed commercial building of 4 level of parking +10 level commercial stories. Parking floor level from 1- 4 are mainly used for car parking and mechanical car parking. The commercial floor level 1 onwards up to 3rd floor level is used for anchor shops, retails shop, atrium café and plaza. The 4th level floor is consist of auditorium, restaurant, food court, staff area, lobby, and toilet. The 5th level floor is mainly used for auditorium, bowling alley, and food zones. The 6th level and 7th level floors are used for alfresco dinning, plaza café, speciality restaurant and spa. The level 8,9,10 are mainly used for hotel rooms' suites. The terrace is mainly used for sunset terrace, infinity swimming pool.

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It has been envisaged to construct a composite steel building with RSJ/built up sections and decking sheet because of the following reasons:

a) The building is being constructed in the mountains and is situated in high seismic zone IV

b) It has been designed as composite structure, part concrete and rest steel for better performance and stability against the seismic forces.

c) The weight of the building has been kept light by doing a steel structure, as it is in a high seismic zone area.

d) Major part of the structure can be fabricated in the factory in the plains and can be transported to the site ready to erect. This would involve very less labour and low volume of material needs to be transported to the site hence less pollution.

e) The foundation proposed is raft foundation. The soil has highly weathered mica schist rock below having a bearing capacity of about 35t/sqm as per the soil test report and the load coming on the soil is approximately 21t/sqm.

Hence this shall not affect the adjoining structures in any way.

2.13 DESIGN CRITERIA FOR SUPER STRUCTURE

The composite structural system has been adopted which consists of steel columns encased with concrete, steel beams and rcc slab over decking sheet. .

The beam and column locations and configurations adopted are suitable to accommodate functional and architectural requirements.

The Structural design of the proposed project is based on Indian Standard Codes, and is analyzed for Dead, Live, Wind, Seismic and Temperature Load conditions taking into account relevant load combinations recommended by the codes.

The Vertical Loads including the dead and super imposed loads are transferred to the soil through columns, raft foundation. The Lateral loads due to seismic forces are dissipated to soil through the proposed Reinforced Concrete columns.

In the process of evolving the building system (structural) many options were looked into taking into consideration aspects of economy, ease and speed of construction as well as simplicity in design and aesthetic appearance, keeping in

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mind the environmental impact, and safety of neighboring buildings and structures.

2.14 DESIGN CRITERIA FOR FOUNDATION

i) Raft Foundations has been considered based upon the Geo technical investigation report prepared by M/S Geo Informatic Consultancy & Services, Tadong, Gangtok and further the Plate Loat test and soil test done by J.P. Geo Consultants of Kolkata, all the samples have been tested in NABL approved laboratory, which has been further vetted by Jadavpur University, Kolkata. Jadavpur university is a premier institute of India. This will dissipate all the vertical and horizontal loads safely to the soil/rock below. The type of foundations proposed is raft foundation as the available bearing capacity is more around 35t/sqm.

ii) About 4.5 meter of over burden soil was removed to reach the foundation level of bottom of raft therefore a relief of pressure on the foundation rock was actually 21Ton/sqm – 4.5X 2.0 Ton/sqm= 12 Ton/sqm, Whereas bearing capacity of rock is much higher as indicated by SPT and plate Load test conducted at various level during soil testing.

iii) As per IS Code 1892-1979 Claus 2.3.1 the boring of the soil requires 7-8 Nos of boreholes but in this project we have done as a measure of taking abundant precaution for the safety of structure number of bore holes spread all over the site at close intervals. It is by far very dense probing of sub surface condition usually done in any project be it building, dams, steel plant etc. It only conforms that the Structural Engineer took extreme caution in designing a safe foundation for a proposed structure.

2.15 PROPOSED APPROACH TO STRUCTURAL ANALYSIS:

The buildings are predominantly composite steel framed structures. The structure is designed as a special moment resisting frame (SMRF) as per IS-1893-2016. The lateral force resisting system is diaphragm and the steel / concrete column system. . Slabs shall have decking sheet and rcc on the top. A computer model of the

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structural frame of the building was generated for carrying out analysis for the effects of vertical and lateral load that are likely to be imposed on the structure. The building structure is analysed using the ETABS and SAFE software for the following computer models of the building.

Space frame analysis (Static and dynamic) of the entire structure - for dead, live, seismic and wind loads.

Dynamic analysis with lumped mass at roof level has been performed considering the swimming pool at the top. The structure has been designed considering the affect of the lumped mass at the terrace level. As per IS-1893-2016.

ETABS has been thoroughly tested, validated and recognized internationally by several organizations and is well suited for the analysis of building systems.

Geometrical dimensions, member properties and member-node connectivity, including eccentricities have been modelled in the analysis. Variation in material grades, if present, has also been considered.

The seismic loads have been derived from the results of Equivalent Static analysis and Dynamic analysis of the structure in accordance with the code IS 1893 (part 1): 2016 and relevant code of practice. Design of the composite members shall be done by the relevant IS codes.

The permissible values of the load factors and stresses have been utilized within the purview of the Indian Standards.

The following checks have been done to comply with the requirements of the relevant codes IS-1893-2016,IS-13920-2016, IS-456-2000, IS-875(Part 3),IS-800-2007 with reference to ASTM codes for structural steel.

1) Torsion irregularity: table 5 of IS-1893-2016
2) Drift and deflection: Clause 7.11 of IS-1893-2016
3) Mass Participation: table 6-vii of IS-1893-2016
4) Time period: Clause 7.6 of IS-1893-2016
5) Eccentricities: Clause 7.8.2 of IS-1893-2016
6) Soft storey: Clause 7.10 of IS-1893-2016
7)

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All the calculations, etabs and safe file along with the drawings have been vetted and approved by, structural Engineering Department of IIT Guwahati. IIT Guwahati is one of the premier engineering colleges in India, recognised nationally and internationally. They have immense experience of working in the hilly terrains of Arunachal Pradesh, Upper Assam, Sikkim, which are all falling in high seismic zones, some of the areas fall in Zone V, whereas our project is in Zone IV.

2. FIRE PROTECTION

The steel structure for the slab shall be protected for fire, for up to 2hr fire resistance by vermiculite spray/ intumescent paint and the columns are protected by encasing with concrete.

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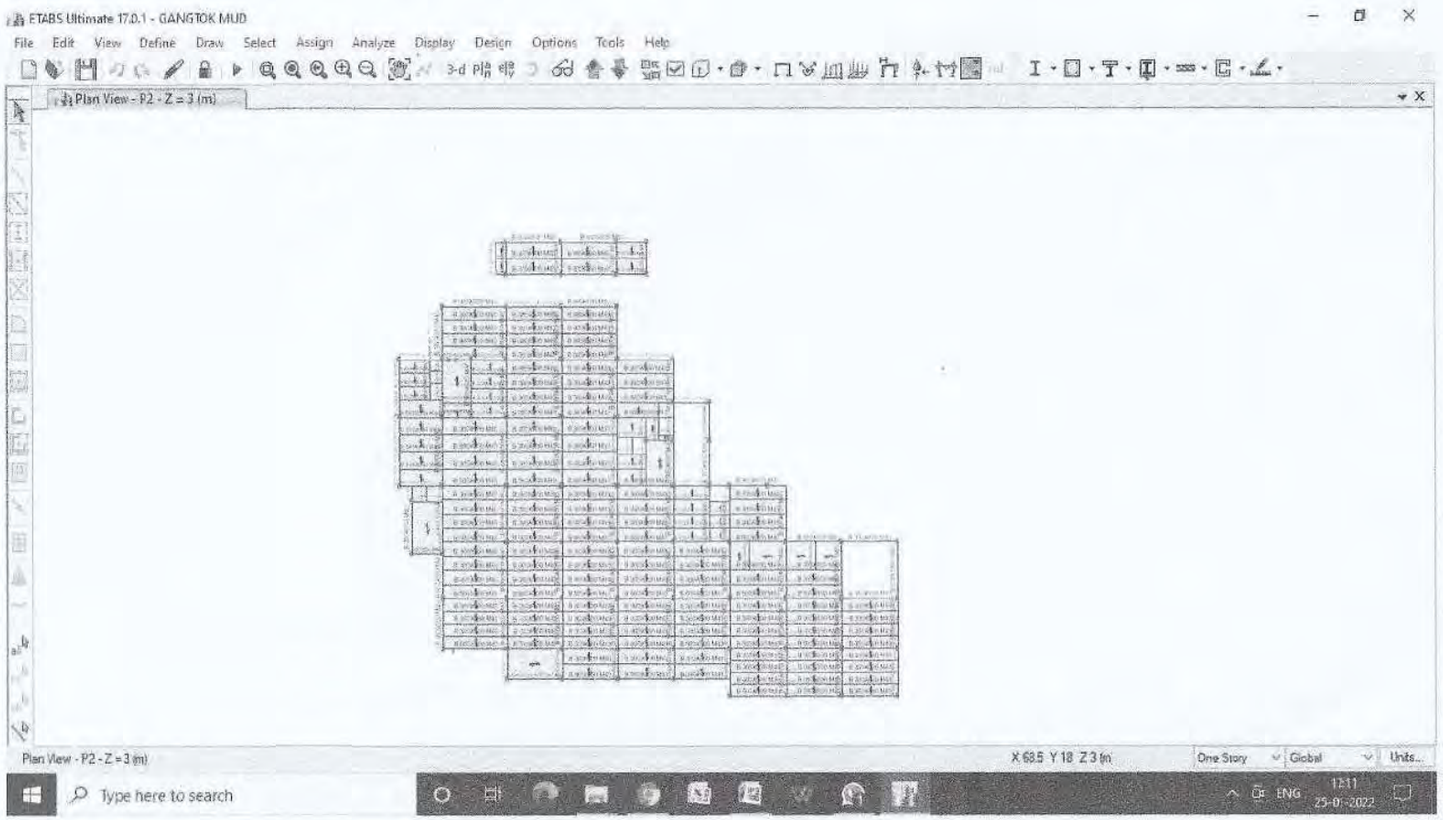

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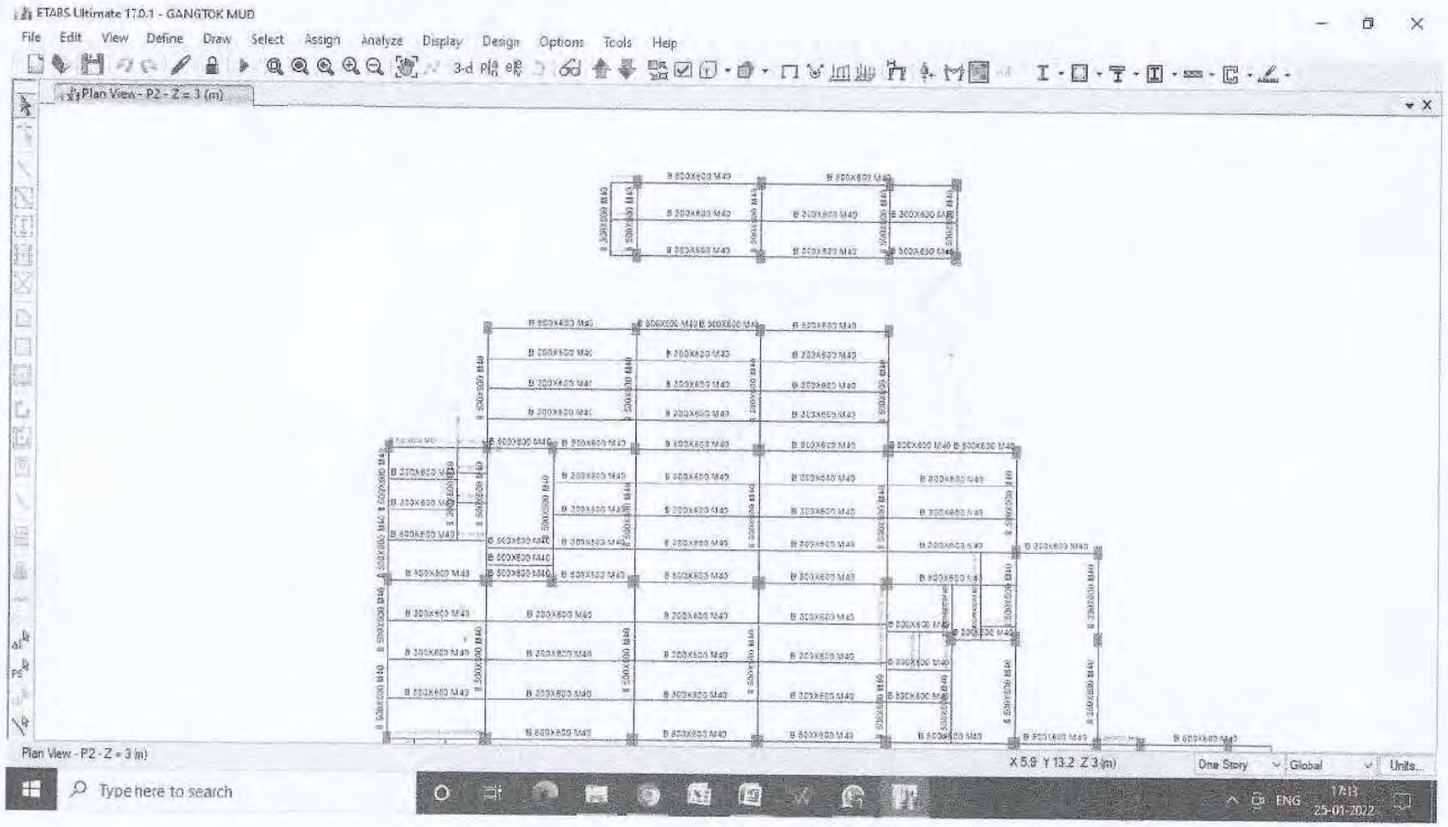

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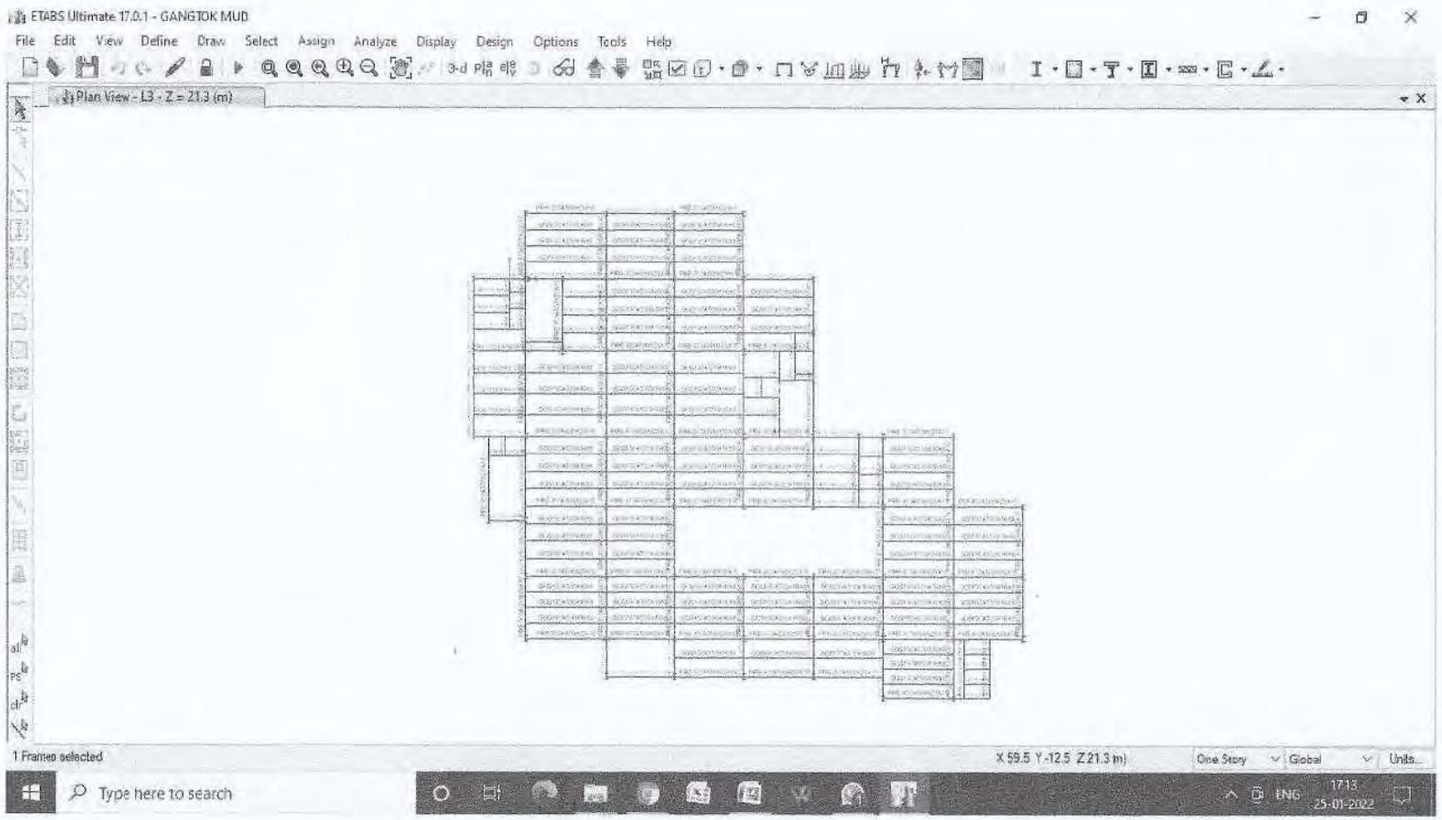

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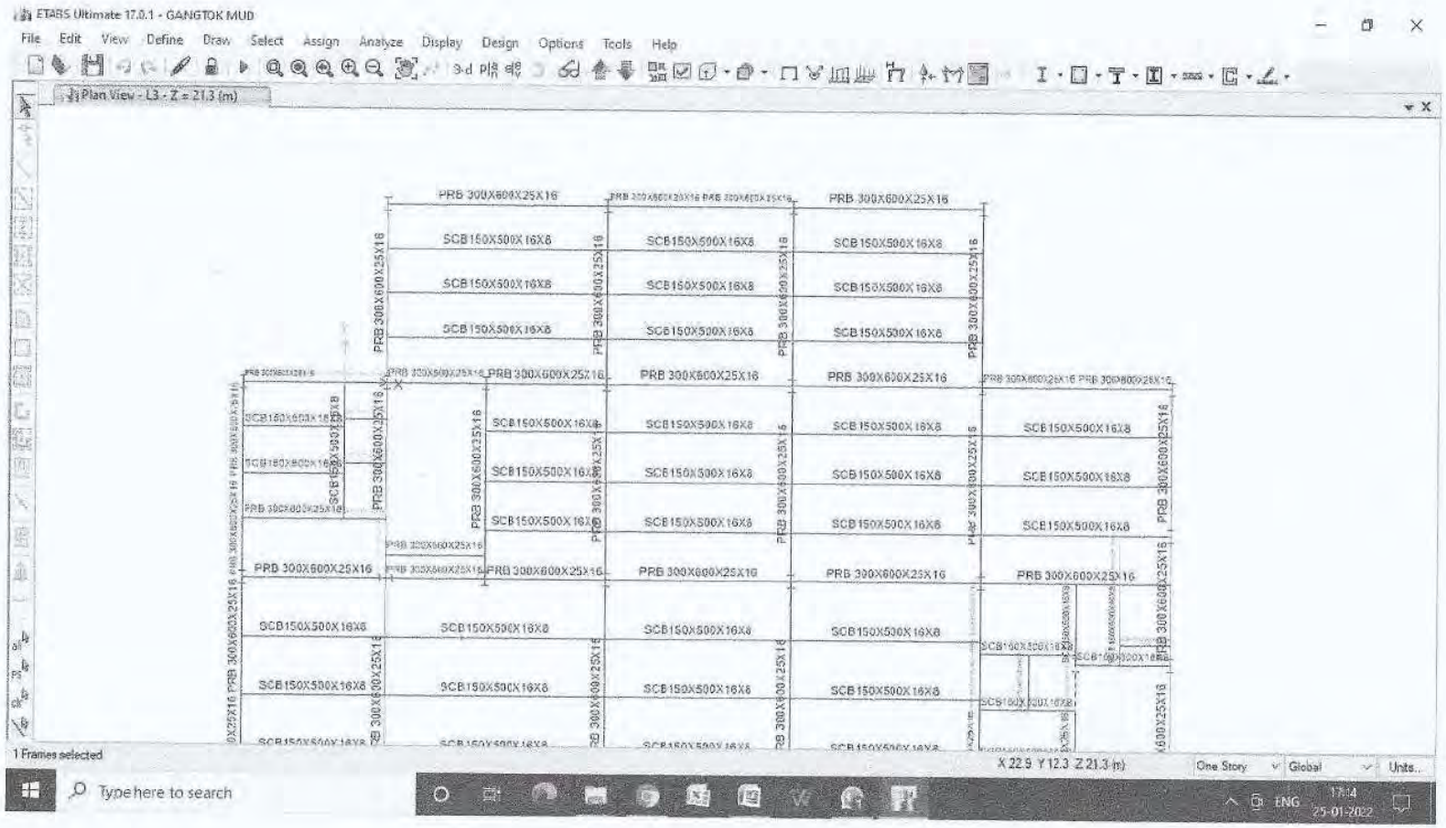

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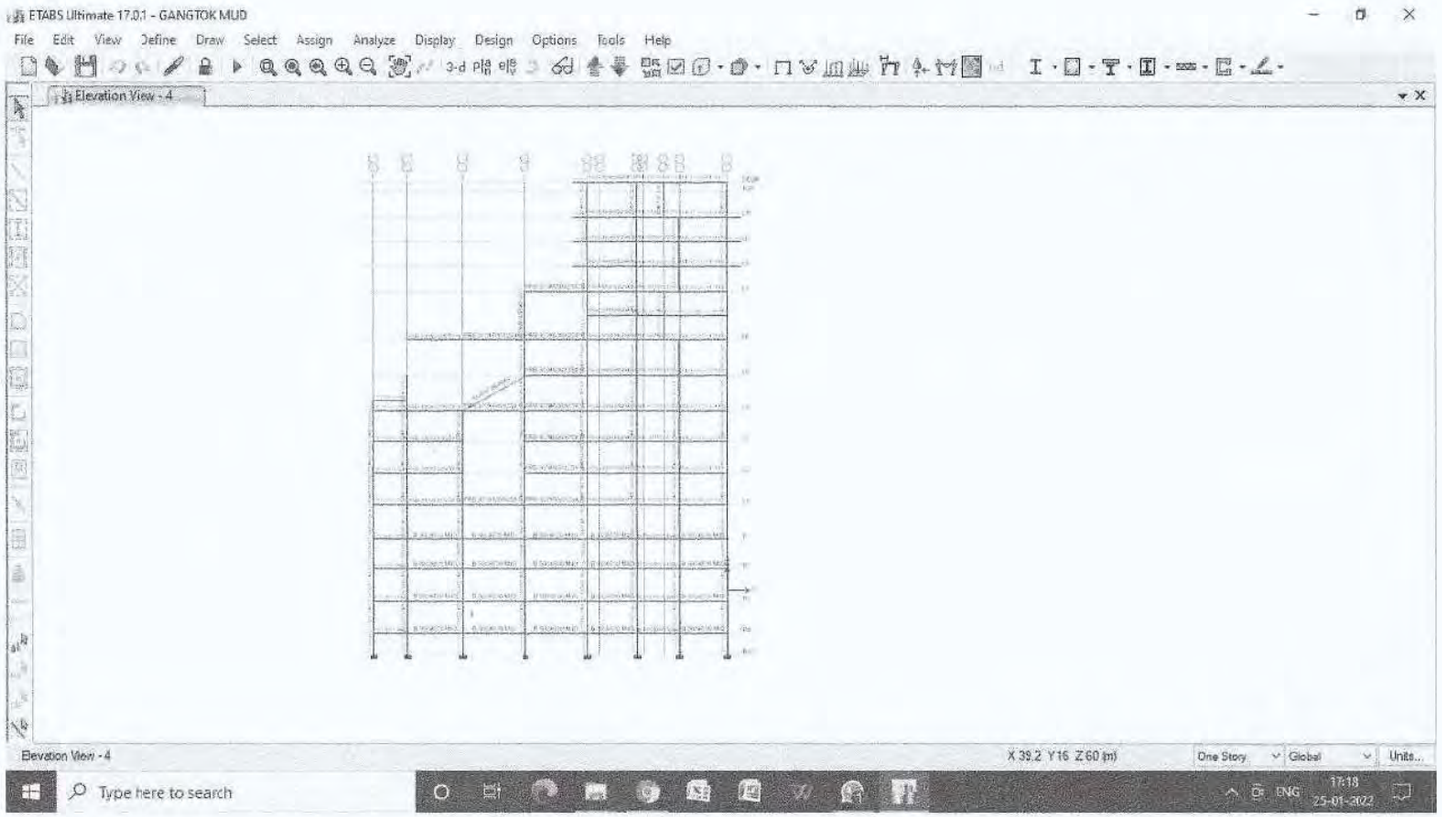

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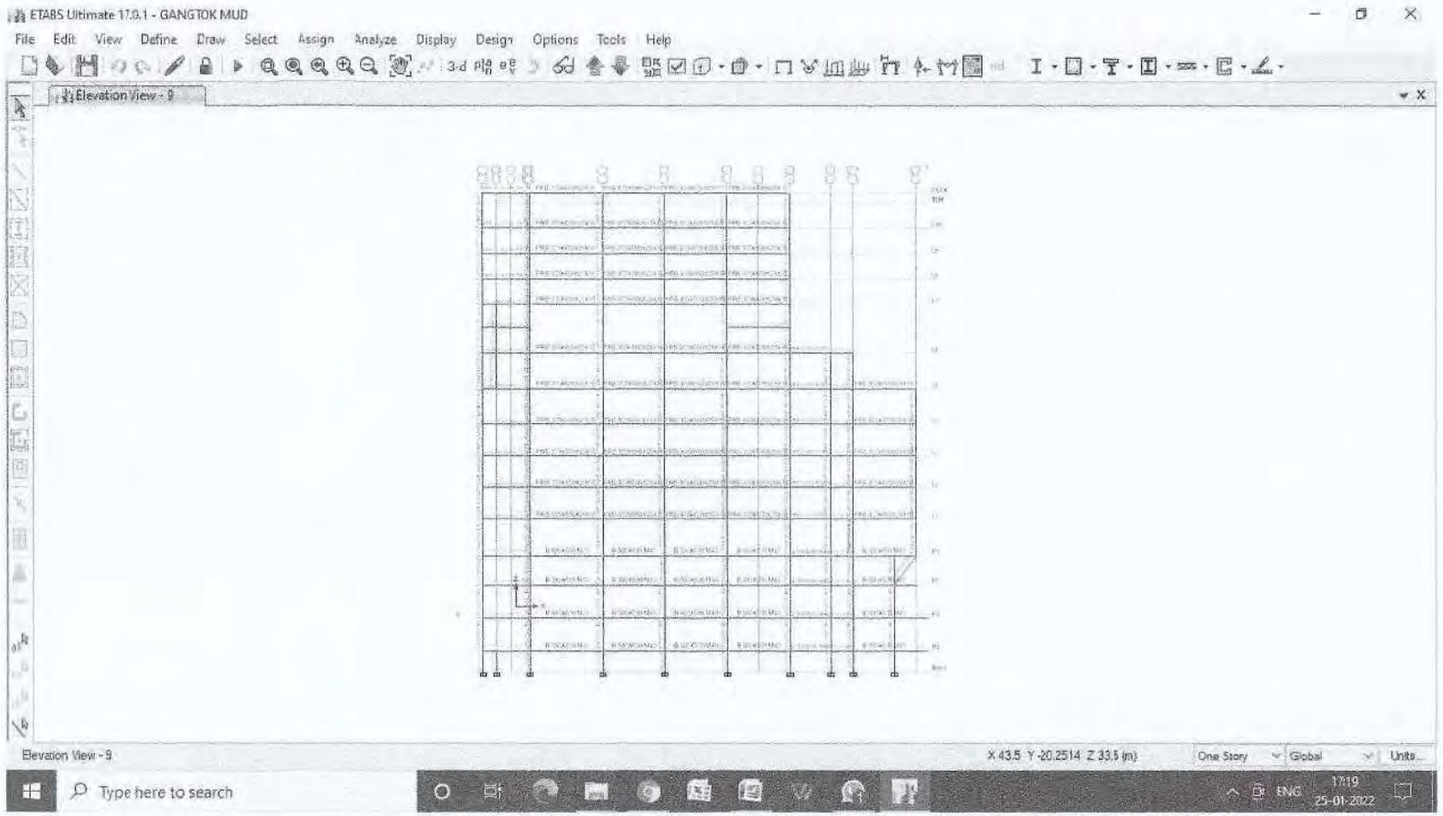

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E. S. E. No. 104 (I) K. M. C.

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যাদবপুর বিশ্ববিদ্যালয়

Faculty of Engineering & Technology
DEPT. OF CONSTRUCTION ENGINEERING

JADAVPUR UNIVERSITY
BLOCK - LB, PLOT - 8, SECTOR - III, SALT LAKE,
KOLKATA - 700 098, INDIA

ANNEXURE R-26

TO WHOM IT MAY CONCERN

This is to certify that the Proposed Multi Level Car Parking cum Commercial Development at Old West Point School, Near M.G. Marg, Gangtok, East Sikkim is designed as per the relevant IS Code 1893 2016, IS-13920-2016, IS-800-2007, IS-875, IS-456-2000 and designed load on foundation is 21Ton/sqm. As Mica schist rock has been encountered below the foundation level, then there shall be no load impact in the surrounding area of the project site. The Soil Bearing Capacity is estimated as 46.5 Ton/sqm. (As per IS Code:6403-1981) and load of the proposed structure is less than 50% of the Soil Bearing Capacity that's why the Load Impact assessment of the surrounding area is not required.

Thanking you

Dipesh Majumdar

Dr. Dipesh Majumdar

Department of Construction Engineering

Jadavpur University

Dr. Dipesh Majumdar
Assistant Professor
Department of Construction Engineering
Jadavpur University

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ANNEXURE R-27

Fax No. : 03592 206836
Phone No.: 03592 206192

DEPARTMENT OF MINES & GEOLOGY
GOVERNMENT OF SIKKIM
GANGTOK.

Ref No: 766/DM4/21-22 *Date:* 17/2/22

To,

The Mesaso Infrastructure Private Ltd.,
3rd floor, Vega Circle Mall,
3rd Mile, Sevoke Road, Siliguri,
West Bengal.

Sub: Reply to the letter no. MIPL/SITE/09/2021-22 dated 15.02.2022.

Sir,

This is in reference to the letter No. MIPL/SITE/09/2021-22 dated 15.02.2022, regarding the site stability report issued by Department of Mines and Geology of the land situated at Old West Point School Complex vide reference No. 1/62(3) DM&G/21-22/478 dated 29. 12.2021, where it was recommended to do "the load impact assessment of the surrounding areas" before the construction of multistoried structure.

The applicant has submitted the certificate provided by Jadavpur university, (Ref. No. nil, dated. Nil) which state that the load of the proposed structure is 21T/M^2 which is less than the soil bearing capacity in the area. Hence, they recommended that the load of the structure is confined within the construction area. Therefore, the suggestions in the site Stability report on above matter is not required.

Yours Faithfully,

Senior Geologist
Deptt. of Mines & Geology
Government of Sikkim
Gangtok

Senior Geologist

Minerals, Mines & Geology Deptt.

-TRUE COPY-

ANNEXURE R-28

*Email:*spcbsikkim@gmail.com

STATE POLLUTION CONTROL BOARD SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI-GANGTOK – 737102

F. No.1097/SPCB/3184 Dated: 13/9/2021

To,

The Managing Director
MESASO Infrastructure Pvt. Ltd
3rd floor, Vega Circle Mall
Sevok road Siliguri,
West Bengal

Sub: Regarding the request for Consent to Establish for Implementation of Multi-level Car Parking cum Commercial Development at Old West Point School, Near M.G Marg Gangtok East Sikkim.

Sir,

Kindly refer to your letter Ref.No. MIPL/HO/12/2021-22 dated 19.08.2021 regarding the above mentioned subject, this is to inform you that State Pollution Control Board Sikkim have developed the online portal for application for Consent to Establish/Operate.

Therefore, you are requested to apply for Consent to Establish/Operate online through ***www.skocmms.nic.in*** duly submitting relevent information/documents for the consideration of your request.

Thanking you,

Yours faithfully,

(Ranjan Rai)
Executive Environment Engineer
State Pollution Control Board-Sikkim

STATE POLLUTION CONTROL BOARD ★ GOVT. OF SIKKIM, GANGTOK ★

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ANNEXURE R-29

F. No. IA3-22/19/2021-IA.III [E 164361]
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

*****

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 20th September, 2021

ORDER

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 to not grant or renew CTO unless Environment Clearance, as applicable, has been obtained – regarding.

Whereas, prior Environmental Clearance is a statutory requirement for project/activities covered in the schedule of the EIA Notification 2006, issued under section 3 of the Environment (Protection) Act, 1986.

2. And whereas, obtaining the consents under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention& Control of Pollution) Act, 1981 is mandatory for all industrial units in Red, Orange and Green categories.

3. And whereas, the grant of EC and Consents are requirements under different statutes and are not inter-dependent and can be carried out as a parallel process.

4. And whereas, many a times it has been observed that while industrial units are in possession of valid 'Consent to Establish' (CTE)/ 'Consent to Operate' (CTO) issued by State Pollution Control Boards (SPCBs)/ UT Pollution Control Committees (UTPCC), however, they have not obtained the Environmental Clearance (EC), even though it was required as per provisions of EIA Notification 2006.

5. And whereas, it has been observed that this situation is arising because majority of the SPCBs/ UTPCCs are issuing CTE/CTO to projects without ascertaining the applicability of prior EC to projects/ activities, resulting in an avoidable situation of closure for even those industries also who seek to carry out their activities following due procedure.

6. Now therefore, in exercise of powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, hereby directs that all SPCB/UTPCC shall:

i. Ascertain the applicability of EIA Notification at the time of grant/renewal of CTE and stipulate appropriate condition for obtaining Environmental Clearance (EC), if applicable, before construction/ commencement of project/activity.

ii. Ensure that the project proponent possesses a valid Prior EC in terms of the extant EIA Notification, if applicable, at the time of grant/renewal of CTO and no CTO shall be granted or renewed unless EC, if applicable, has been obtained.

7. This is issued with the approval of the Competent Authority.

(A K Agrawal)
Director

To

Chairmen of all State/UT Pollution Control Boards and Pollution Control Committees

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to AS(RA)/JS(SKB)
5. Chairman of all the Expert Appraisal Committees
6. Chairperson/Member Secretaries of all the SEIAAs/SEACs
7. All the Officers of IA Division, MOEFCC
8. Website MoEF&CC/ Guard file.

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Email:spcbsikkim@gmail.com

ANNEXURE R-30

आज़ादी का अमृत महोत्सव

STATE POLLUTION CONTROL BOARD-SIKKIM

FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI, GANGTOK – 737102

F. No. 1097/SPCB/50 25 Dated. 23/2/2022

To,

The Vice President (Project),
MESASO Infrastructure Pvt. Ltd.,
Old West Point School, Near M.G. Marg, Gangtok,
Gangtok District-737101.

Sub: Clarification regarding commencement of work without necessary permission.

Sir,

Kindly refer to your Application for grant of Consent to Establish vide application no 258779 in the Online consent Management & Monitoring System portal of State Pollution Control Board- Sikkim.

Reference above, your project was inspected on 17/02/2022 by a team of SPCB officials. As per the observations during the inspection it has come to the notice of the Board that you have started work on foundation of the project without obtaining Environmental Clearance from SEIAA and Consent to Establish from SPCB. All industries having pollution potential are required to obtain Consent to Establish & Operate and its renewal thereof from the SPCB under the provisions of Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

Therefore, I have been directed to inform you to kindly provide clarification on this matter for consideration of your application, please.

Yours faithfully,

(B.K. Chettri)
Chief Scientific Officer
State Pollution Control Board – Sikkim.

State Pollution Control Board Sikkim
Forest & Env. Deptt.
Govt. of Sikkim

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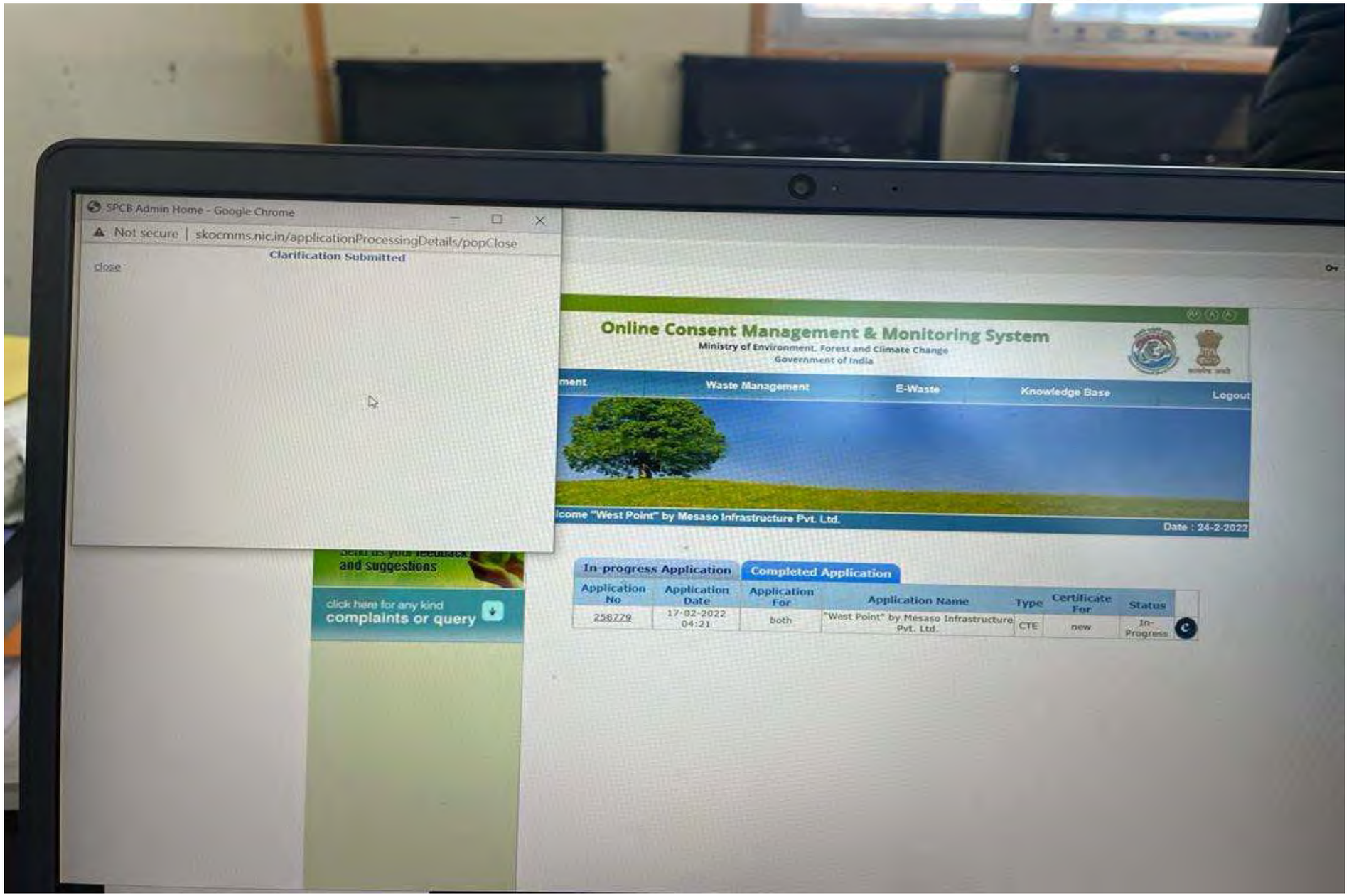
ANNEXURE R-31



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Email : spcbsikkim@gmail.com

ANNEXURE R-32

STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI – 737102

Ref. No. 1142/SPCB. Date: 24/2/2022.

To,

The Vice President (Project),
M/s MESASO Infrastructure Pvt. Ltd.,
Old West Point School, Near M.G. Marg,
Gangtok,Gangtok District, Sikkim-737101.

Sub: Consent to Establish.

In consideration of your application no. 258779 dated 15-02-2022, the State Pollution Control Board – Sikkim, hereby grants you Consent to Establish eleven (11) storied Gold Rated Building and Construction Project in Gangtok, Gangtok District under the provisions of **Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention & Control of Pollution) Act, 1981** subject to the following conditions:

1. That, this consent is meant for specific purpose only and any alteration in the project shall require prior permission from the Board;
2. That, you shall have facilities to prevent and control water, air & noise pollution in the project area as per the conditions specified in relevant Acts;
3. That, you shall obtain Environmental Clearance prior to commencement of work in your project and abide by its terms & conditions;
4. That, you shall obtain Consent to Operate prior to operation of your project;
5. That, you shall construct temporary labour camp duly providing proper sanitation & solid waste management facility within the premises in accordance to the **Solid Waste Management Rules, 2016**;
6. That, you shall carry out third party environmental monitoring from a registered NABL accredited and MoEF&CC registered consultants and submit Report to SPCB-Sikkim on a quarterly basis;
7. That, you shall carry out the dismantling/demolition and construction work without causing any environmental pollution duly installing pollution control measures such as suppression of dust/fugitive emission , noise controlling measures in the premises by erecting barriers & limiting work during day time only and proper management of demolition waste within the premises, further, that any such dismantling/demolition shall ensure foundational security of the area in question;
8. That, all forms of Construction and Demolition waste shall be managed and disposed off in accordance with the provisions of the Construction & Demolition Waste Rules, 2016;
9. That, you shall ensure the general waste generated by your unit shall be collected & disposed off in accordance with **Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016;**

State Pollution Control Board ★ Forest & Environment Dept. ★ Govt. of Sikkim

10. That, you shall ensure the scrap generated by your unit shall be disposed off through authorized vendor only;
11. That, you shall obtain authorization from the SPCB-Sikkim through the OCMMS portal for handling Bio Medical Waste generated during construction of your project;
12. That, you shall obtain authorization from the SPCB-Sikkim through the OCMMS portal for handling Hazardous Waste generated during construction of your project;
13. That, you shall ensure compliance to the provisions of the **Hazardous Chemicals Rules, 1989** for safe storage and management of fuel & other flammable materials;
14. That you shall provide Personal Protective Equipment to the employees to avoid any health hazard;
15. That, you shall prepare an Emergency Response Procedure/Protocol (ERP) and submit a copy of the same to the Board and you shall ensure compliance to the ERP for incidents such as fire, flood, landslides, earthquakes and accidents;
16. That, you shall conduct regular mock drill as per the specifications of the ERP;
17. That, you shall establish and operate the Sewage Treatment Plant to treat sewage/waste generated from operation of various ancillary units of the building project adhering to the standards prescribed under the Environment (Protection) Act, 1986 and Rules made there under from time to time, whichever is stringent;
18. That, you shall develop green belt within your premises;
19. That, you shall apply for renewal of the consent one month in advance before its expiry;
20. That, you shall abide by all the conditions given by the Board from time to time;
21. That, this consent is valid subject to obtaining other required permission/licenses/clearances wherever required;
22. That, the Board reserves the right to cancel and withdraw the consent in the event of any environmental problems arising out of your project;
23. That ,this consent to establish is valid till 31st March 2025;
24. Rs. 4,00,000/- (Rupees four lakhs for four years i.e. 2021- 2025) only has been received as consent fees vide Receipt no. 4660466 & Bank ID No nil dated: 14-02-2022.

(Dr. Gopal Pradhan)
Member Secretary,
State Pollution Control Board-Sikkim.
Dr. Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest Env. & W/L Mangt. Deptt.
Govt. of Sikkim, Gangtok

State Pollution Control Board
Forest & Environment Dept.
Govt. of Sikkim

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Email:spcbsikkim@gmail.com

ANNEXURE R-33

STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI, GANGTOK – 737102

Ref. No. 415/SPCB/ Dated: 31/5 /2022

To,

Shri. Meenakshi Mittal Agarwal,
M/s. Mesaso Infrastructure (P) Limited,
Vega circle Mall, 3rd Floor,
3rd Mile, Sevoke Road,
Siliguri-West Bengal.

Sub: CONSENT TO ESTABLISH 2 NOS. OF D.G SET.

In consideration of your application no. 259577 dated: 18.05.2022, the State Pollution Control Board – Sikkim, hereby grants you renewed Consent to establish 2 Nos of D.G. set having a capacity of 82.5 kVA (M/s. Mesaso Infrastructure (P) Limited) at your project premises located at Old West Point School Complex, Near MG Marg-Gangtok, Gangtok District-Sikkim under the provision of **Section 21 of the Air (Prevention & Control of Pollution) Act, 1981,** subject to the following conditions:

1. That, this consent is meant for specific purpose only and any alteration in the process and capacity shall require the prior approval of the Board;
2. That, Noise from D.G. Set shall be controlled by providing an acoustic enclosure or by treating the room acoustically, at the user end;
3. The acoustic enclosure or acoustic treatment of the room shall provide minimum 25 dB (A) insertion loss;
4. That, noise from the D.G sets shall not exceed the ambient noise standard;
5. That, the D.G set shall be provided with proper exhaust muffler with insertion loss of minimum 25 dB (A)
6. That, you shall have proper sitting of the D.G set and control measures adopted so as to bring down noise level outside the premises where the set is installed;
7. That, the installation of the D.G set shall be strictly in compliance with the recommendations of the D.G set manufacturer;
8. That, the D.G set shall conform with the norm notified under Environment (Protection) Act, 1986;
9. That, the minimum stack height shall be 6m for 82.5 kVA from the ground where DG sets have been installed;
10. That, the emission from the DG set shall not exceed the emission standard listed at Sr. No.96 of schedule III of the Environment (Protection) Rule, 1986.
11. That, you shall develop green belt along the periphery of your premises;
12. That, this consent is valid till 31st March 2023;
13. That, you shall abide by all the instructions given by the Board from time to time;
14. Rs.10000/- (Rupees ten thousand) only has been received as consent fee vide receipt no.713038897 & Bank ID. No.nil dated: 16.02.2022;
15. That, you shall apply for renewal of consent 60 days in advance before its expiry;
16. That, non-compliance of any of the above conditions shall lead to withdrawal of the consent and imposition of fine which shall be prescribed by the Board;
17. That, the Board reserves the right to cancel the consent in the event of any environmental problems arising out of your D.G. set;

State Pollution Control Board * Forest & Environment Dept. * Govt. of Sikkim

(Dr.Gopal Pradhan)
Member Secretary,
State Pollution Control Board-Sikkim

Dr. Gopal Pradhan
Member Secretary
Pollution Control Board
Env. & W/L Mangt. Dept.
of Sikkim

-TRUE COPY-

ANNEXURE R-34

Email:spcbsikkim@gmail.com
Phone no – 03592-281913

STATE POLLUTION CONTROL BOARD
SIKKIM

LiFE
Lifestyle for Environment

STATE POLLUTION CONTROL BOARD- SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI, GANGTOK – 737102

Ref. No. 1091/SPCB 2039 Date: 17/10/2023.

To,

The Vice President (Project),
M/s MESASO Infrastructure Pvt. Ltd.,
Old West Point School, Near M.G. Marg,
Gangtok, Gangtok District, Sikkim-737101.

Sub: Provisional Consent to Establish.

In consideration of your letter no. nil dated 29/08/2023 and on the basis of Environmental Clearance granted by Ministry of Environment, Forest & Climate Change, Government of India vide F. no. 21/1/2023-IA.II dated 23/08/2023 bearing EC no. EC23C3802SK5858756E. the State Pollution Control Board – Sikkim, hereby grants you Consent to Establish fourteen (4G+7+3) storeyed Integrated Commercial cum Multi Level Car Parking Complex in Gangtok, Gangtok District on **provisional basis only** under the provisions of **Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention & Control of Pollution) Act, 1981** subject to the following conditions:

1. That, this consent is meant for specific purpose only and any alteration in the project shall require prior permission from the Board;
2. That, you shall have facilities to prevent and control water, air & noise pollution in the project area as per the conditions specified in relevant Acts;
3. That, you shall strictly adhere/comply to the conditions stated in the Environmental Clearance granted by SEIAA bearing EC no. EC22B038SK11585 issued vide F. No. 214E&SC dated 25/02/2022;
4. That, you shall strictly adhere/comply to the conditions stated in the Environmental Clearance granted by MoEF&CC bearing EC no. EC23C3802SK5858756E issued vide F. no. 21/1/2023-IA.II dated 23/08/2023;
5. That, you shall ensure that vertical expansion of 3 storeys shall not include swimming pool as specified in the Environmental Clearance granted by the MoEF&CC. Technical examination by Institutes of national repute such as Central Building Research Institute, Roorkee is mandatory;
6. That, you shall obtain Consent to Operate prior to operation of your project after compliance of all the stipulated conditions in the Consent to Establish;
7. That, you shall construct temporary labour camp duly providing proper sanitation & solid waste management facility within the premises in accordance to the **Solid Waste Management Rules, 2016**;

STATE POLLUTION CONTROL BOARD
GOVT. OF SIKKIM, GANGTOK

8. That, you shall carry out third party environmental monitoring from a registered NABL accredited and MoEF&CC registered consultants and submit Report to SPCB-Sikkim on a quarterly basis;
9. That, you shall carry out the dismantling/demolition and construction work without causing any environmental pollution duly installing pollution control measures such as suppression of dust/fugitive emission , noise controlling measures in the premises by erecting barriers & limiting work during day time only and proper management of demolition waste within the premises, further, that any such dismantling/demolition shall ensure foundational security of the area in question;
10. That, all forms of Construction and Demolition waste shall be managed and disposed off in accordance with the provisions of the Construction & Demolition Waste Rules, 2016;
11. That, you shall ensure the general waste generated by your unit shall be collected & disposed off in accordance with **Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016;**
12. That, you shall ensure the scrap generated by your unit shall be disposed off through authorized vendor only;
13. That, you shall obtain authorization from the SPCB-Sikkim through the OCMMS portal for handling Bio Medical Waste generated during construction of your project without fail;
14. That, you shall obtain authorization from the SPCB-Sikkim through the OCMMS portal for handling Hazardous Waste generated during construction of your project without fail;
15. That, you shall ensure compliance to the provisions of the **Hazardous Chemicals Rules, 1989** for safe storage and management of fuel & other flammable materials;
16. That you shall provide Personal Protective Equipment to the employees to avoid any health hazard;
17. That, you shall prepare an Emergency Response Procedure/Protocol (ERP) and submit a copy of the same to the Board and you shall ensure compliance to the ERP for incidents such as fire, flood, landslides, earthquakes and accidents;
18. That, you shall conduct regular mock drill as per the specifications of the ERP;
19. That, you shall establish and operate the Sewage Treatment Plant (120 KLD) to treat sewage/waste generated from operation of various ancillary units of the building project adhering to the standards prescribed under the Environment (Protection) Act, 1986 and Rules made there under from time to time, whichever is stringent;
20. That, provisions for Ambient Air Quality Monitoring System shall be in place before commissioning of the project;
21. That, you shall develop green belt within your premises;
22. That, you shall abide by all the conditions given by the Board from time to time;
23. That, this consent is valid subject to obtaining other required permission/licenses/clearances wherever required;
24. That, the Board reserves the right to cancel and withdraw the consent in the event of any environmental problems arising out of your project;
25. That, the application no. 402402 dated 12/09/2023 submitted in the SPCB-Sikkim OCMMS portal is faulty and requires submission of clarification & requisite documents within 15(fifteen) days of issue of this consent.

STATE POLLUTION CONTROL BOARD ★ GOVT. OF SIKKIM, GANGTOK ★

(Dr. Gopal Pradhan)
Member Secretary,
State Pollution Control Board-Sikkim.

Dr Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest & Environment Deptt.
Govt of Sikkim

-TRUE COPY-

STATE POLLUTION CONTROL BOARD- SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI, GANGTOK – 737102

F. No. 2436/SPCB/ Dated: 18/01 /2024

To,

The Vice President (Project),
M/s MESASO Infrastructure (P) Limited,
Old West Point School, Near M.G. Marg,
Gangtok, Gangtok District, Sikkim-737101.

Sub: CONSENT TO ESTABLISH.

In consideration of your online application no. 412043 dated 08.11.2023 and on the basis of Environmental Clearance granted by Ministry of Environment, Forest & Climate Change, Government of India vide F. no. 21/1/2023-IA.II dated 23/08/2023 bearing EC no. EC23C3802SK5858756E. the State Pollution Control Board – Sikkim, hereby grants you Consent to Establish Vertical Expansion of fourteen (4G+7+3) storied Integrated Commercial cum Multi Level Car Parking Complex situated at Near M.G Marg-Gangtok, Gangtok District-Sikkim, under the provisions of **Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention & Control of Pollution) Act, 1981** subject to the following conditions:

1. That, this consent is meant for specific purpose only and any alteration in the project shall require prior permission from the Board;
2. That, you shall have facilities to prevent and control water, air & noise pollution in the project area as per the conditions specified in relevant Acts;
3. That, you shall strictly adhere/comply to the conditions stated in the Environmental Clearance granted by SEIAA bearing EC no. EC22B038SK11585 issued vide F. No. 214E&SC dated 25/02/2022;
4. That, you shall strictly adhere/comply to the conditions stated in the Environmental Clearance granted by MoEF&CC bearing EC no. EC23C3802SK5858756E issued vide F. no. 21/1/2023-IA.II dated 23/08/2023;
5. That, you shall obtain consent to operate before commercial operation of the fourteen (4G+7+3) storied Integrated Commercial cum Multi Level Car Parking Complex;
6. That, you shall ensure that vertical expansion of 3 storeys shall not include swimming pool as specified in the Environmental Clearance granted by the MoEF&CC. Technical examination by Institutes of national repute such as Central Building Research Institute, Roorkee is mandatory;
7. That, you shall obtain Consent to Operate prior to operation of your project after compliance of all the stipulated conditions in the Consent to Establish;
8. That, you shall construct temporary labour camp duly providing proper sanitation & solid waste management facility within the premises in accordance to the **Solid Waste Management Rules, 2016**;
9. That, you shall carry out third party environmental monitoring from a registered NABL accredited and MoEF&CC registered consultants and submit Report to SPCB-Sikkim on a quarterly basis;

P.T.O

STATE POLLUTION CONTROL BOARD ★ GOVT. OF SIKKIM, GANGTOK ★

10. That, you shall carry out the dismantling/demolition and construction work without causing any environmental pollution duly installing pollution control measures such as suppression of dust/fugitive emission , noise controlling measures in the premises by erecting barriers & limiting work during day time only and proper management of demolition waste within the premises, further, that any such dismantling/demolition shall ensure foundational security of the area in question;
11. That, this Consent is valid till 31st March 2024;
12. That, all forms of Construction and Demolition waste shall be managed and disposed off in accordance with the provisions of the Construction & Demolition Waste Rules, 2016;
13. That, you shall ensure the general waste generated by your unit shall be collected & disposed off in accordance with **Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016;**
14. That, you shall ensure the scrap generated by your unit shall be disposed off through authorized vendor only;
15. That, you shall obtain authorization from the SPCB-Sikkim through the OCMMS portal for handling Bio Medical Waste generated during construction of your project without fail;
16. That, you shall obtain authorization from the SPCB-Sikkim through the OCMMS portal for handling Hazardous Waste generated during construction of your project without fail;
17. That, you shall ensure compliance to the provisions of the **Hazardous Chemicals Rules, 1989** for safe storage and management of fuel & other flammable materials;
18. That you shall provide Personal Protective Equipment to the employees to avoid any health hazard;
19. That, you shall prepare an Emergency Response Procedure/Protocol (ERP) and submit a copy of the same to the Board and you shall ensure compliance to the ERP for incidents such as fire, flood, landslides, earthquakes and accidents;
20. That, you shall conduct regular mock drill as per the specifications of the ERP;
21. That, you shall establish and operate the Sewage Treatment Plant (120 KLD) to treat sewage/waste generated from operation of various ancillary units of the building project adhering to the standards prescribed under the Environment (Protection) Act, 1986 and Rules made there under from time to time, whichever is stringent;
22. That, provisions for Ambient Air Quality Monitoring System shall be in place before commissioning of the project;
23. That, you shall develop green belt within your premises;
24. That, you shall abide by all the conditions given by the Board from time to time;
25. That, this consent is valid subject to obtaining other required permission/licenses/clearances wherever required;
26. Rs.150000/- (Rupees one lakh fifty thousand) only has been received as consent fee Vide Receipt No. 490473534 & Bank ID 1540, dated: 11.09.2023;
27. That, the provisional consent granted earlier vide Ref. No. 1097/SPCB/2039 dated 17.10.2023 shall stand cancel;
28. That, the Board reserves the right to cancel and withdraw the consent in the event of any environmental problems arising out of your project.

STATE POLLUTION CONTROL BOARD
GOVT. OF SIKKIM, GANGTOK

(Dr. Gopal Pradhan)
Member Secretary,
State Pollution Control Board-Sikkim.

-TRUE COPY-

ANNEXURE R-36

STATE POLLUTION CONTROL BOARD- SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI, GANGTOK – 737102

F. No.2453/SPCB/ Dated: 17/02/2024

To,

The Vice President (Project),
M/s MESASO Infrastructure (P) Limited,
Old West Point School, Near M.G. Marg,
Gangtok, Gangtok District, Sikkim-737101.

Sub: CONSENT TO OPERATE.

In consideration of your online application no. 420022 dated 18.01.2024 and on the basis of Environmental Clearance granted by Ministry of Environment, Forest & Climate Change, Government of India vide F. no. 21/1/2023-IA.II dated 23/08/2023 bearing EC no. EC23C3802SK5858756E, the State Pollution Control Board – Sikkim, hereby grants you Consent to Operate Integrated Commercial cum Multi Level Car Parking Complex comprising parking facility in four (04) floors and commercial establishment (shopping mall with multiplex & eatery) in four (04) floors (total 8 floors) without hotel situated at Old West Point School, near Police headquarters, Gangtok District-Sikkim, under the provisions of **Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention & Control of Pollution) Act, 1981** subject to the following conditions:

1. That, this consent is meant for specific purpose only and any alteration in the project shall require prior permission from the Board;
2. That, you shall have facilities to prevent and control water, air & noise pollution in the project area as per the conditions specified in relevant Acts;
3. That, you shall strictly adhere/comply to the conditions stated in the Environmental Clearance granted by SEIAA bearing EC no. EC22B038SK11585 issued vide F. No. 214E&SC dated 25/02/2022;
4. That, you shall strictly adhere/comply to the conditions stated in the Environmental Clearance granted by MoEF&CC bearing EC no. EC23C3802SK5858756E issued vide F. no. 21/1/2023-IA.II dated 23/08/2023;
5. That, you shall obtain consent to operate hotel separately after establishment is completed;
6. That, you shall ensure that vertical expansion of 3 storeys shall not include swimming pool as specified in the Environmental Clearance granted by the MoEF&CC. Technical examination by Institutes of national repute such as Central Building Research Institute, Roorkee is mandatory;
7. That, you shall provide proper sanitation & solid waste management facility within the premises in accordance to the **Solid Waste Management Rules, 2016**;
8. That, you shall carry out third party environmental monitoring from a registered NABL accredited and MoEF&CC registered consultants and submit Report to SPCB-Sikkim on a quarterly basis;

P.T.O

STATE POLLUTION CONTROL BOARD
GOVT OF SIKKIM GANGTOK

9. That, this Consent is valid till 31st March 2025;
10. That, you shall ensure the general waste generated by your unit shall be collected & disposed off in accordance with **Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016:**
11. That, you shall ensure the scrap generated by your unit shall be disposed off through authorized vendor only;
12. That, you shall ensure compliance to the provisions of the **Hazardous Chemicals Rules, 1989** for safe storage and management of fuel & other flammable materials;
13. That you shall provide Personal Protective Equipment to the employees to avoid any health hazard;
14. That, you shall prepare an Emergency Response Procedure/Protocol (ERP) and submit a copy of the same to the Board and you shall ensure compliance to the ERP for incidents such as fire, flood, landslides, earthquakes and accidents;
15. That, you shall conduct regular mock drill as per the specifications of the ERP;
16. That, you shall establish and operate the Sewage Treatment Plant (120 KLD) to treat sewage/waste generated from operation of various ancillary units of the building project adhering to the standards prescribed under the Environment (Protection) Act, 1986 and Rules made there under from time to time, whichever is stringent and maintain zero liquid discharge (ZLD).
17. That, you shall develop green belt within your premises;
18. That, you shall abide by all the conditions given by the Board from time to time;
19. That, this consent is valid subject to obtaining other required permission/licenses/clearances wherever required;
20. That, the trained and qualified manpower/ Environment Health & Safety personnel (EHS) shall be engaged for operation and maintenance of STP duly establishing in-house environmental lab.
21. That, the waste water generated from STP shall be analyzed by NABL accredited, lab/ MoEF&CC certified laboratories before utilization of the same" for flushing or irrigation of vegetation in the premises.
22. That, the treated biomass generated from organic waste convertor "shall be analyzed by NABL accredited or MoEF&CC certified laboratories before utilization of the same" as manure for the vegetation in the premises.
23. That, you shall provide the detailed mechanism for disposal of treated sewage /duly furnishing test report from accredited lab and obtain prior permission from the Board for the same.
24. That, no waste water shall be discharged from the premises.
25. That, you shall maintain noise level during the operation of your facility within 65dB (A) Leq and 55dB (A) Leq during day time (6 AM - 10 PM) and night time (10 PM - 6 AM) respectively as per the Noise pollution (Regulation & Control) Rules 2000.
26. Rs.5,00,000/- (Rupees Five lakhs) only) has been received as consent fee Vide Receipt No. 308637596 & Bank ID NA, dated: 18.01.2024;
27. That, the provisional consent granted earlier vide Ref. No. 1097/SPCB/2039 dated 17.10.2023 shall stand cancelled;
28. That, the Board reserves the right to cancel and withdraw the consent in the event of any environmental problems arising out of your project.

STATE POLLUTION CONTROL BOARD ★ GOVT. OF SIKKIM, GANGTOK ★

(Dr. Gopal Pradhan)
Member Secretary,
State Pollution Control Board-Sikkim.

Dr Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest & Environment Deptt.
Govt of Sikkim

-TRUE COPY-

ANNEXURE R-37

MINUTES OF STATE LEVEL EXPERT APPRAISAL COMMITTEE, SIKKIM HELD ON 14TH FEBRUARY 2022.

VENUE: Through Physical Mode at Sidkeong Tulku Memorial Hall of Forest & Environment Department and Video Conferencing

Date: 14th February, 2022

PROCEEDINGS

A meeting of the State Level Expert Appraisal Committee, Sikkim held on 14th February, 2022 through dual mode (both physical and video conferencing). One of the members attended through Video Conferencing. Project Proponent and his consultants also attended the meeting. Attendance is as under;

1.	Shri H.P Pradhan	Chairman	P
2.	Shri B.B Gurung	Member Secretary	P
3.	Mrs Urmila Thapa	Joint Director(Environment)	P
4.	Shri Tshering Tashi	Member	P
5.	Shri Pradhumna Shrestha	Member	P
6.	Dr. B.C Basistha	Member	P
7.	Shri B.K Chettri	Member	P
8.	Dr. Dinesh Agarwal	Member	(Attended through VC)
9.	Dr. Satya Deep Chettri	Member	P
10.	Shri D.R. Chettri	Member	A
11.	Shri Chandan Kumar	Master Trainer	P

I. **Opening Remarks of the Chairman**: The Chairman welcomed all the members and participants and informed the house about 2nd meeting of SEAC for **the Proposed Development of "WEST POINT"- Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G Marg, Gangtok, East Sikkim**. The meeting was opened for proceeding as per the agenda of the meeting set on 09th February, 2022.

2. The SEAC confirmed the Minutes of earlier meeting held on 24th January 2022.

Agenda Item:

Appraisal of the Proposed Development of "WEST POINT"- Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G Marg, Gangtok, East Sikkim by MESASO Infrastructure Pvt. Ltd. – Environment Clearance.

Proposal No. SIA/SK/MIS/244081/2021

1. The Committee members after thorough interaction and deliberation in each and every points, observations of MoMs drawn on 24.01.2022 and their reply with clarification and justification given by the Project Proponents, the following specific and general conditions has been laid down to comply within pre & post project implementation stages by Project Proponent.

2. The SEAC also deliberated and discussed on the revised Form – I and Form – IA and ADS submitted by the Project Proponent on 4th January 2022.

i. The official permissible height for building in Sikkim is 5 ½ for domestic and 7 for Commercial purpose as per the existing bye laws in Sikkim. However the Project Proponent has procured Certification from Mr. Majumdar of Jadavpur University for construction of 11 storeys building. The SEAC informed the PP to get this certification to be validated/vetted by Mines & Geology Department, Government of Sikkim.

ii. Under point 29:1.8 Structural Engineers from GMC also have to be included in the project.

iii. 1.16 of 19, Project Proponent has to follow the labour laws of Sikkim and engage local people.

iv. Corporate Environment responsibility to be taken up and Environment measures to be implemented in consultation with Environment sector of the Forest Department, Government of Sikkim.

v. Parking/ ventilation structure design to be submitted to SEIAA.

vi. Disposal of sludge from STP to be specified till its end point.

vii. Rain water harvesting plan, Composting & disposal plan to be submitted with specification till its end point.

viii. Dumping of extra excavated muck (unutilisable) should be done at pre identified and approved sites. No muck should be washed away during rainy seasons and cause choking of nallahs, jhoras or water bodies or damage the surrounding environment. Clearances from the concerned department (s) or agency (ies) to be taken for the dumping sites. Rehabilitation of such dumping sites may be done at the cost of PP by providing suitable structures for holding the muck and do plantation with suitable local species.

ix. The number of storey of the proposed building should be restricted to 11 storeys only as per the approval of GMC.

x. All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Management Rules 2016.

xi. The extra excavated muck / soil to be disposed at designated sites as stated at sl.no.x above to avoid choking of drains and flooding

xii. Utilisation of water from Rain water harvesting structure to be maximized to minimize the load on fresh water demand.

xiii. Commitment letter to the effect that no damage is caused to the surrounding areas and habitation as per the stake holders meeting held on 13.11.2021 is insisted.

xiv. Environment Management Plan further needs to prepared to strengthen the existing EMP spell out in the instant proposal to ensure intensive mitigation measure to maintain overall ecological balance.

xv. Green Cover Plan needs to be covered 30% of the total areas of proposed MLCP for beautification of the blank areas, creation of hanging garden in all the flyover falling within the Gangtok Municipal Areas (GMC).

xvi. Local labours to be employed as far as possible and train them also to get the desired output.

xvii. Permission from State Pollution Control Board for E-waste, DG set and Hazardous waste to be obtained by the Project proponent.
xviii. Taxi Driver's Union/Association consent letter copy to be submitted.
xix. The environment safeguard measures to be monitored by the Multidisciplinary committee to be constituted by Forest Department/Smart City / Project proponent.
xx. The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of firefighting equipment etc. as per National Building Code including protection measures from lightening etc.
xxi. The provisions of the Solid Waste Management Rules, 2016, e-Waste (Management) Rules, 2016, and the Plastics Waste Management Rules, 2016, shall be followed.
xxii. Construction site shall be adequately barricaded before the construction begins.
xxiii. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
xxiv. Total fresh water use shall not exceed the proposed requirement as provided in the project details.
xxv. Sewage shall be treated in the STP with tertiary treatment. The treated effluent from STP shall be recycled/re-used for flushing, AC make up water and gardening. As proposed, no treated water shall be disposed in to municipal drain.
xxvi. No sewage or untreated effluent water would be discharged through storm water drains.
xxvii. Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.
xxviii. Outdoor and common area lighting shall be LED.
xxix. Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.
xxx. Organic waste compost/Vermiculture pit/Organic Waste Converter within the premises with a minimum capacity of 0.3 kg /person/day must be installed.
xxxi. Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
xxxii. Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards be operated only during non-peak hours.
xxxiii. All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.
xxxiv. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
xxxv. A First Aid Room shall be provided in the project both during construction and operations of the project.

In view of the above and **considering provisions of EIA Notification 2006 process and Timelines ,** the SEAC recommends instant proposal to SEIAA for further examination

and consideration of prior Environment Clearance subject to strict compliance of the observations made by the SEAC in its meeting of 24/01/2022, submission of documents as desired and above mentioned conditions.

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ANNEXURE R-38

ENVIRONMENTAL CLEARANCE

PARIVESH (Pro-Active and Responsive Facilitation by Interactive, and Virtuous Environmental Single-Window Hub)

Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment Authority(SEIAA), Sikkim)

To,

The Director
MESASO INFRASTRUCTURE PVT. LTD.
Vega Circle Mall, 3rd Floor, 3rd Mile, Sevoke Road, Siliguri -734008

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/SK/MIS/244081/2021 dated 10 Dec 2021. The particulars of the environmental clearance granted to the project are as below.

1.	**EC Identification No.**	**EC22B038SK115854**
2.	**File No.**	214/E &SC
3.	**Project Type**	New
4.	**Category**	B2
5.	**Project/Activity including Schedule No.**	8(a) Building and Construction projects
6.	**Name of Project**	Proposed Development of "WEST POINT" - Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G. Marg, Gangtok, East Sikkim
7.	**Name of Company/Organization**	MESASO INFRASTRUCTURE PVT. LTD.
8.	**Location of Project**	Sikkim
9.	**TOR Date**	N/A

The project details along with terms and conditions are appended herewith from page no 2 onwards.

(e-signed)
N.W Tamang(IFS)
Member Secretary
SEIAA - (Sikkim)

Date: 25/02/2022

Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH.Please quote identification number in all future correspondence.

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GOVERNMENT OF SIKKIM
OFFICE OF THE CHIEF CONSERVATOR OF FOREST (T/HQ)
DEPARTMENT OF FOREST & ENVIRONMENT
DEORALI, GANGTOK-737102
EAST SIKKIM.

Memo no: 78/CCF/T&HQ/FEWMD/SEIAA Date: 25/2/22

To,

M/S MESASO INFRASTRUCTURE PVT. LTD
3RD Floor Vega Circle Mall, 3rd Miles,
Sevok Road, Siliguri
West Bengal- 734001

Subject: Proposed Development of "WEST Point"- Integrated Commercial cum MLCP Complex at Od West Point School Area, Near M.G Marg, Gangtok, East Sikkim taken by MESASO INFRASTRUCTURE PVT. LTD.- Environmental Clearance- Regarding.

Proposal No. SIA/SK/MIS/244081/2021.

Sir,

This has reference to your application dated 10th December, 2021 on above project The above referred proposal was considered by the State Environment Assessment Authority (SEIAA) for prior Environmental Clearance for construction of Building Projects on 22.02.2022. The project envisages construction of 11-storeys building covering buildup area of 28806.37 Sqm for Development of "WEST POINT"- Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G Marg, Gangtok. East Sikkim. No Forest land is involved.

The committee members after thorough interaction and deliberation in each points, observation of |Minutes of Meeting (MoMs) drawn on dated 17.02.2022 by SEAC and further confirmed by SEIAA on 22.02.2022 on their reply with clarification and justification given by the project proponent, the following terms and condition has been laid down to comply during the construction phase & post implementation stages by project proponent.

i. The official permissible height for building in Sikkim is 5 ½ for domestic and 7 for Commercial purpose as per the existing bye laws in Sikkim. However, the Project Proponent has procured Certification from Mr. Majumdar of Jadavpur University for construction of 11 storeys building. The SEAC informed the PP to get this certification to be validated/vetted by Mines & Geology Department, Government of Sikkim.
ii. Structural Engineers from GMC also have to be included in the project.
iii. Project Proponent has to follow the labour laws of Sikkim and engage local people.
iv. Corporate Environment responsibility to be taken up and Environment measures to be implemented in consultation with Environment sector of the Forest Department, Government of Sikkim.
v. Parking/ ventilation structure design to be submitted to SEIAA.
vi. Disposal of sludge from STP to be specified till its end point.

vii. Rain water harvesting plan, Composting & disposal plan to be submitted with specification till its end point.

viii. Dumping of extra excavated muck (unutilisable) should be done at pre identified and approved sites. No muck should be washed away during rainy seasons and cause choking of nallahs, jhoras or water bodies or damage the surrounding environment. Clearances from the concerned department (s) or agency (ies) to be taken for the dumping sites. Rehabilitation of such dumping sites may be done at the cost of PP by providing suitable structures for holding the muck and do plantation with suitable local species.

ix. The number of storeys of the proposed building should be restricted to 11 storeys only as per the approval of GMC.

x. All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Management Rules 2016.

xi. The extra excavated muck / soil to be disposed at designated sites as stated at sl.no.x above to avoid choking of drains and flooding

xii. Utilisation of water from Rain water harvesting structure to be maximized to minimize the load on fresh water demand.

xiii. Commitment letter to the effect that no damage is caused to the surrounding areas and habitation as per the stake holders meeting held on 13.11.2021 is insisted.

xiv. Environment Management Plan further needs to prepared to strengthen the existing EMP spell out in the instant proposal to ensure intensive mitigation measure to maintain overall ecological balance.

xv. Green Cover Plan needs to be covered 30% of the total areas of proposed MLCP for beautification of the blank areas, creation of hanging garden in all the flyover falling within the Gangtok Municipal Areas (GMC).

xvi. Local labours to be employed as far as possible and train them also to get the desired output.

xvii. Permission from State Pollution Control Board for E-waste, DG set and Hazardous waste to be obtained by the Project proponent.

xviii. Taxi Driver's Union/Association consent letter copy to be submitted.

xix. The environment safeguard measures to be monitored by the Multidisciplinary committee to be constituted by Forest Department/Smart City / Project proponent.

xx. The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of firefighting equipment etc. as per National Building Code including protection measures from lightening etc.

xxi. The provisions of the Solid Waste Management Rules, 2016, e-Waste (Management) Rules, 2016, and the Plastics Waste Management Rules, 2016, shall be followed.

xxii. Construction site shall be adequately barricaded before the construction begins.

xxiii. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.

xxiv. Total fresh water use shall not exceed the proposed requirement as provided in the project details.

xxv. Sewage shall be treated in the STP with tertiary treatment. The treated effluent from STP shall be recycled/re-used for flushing, AC make up water and gardening. As proposed, no treated water shall be disposed in to municipal drain.

xxvi. No sewage or untreated effluent water would be discharged through storm water drains.

xxvii. Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.

xxviii. Outdoor and common area lighting shall be LED.

xxix. Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.

xxx. Organic waste compost/Vermiculture pit/Organic Waste Converter within the premises with a minimum capacity of 0.3 kg /person/day must be installed.

xxxi. Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.

xxxii. Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards be operated only during non-peak hours.

xxxiii. All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.

xxxiv. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.

xxxv. A First Aid Room shall be provided in the project both during construction and operations of the project.

xxxvi. The condition laid down by the GMC as mentioned in DPR should strictly adhere to by the ProjectProponent.

xxxvii. The User Agency needs to quantify muck generated during construction and proper estimation must be spell out to avoid future problem in the vicinity of Project site due to pilling ofmuck.

xxxviii. The Project Proponent should calculate total quantity of rain water discharge during the construction period and shall accordingly prepare water harvesting plant.

xxxix. Green Cover Plan needs to be covered 50% of the total areas of proposed MLCP for beautification of the blank areas, creation of hanging garden in all the flyover falling within the Gangtok Municipal Areas (GMC).

xl. The cost of maintenance should be provided including cost of creation of garden, beautification, quality planting materials of ornamentals and other evergreen shrubs and herbs till the expiry of the agreement with the State Government.

xli. The Multi- Disciplinary Committee comprising of members from Forest and Environment Department, State Pollution Control Board (SPCB), UDHD Department, Smart city, Mines & Geology, NGOs (Non- Government Organization), Power Department, Health Department, Fire & Emergency Services, PHE (Water Supply) and PHE (Sewage) which will do quarterly field monitoring and submitreport.

xlii. Quarterly inspect project site and submit report accordingly. If committee feels need to visit of the project site besides stipulated dates, may visit the site to ensure proper execution of the Project and follow of all the guidelines and condition laid down by various agencies (Government and Non-Government).

xliii. Half-yearly progress report for implementation of different work components under the project should furnished to SEIAA and State Forest Department by projectproponent.

xliv. In case of change in the scope of the project would require to obtain fresh appraisal.

xlv. The SEIAA reserves the right to add additional safeguard measures subsequently, if found necessary.

Non- Compliance of above terms and conditions by the Project Proponent shall attracts revocation of Environmental Clearance.

This clearance is valid for a period of five years from the date of issue for commencement of construction work. The project proponent should submit this environmental Clearance copies to the following.

3

1. District Collector, East.
2. DFO (Territorial) and Environment and Soil Conservation, East.
3. Local Panchayat / Councillor
4. Local NGOs
5. And other stake holder of the locality for information and about Environment Clearance. The copy of this Clearance will also be available in the ENVIS website www.sikenvis.nic.in of the Department of Forest, Environment and Wildlife Management.

Thanking you.

Yours faithfully

N. W. Tamang, IFS
CCF-cum Member Secretary (SEIAA)
Forest, Env. & Wildlife management Department.

Memo no:...../CCF/(T/HQ)/ FEWMD Date:.....

Copy for favour of kind information:

1. Principal Secretary to HCM.
2. Chief Secretary, Government of Sikkim
3. Pr. Secretary-cum, PCCF. FEWMD
4. Chairperson (SPCB)
5. Member Secretary (SEAC)
6. Sr. program Officer (Envis) : For uploading in the website.

N. W. Tamang, IFS
CCF-cum Member Secretary (SEIAA)
Forest, Env. & Wildlife management Department.

5

-TRUE COPY-

Signature Not Verified
Digitally signed by N.W Tamang(IFS)
Member Secretary
Date: 2/25/2022 4:38:03 PM

ANNEXURE R-39

सत्यमेव जयते

File No: 21/1/2023-IA.III
Government of India
Ministry of Environment, Forest and Climate Change
IA Division
***

Dated **23/08/2023**

To,

MESASO INFRASTRUCTURE PVT. LTD.
Vega Circle Mall, 3rd Floor, 3rd Mile, Sevoke Road, Siliguri , Siliguri, DARJEELING, WEST BENGAL, , 734008
vpprojects@mesaso.in

Subject: Grant of EC under the provision of the EIA Notification 2006-regarding.

Sir/Madam,

This is in reference to your application for Grant of EC under the provision of the EIA Notification 2006-regarding in respect of project Proposed Vertical Expansion by 3 Floors of "WEST POINT" - Integrated Commercial cum MLCP Complex by Mesaso Infrastructure Pvt. Ltd. submitted to Ministry vide proposal number IA/SK/INFRA2/417703/2023 dated 25/04/2023.

2. The particulars of the proposal are as below :

(i) Ec Identification No.	EC23C3802SK5858756E
(ii) File No.	21/1/2023-IA.III
(iii) Clearance Type	Expansion EC
(iv) Category	B2
(v) Project/Activity Included Schedule No.	8(a) Building / Construction
(vi) Sector	INFRA-2
(vii) Name of Project	Proposed Vertical Expansion by 3 Floors of "WEST POINT" - Integrated Commercial cum MLCP Complex by Mesaso Infrastructure Pvt. Ltd.
(viii) Name of Company/Organization	MESASO INFRASTRUCTURE PVT. LTD.
(ix) Location of Project (District, State)	Gangtok, SIKKIM
(x) Issuing Authority	MoEF&CC
(xi) EC Date	23/08/2023
(xii) Applicability of General Conditions	no
(xiii) Applicability of Specific Conditions	no

This has reference to proposal no. IA/SK/INFRA2/417703/2023 for seeking environmental clearance for Proposed Vertical Expansion by 3 Floors of "WEST POINT" - Integrated Commercial cum MLCP Complex at

Old West Point School Area, Near M.G. Marg, Gangtok, East Sikkim by Mesaso Infrastructure Pvt. Ltd.

2. The project/activity is covered under category 'B' of item 8(a) 'Building and Construction projects' of the Schedule to the EIA Notification, 2006 and its subsequent amendments, and requires appraisal at the State level. However, due to the non-existence of SEIAA in Sikkim, the proposal required appraisal by sectoral EAC at central level.

3. Accordingly, the above-mentioned proposal for Environmental Clearance has been examined by the Expert Appraisal Committee (Infra-2) in its 104th meeting held on 11-12.05.2023 and 106th meeting held on 30.06.2023.

4. The details of the project, as per the application form, documents submitted by the project proponent, and also as informed during the aforesaid meeting of EAC, are provided below for reference:

i. The project is located at 27°19'47.24"N Latitude and 88°36'40.93"E Longitude.

ii. The project is an expansion project.

iii. PP has obtained EC from SEIAA, Sikkim vide EC Identification no. EC22B038SK115854 dated 25.02.2022, for 4G+7 storey after appraisal on 22nd February, 2022. Construction of 25,675 sqm out of 33801.25 sqm has been done as on date as per EC obtained.

iv. The total plot area is 5665.55 sqm, Total construction (Built-up) area of 33801.25 sqm. Maximum height of the building is 62 m. The mixed-use development building of configuration 4G+10, shall comprise of Parking for 448 car parks on the lower 4 floors, Mall with a multiplex (44 retail outlets + 3 anchor stores) & food court, a Boutique hotel having 60 keys (52 deluxe rooms + 8 suites).

v. During construction phase, total water requirement is expected to be 50 KLD which is met by Municipal supply. During the construction phase, soak pits and septic tanks are provided for disposal of waste water. Temporary sanitary toilets are provided during peak labor force.

vi. During operational phase, total water requirement of the project is expected to be 160 KLD and the same will be met by 108 KLD fresh water from Municipal supply and 52 KLD recycled water. Wastewater generated (120 KLD) will be treated in STP of total 120 KLD capacity. 102 KLD of treated wastewater will be recycled and re-used (52 KLD for flushing and rest 50 KLD for gardening, car washing, etc.). 0 KLD will be disposed in to municipal drain.

vii. About 670 kg/day solid wastes will be generated in the project. The biodegradable waste (335 kg/day) will be processed in OWC and the non-biodegradable waste generated (335 kg/day) will be handed over to authorized local vendor.

viii. The total power requirement during construction phase is 100 KVA and will be met from Power & Energy Department, Sikkim and total power requirement during operation phase is 2198 KW and will be met from Power & Energy Department, Sikkim.

ix. Provision for capturing rain water, tank of capacity of 240 KLD with retention time of 30 minutes shall be provided.

x. Parking facility for 448 four wheelers has been provided in the lower 4 floors of the MLCP cum Commercial complex.

xi. Proposed energy saving measures would save about 12.18% of power. The following energy saving measures shall be undertaken:

xii. Materials preferred for construction shall be environment friendly & have a low embodied energy. This will help in keeping the environment cleaner & greener.

xiii. The building made of prefabricated steel members with nominal use of concrete which is only used in wet cores and as deck slabs, reduces the consumption of water during construction. This method of construction also doesn't create air pollution during construction stages.

xiv. Proposed MEP System shall use state of the art technology. The target is to optimize minimum possible resources and optimize the system.

xv. LED & other appliances having higher BEE rating shall be used to reduce power consumption. Likewise, Low flow water sanitary fixtures shall be used to reduce water consumption. The aim is achieving GRIHA Gold rating.

xvi. A building management system has been proposed for resource optimization and efficiency in energy consumption.

xvii. Building services such as the HVAC system, pumping system would be centrally controlled. It is envisaged to provide a state-of-the-art Building Management System for the services of the Mall / Cinema / Hotel areas of Mixed Use Project at Gangtok.

xviii. Comparative analysis of existing / envision pollution load (in case of expansion / modernization)

xix. The current proposal is for vertical expansion of 3 floors above the 4G+7 Integrated Commercial cum MLCP complex. Environmental Clearance vide File No. : 214/E & SC and EC Identification no. EC22B038SK115854 dated 25.02.2022 and Consent to Establish vide Ref. No. 1142/SPCB dated 24.02.2022, has already been obtained for construction of the 4G+7 Integrated Commercial cum MLCP complex.

xx. Impact of proposed project/activity on Air, Water, Noise, Ecology and proposed mitigation measures (**Table – 1** and **Table -2**).

xxi. Proposed project is not located in Critically Polluted area.

xxii. No NBWL Clearance is required

xxiii. No Forest Clearance is required for this project

xxiv. No court case is pending against this project

xxv. Green cover plan shall cover 30% of total areas of the proposed MLCP for beautification of the blank areas, creation of hanging garden in all the flyover falling within the Gangtok Municipal Areas (GMC). A total of 15,000 sqft of landscaped area including green terraces have been proposed.

xxvi. It is expected that around 4 years would be required for completion of the project.

xxvii. Total Cost of the project is Rs. 298.2 Crores.

xxviii. 250 construction workers have been employed during the construction phase. About 2500 people will get employment during operation phase of the project.

xxix. Benefits of the project: There will be employment of local people as service population, staff at the mall, auditoriums, restaurants, etc. This area will become one of the most prosperous commercial hub in the vicinity with world-class facilities. This will uplift the entire socio-economic profile of the area. Thus it is envisaged that this project will help the local population immensely.

5. The proposal was earlier appraised by the EAC in its 104th meeting held on 11-12 May, 2023 when it noted that a point of concern in this project was the presence of a swimming pool on the top floor of the expansion now proposed. In view of the fact that this site is located in the high-risk zone 4 of the earthquake vulnerability map of India, the EAC deferred the proposal and asked the PP to get the proposal technically examined by the Central Building Research Institute (CBRI), Roorkee.

6. Thereafter, PP requested through PARIVESH on 20.06.2023, the CBRI authorities have informed them that a minimum of 5-6 months' time would be required for reviewing, vetting the design, and providing their report. The project proponent further informed that the proposed project is being developed under PP mode with the lower 4 floors of the project dedicated to car parking among which 2 floors are dedicated exclusively for taxi parking. There was an existing old taxi stand at the site which has been temporarily shifted to another site. These two floors for taxi parking need to be completed and handed over to the Government of Sikkim / Smart City latest by December 2023, because of the acute shortage of parking space in Gangtok. The temporary site where the taxi parking has been rehabilitated needs to be vacated by December 2023. In view of this urgency, the project proponent requested EC to complete the project ***without the swimming pool*** and the permission to build the swimming pool may be granted later if the CBRI gives positive recommendations.

7. The proposal was appraised by the EAC in its 106th meeting held on 30.06.2023. The EAC, after detailed deliberations, found merit in the request of the PP to go ahead with the project without the roof-top swimming pool the addition of which can be considered at a later date after the issue is examined by the CBRI. The EAC further agreed that if the CBRI is unable to undertake this task early enough then the PP may get the issue of construction of roof-top swimming pool examined by some other institution of national repute having expertise in the construction of buildings in zones of high seismic activity.

8. The EAC, based on the information submitted and clarifications provided by the Project Proponent and detailed discussions held on all the issues, recommended granting environmental clearance to the project **without roof-top swimming pool** and subject to specific conditions stipulated in its 106th meeting and other Standard EC Conditions as specified by the Ministry vide OM dated 4th January, 2019 for the said project/activity, while considering for accord of environmental clearance.

9. Based on recommendations of EAC, the Ministry of Environment, Forest and Climate Change hereby accords Environmental Clearance for the 'Proposed Vertical Expansion by 3 Floors of "WEST POINT" - Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G. Marg, Gangtok, East Sikkim by Mesaso Infrastructure Pvt. Ltd.', under the provisions of the EIA Notification, 2006 and amendments/circulars issued thereon, and subject to the specific and standard conditions (Annexure 1):

10. The Environmental Clearance is being granted to M/s Mesaso Infrastructure Pvt. Ltd' for proposed Vertical Expansion by 3 Floors of "WEST POINT" - Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G. Marg, Gangtok, East Sikkim.

11. This issue with the approval of the Competent Authority.

Annexure 1

Specific EC Conditions for (Building / Construction)

1. Specific Condition

S. No	EC Conditions
1.1	The PP shall obtain the Fire safety certification from Fire Department and also height clearance from the Airports Authority of India and submit the same to the concerned Integrated Regional Office of the Ministry within six months of the issue of EC letter.
1.2	As proposed, 1 RWH tank with capacity of 240 KLD shall be provided by the PP for rain water harvesting after filtration. The local municipal regulations on rainwater harvesting should be followed. If local provisions are not available then adequate provision for storage and recharge should be made in accordance with the Ministry of Housing and Urban Affairs (erstwhile Ministry of Urban Development), Model Building Bye-laws, 2016.
1.3	The project proponents would commission a third-party study on the implementation of conditions related to quality and quantity of recycle and reuse of treated water, efficiency of treatment systems, quality of treated water being supplied for flushing, comparative bacteriological studies using recycled treated waters and fresh waters for flushing, and quality of water being supplied through spray faucets attached to toilet seats.
1.4	The Environmental Clearance to the project is primarily under provisions of EIA Notification, 2006. The Project Proponent is under obligation to obtain approvals/clearances under any other Acts/Regulations or Statutes as applicable to the project.
1.5	As proposed, waste water shall be treated onsite in STP of 120 KLD capacity.
1.6	Fresh water requirement shall not exceed 160 KLD during the operational phase and the extraction of groundwater shall be subject to permission by the Central Ground Water Authority (CGWA).
1.7	Green cover plan shall cover 30% of total areas of the proposed MLCP for beautification of the blank areas, creation of hanging garden in all the flyover falling within the Gangtok Municipal Areas (GMC). A total of 15,000 sqft of landscaped area including green terraces have been proposed.
1.8	As committed, parking facility for 448 four wheelers is to be provided in the lower 4 floors of the MLCP cum Commercial complex.
1.9	The solid waste shall be duly segregated into biodegradable and non- biodegradable components and handled in separate areas earmarked for segregation of solid waste, as per SWM Rules, 2016.

S. No	EC Conditions
	As committed, biodegradable waste shall be utilized through the OWC to be installed within the site. Inert waste shall be disposed of as per norms at authorized sites. Recyclable waste shall be sold to authorized vendors/recyclers. Construction & Demolition (C&D) waste shall be segregated and managed as per C&D Waste Management Rules, 2016.
1.10	As committed, Proponent shall ensure installation of solar-based lighting and LEDs to meet 10 % of total power requirement.
1.11	Proponent is required to carry out 'compliance audit' of the building through NABL accredited Consultant once every year and an internal security drill as mandated under the Disaster Management Plan.

Standard EC Conditions for (Building / Construction)

1 Statutory compliance

S. No	EC Conditions
1.1	The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work. All the construction shall be done in accordance with the local building byelaws.
1.2	The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of firefighting equipment etc. as per National Building Code including protection measures from lightening etc.
1.3	The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1980, in case of the diversion of forest land for non-forest purpose involved in the project.
1.4	The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
1.5	The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board/ Committee.
1.6	The project proponent shall obtain the necessary permission for drawl of ground water / surface water required for the project from the competent authority.
1.7	A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.
1.8	All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department shall be obtained, as applicable, by project proponents from the respective competent authorities.
1.9	The provisions of the Solid Waste Management Rules, 2016, e-Waste (Management) Rules, 2016, and the Plastics Waste Management Rules, 2016, shall be followed.

S. No	EC Conditions
1.10	The project proponent shall follow the ECBC/ECBC-R prescribed by Bureau of Energy Efficiency, Ministry of Power strictly.

2 Air quality monitoring and preservation

S. No	EC Conditions
2.1	Notification GSR 94(E) dated 25.01.2018 of MoEF&CC regarding Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance shall be complied with.
2.2	A management plan shall be drawn up and implemented to contain the current exceedance in ambient air quality at the site.
2.3	The project proponent shall install system to carryout Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM10 and PM2.5) covering upwind and downwind directions during the construction period.
2.4	Diesel power generating sets proposed as source of backup power should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use of low sulphur diesel. The location of the DG sets may be decided with in consultation with State Pollution Control Board.
2.5	Construction site shall be adequately barricaded before the construction begins. Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3-meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murram and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.
2.6	Sand, murram, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.
2.7	Wet jet shall be provided for grinding and stone cutting.
2.8	Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
2.9	All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Management Rules 2016.
2.10	The diesel generator sets to be used during construction phase shall be low sulphur diesel type and shall conform to Environmental (Protection) prescribed for air and noise emission standards.
2.11	The gaseous emissions from DG set shall be dispersed through adequate stack height as per CPCB standards. Acoustic enclosure shall be provided to the DG sets to mitigate the noise pollution. Low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the

S. No	EC Conditions
	provisions of the Central Pollution Control Board (CPCB) norms.
2.12	For indoor air quality the ventilation provisions as per National Building Code of India.

3 Water quality monitoring and preservation

S. No	EC Conditions
3.1	The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site, on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.
3.2	Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.
3.3	Total fresh water use shall not exceed the proposed requirement as provided in the project details.
3.4	The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
3.5	A certificate shall be obtained from the local body supplying water, specifying the total annual water availability with the local authority, the quantity of water already committed, the quantity of water allotted to the project under consideration and the balance water available. This should be specified separately for ground water and surface water sources, ensuring that there is no impact on other users.
3.6	At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.
3.7	Installation of dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc and other for supply of recycled water for flushing, landscape irrigation, car washing, thermal cooling, conditioning etc. shall be done.
3.8	Use of water saving devices/fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc) for water conservation shall be incorporated in the building plan.
3.9	Separation of grey and black water should be done by the use of dual plumbing system. In case of single stack system separate recirculation lines for flushing by giving dual plumbing system be done.
3.10	Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
3.11	The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016. Rain water harvesting recharge

S. No	EC Conditions
	pits/storage tanks shall be provided for ground water recharging as per the CGWB norms.
3.12	A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.
3.13	All recharge should be limited to shallow aquifer.
3.14	No ground water shall be used during construction phase of the project.
3.15	Any ground water dewatering should be properly managed and shall conform to the approvals and the guidelines of the CGWA in the matter. Formal approval shall be taken from the CGWA for any ground water abstraction or dewatering.
3.16	Sewage shall be treated in the STP with tertiary treatment. The treated effluent from STP shall be recycled/re-used for flushing, AC make up water and gardening. As proposed, no treated water shall be disposed in to municipal drain.
3.17	No sewage or untreated effluent water would be discharged through storm water drains.
3.18	Onsite sewage treatment of capacity of treating 100% waste water to be installed. The installation of the Sewage Treatment Plant (STP) shall be certified by an independent expert and a report in this regard shall be submitted to the Ministry before the project is commissioned for operation. Treated waste water shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per statutory norms notified by Ministry of Environment, Forest and Climate Change. Natural treatment systems shall be promoted.
3.19	Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.
3.20	Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.

4 Noise monitoring and prevention

S. No	EC Conditions
4.1	Ambient noise levels shall conform to residential area/commercial area/industrial area/silence zone both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000. Incremental pollution loads on the ambient air and noise quality shall be closely monitored during construction phase. Adequate measures shall be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB / SPCB.
4.2	Noise level survey shall be carried as per the prescribed guidelines and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.

S. No	EC Conditions
4.3	Acoustic enclosures for DG sets, noise barriers for ground-run bays, ear plugs for operating personnel shall be implemented as mitigation measures for noise impact due to ground sources.

5 Energy Conservation measures

S. No	EC Conditions
5.1	Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.
5.2	Outdoor and common area lighting shall be LED.
5.3	Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design. Wall, window, and roof u-values shall be as per ECBC specifications.
5.4	Energy conservation measures like installation of CFLs/ LED for the lighting the area outside the building should be integral part of the project design and should be in place before project commissioning.
5.5	Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.
5.6	Solar power shall be used for lighting in the apartment to reduce the power load on grid. Separate electric meter shall be installed for solar power. Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.

6 Waste Management

S. No	EC Conditions
6.1	A certificate from the competent authority handling municipal solid wastes, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project shall be obtained.
6.2	Disposal of muck during construction phase shall not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
6.3	Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.
6.4	Organic waste compost/Vermiculture pit/Organic Waste Converter within the premises with a

S. No	EC Conditions
	minimum capacity of 0.3 kg /person/day must be installed.
6.5	All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
6.6	Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
6.7	Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include Fly Ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.
6.8	Fly ash should be used as building material in the construction as per the provision of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003 and 25th January, 2016. Ready mixed concrete must be used in building construction.
6.9	Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Waste Management Rules, 2016.
6.10	Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination.

7 Green Cover

S. No	EC Conditions
7.1	No tree can be felled/transplant unless exigencies demand. Where absolutely necessary, tree felling shall be with prior permission from the concerned regulatory authority. Old trees should be retained based on girth and age regulations as may be prescribed by the Forest Department. Plantations to be ensured species (cut) to species (planted).
7.2	Where the trees need to be cut with prior permission from the concerned local Authority, compensatory plantation in the ratio of 1:10 (i.e. planting of 10 trees for every 1 tree that is cut) shall be done and maintained. Plantations to be ensured species (cut) to species (planted). Area for green belt development shall be provided as per the details provided in the project document.
7.3	Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.

8 Transport

S. No	EC Conditions
8.1	A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be

S. No	EC Conditions
	designed with these basic criteria. a. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic. b. Traffic calming measures. c. Proper design of entry and exit points. d. Parking norms as per local regulation.
8.2	Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards be operated only during non-peak hours.

9

S. No	EC Conditions
9.1	A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 05 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./ competent authority for road augmentation and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.

10 Human health issues

S. No	EC Conditions
10.1	All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.
10.2	For indoor air quality the ventilation provisions as per National Building Code of India.
10.3	Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
10.4	Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
10.5	Occupational health surveillance of the workers shall be done on a regular basis.
10.6	A First Aid Room shall be provided in the project both during construction and operations of the project.

11 Miscellaneous

S. No	EC Conditions
11.1	The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of MoEFCC/SEIAA website where it is displayed.
11.2	ii. environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
11.3	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
11.4	The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
11.5	The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental/forest/wildlife norms/conditions. The company shall have defined system of reporting infringements/deviation/violation of the environmental/forest/wildlife norms/conditions and/or shareholders/stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
11.6	A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly report to the head of the organization.
11.7	Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report
11.8	The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
11.9	The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
11.10	The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
11.11	The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP reportand also that during their presentation to the Expert Appraisal Committee.

S. No	EC Conditions
11.12	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forest and Climate Change (MoEF&CC).
11.13	Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
11.14	The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
11.15	The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
11.16	The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
11.17	The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
11.18	Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Annexure 2

Copy To

1. The Secretary, Forest and Environment Department, Government of Sikkim, Forest Secretariat, Deorali – 737102, Gangtok, East Sikkim.
2. The IGF(Central), Ministry of Environment, Forest and Climate Change, Integrated Regional Office, 1st Floor, IB-198, IB Block, Sector III, Bidhannagar, Kolkata, West Bengal 700106.
3. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110 032.
4. The Member Secretary, State Pollution Control Board Sikkim, Forest Secretariat, C-Block, Deorali, Gangtok – 737102, East Sikkim, India.
5. The Member Secretary, Central Ground Water Authority, A2, W-3 Curzon Road Barracks, K.G. Marg, New Delhi-110 001.
6. Guard File/ Record File / MoEF Website.

Table - 1. Impact and proposed mitigation measures during construction

A	**Work force**	Local labourers shall be employed.
B	**Facilities at site**	Provision of drinking water, waste water disposal and solid waste management has been provided for site office & labour restrooms. Water usage during construction & curing is optimized. Proper sanitation for site office & construction workers have been provided. Health and safety, of the workers has been ensured during construction.
C	**Steps to avoid disturbance**	DG sets have acoustic enclosures and confirm to E (P) Rules. Ambient noise levels conform to local standards during day and night. Only limited necessary construction is done during night time. Excessive energy consumption and fuel usage is avoided.
D	**Selection of material**	Materials preferred for construction are environment friendly & have a low embodied energy. This helps in keeping the environment cleaner & greener. The building is made of prefabricated steel members with nominal use of concrete which is only used in wet cores and as deck slabs, to reduce the consumption of water during construction. This method of construction also doesn't create air pollution during construction stages. Proposed MEP System shall use state of the art technology. The target is to ptimiz minimum possible resources and ptimiza the system. LED & other appliances having higher BEE rating shall be used to reduce power consumption. Likewise, Low flow water sanitary fixtures shall be used to reduce water consumption. The aim is achieve GRIHA Gold rating. A building management system has been proposed for resource ptimization and efficiency in energy consumption. Building services such as the HVAC system, pumping system would be centrally controlled. It is envisaged to provide a state-of-the-art Building Management System for the services of the Mall/Cinema/Hotel areas of Mixed Use Project at Gangtok. Adequate open space, greenery will be provided as per rules.
E	**Concreting work**	Adequate screen wall has been provided to a height to control fugitive emission generated during construction. Using of Ready Mixed Concrete (RMC) further reduces fugitive emission.
F	**Dust**	Water sprinkling is done regularly in the material dumping area, to avoid spreading of dust. Screening wall is placed all around the project site to arrest fugitive dust from spreading out of the site.
G	**Debris**	Construction debris including bricks, gravel, rubbish, waste of plaster, concrete debris, metal tiles, etc. is used within the project site for land filling activities, road work, etc. The construction and

		demolition wastes are utilized as per the Construction and Demolition (C & D) Waste Management Rules, 2016. Other wastes like, pieces of steel, cement bags, waste paper and cardboard packing material are sold off to recyclers.
I	**Dumping of material**	The construction materials are not dumped in public roads around the property.
J	**Construction equipment**	Vehicles / equipment deployed during construction are in good condition, properly maintained and confirm to applicable air / noise emission standards & (PUC) norms. Underneath of the vehicles are regularly washed & cleaned before leaving the site, to avoid spillage outside the site. The contractor will remove all construction equipment and scrap materials from the site on completion of construction activity.
K	**Water Accumulation**	No water accumulation is allowed in the construction site. Proper disposal system is made to prevent stagnation of water.
L	**Others**	Construction conforms to the sanction plan by the concerned authority and requirement of local seismic regulations. All statutory / necessary permission will be obtained prior to & post construction. Fire-fighting systems will be designed in compliance with the local authority. Construction site is disinfected periodically. Walking platforms at height are of sound construction and provided with safety rails or belts.

Table – 2. Impact and proposed mitigation measures during Operation

A	**Water Supply**	Total 108 KLD of fresh water will be required which will be supplied by Tankers / Municipal Authorities. Groundwater will not be abstracted.
B	**Storm water Management**	Adequate in-house drainage network has been designed for the project without disturbing the surrounding areas. Heat island effect has been minimized by use of shading and reducing hard surfaces viz. roads, paving etc.
C	**Rain Water Harvesting**	Rain water Harvesting plan has been formulated. Adequate fire fighting storage tank has been provided as per norms.
D	**Plantation / Landscaping**	Green belt development programme shall be taken up once the construction work is completed.
E	**Waste water Management**	The treated wastewater from STP shall be reused for flushing, landscaping & car washing purposes. A Centralized STP plant of

		120 KL capacity has been proposed. Balance treated wastewater shall be disposed off into the Municipal sewer network.
F	**Solid waste Management**	Solid waste during operational phase in general will be of domestic nature. Garbage will be segregated at source for biodegradable, in-organic recyclables and in-organic inert material during operational phase (670 kg/day). Total MSW will be stored at a place within the site. Organic component will be managed in house by installing mechanical composter, inorganic recyclables will be sold to vendors and inorganic inert material will be stored at a place within the site. From there it be collected, transported, treated and disposed off by local authority as per Rules.
H	**Hazardous Waste Management**	Spent Oil from DG sets will be carefully stored in HDPE drums in isolated covered facility and disposed as per the guidance of competent authority. Suitable care will be taken so that spills/ leaks of spent oil from storage could be avoided.
I	**Emission from Diesel Generator**	DG sets will be provided with acoustic enclosures as per CPCB norms. The stack height and emissions from D.G. sets will conform to CPCB norms.
H	**Energy Efficiency**	The lighting design, heating, ventilation and air conditioning systems will conform to the ECBC recommendations. Use of energy efficient electrical systems will be promoted. High efficiency lamps, etc. will be used. Energy efficient Motors and properly rated Transformers will be installed.

Quarterly Compliance Report of Environmental Clearance for Proposed Development of "WEST POINT" - Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G. Marg, Gangtok, East Sikkim by MESASO INFRASTRUCTURE PVT. LTD.

ANNEXURE R-40

1. **File No. :** 214/E &SC
2. **EC Identification no. with date :** EC22B038SK115854 dated 25.02.2022
3. **Category :** B2
4. **Project / Activity including Schedule No. :** 8(a) Building and Construction projects
5. **Name of the Project :** Proposed Development of "WEST POINT" - Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G. Marg, Gangtok, East Sikkim
6. **Name of Company / Organization :** MESASO Infrastructure Pvt. Ltd.
7. **Consent to Establish :** Ref. No. 1142/SPCB dated 24.02.2022
8. **Period of Compliance** Report : 7th Quarter Ending September, 2023 to November, 2023

Our project, "Development of "WEST POINT" - Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G. Marg, Gangtok, East Sikkim" was granted Environmental Clearance (EC) vide EC Identification no. EC22B038SK115854 dated 25.02.2022 by State Environment Impact Assessment Authority (SEIAA), Sikkim for construction of 4G+7 storeys. According to conditions given in the EC, we are required to submit Quarterly Compliance Status Report (QCR) of the project.

Consent to Establish (NOC) was obtained from State Pollution Control Board, Sikkim, vide Ref. No. 1142/SPCB dated 24.02.2022.

After obtaining sanction plan for 4G+10 storeys, application was made for obtaining EC for the additional 3 floors at State level on 21st October, 2022 for appraisal.

A letter vide Ref. No. 47/E&SC/Circle dated 23rd November, 2022 was received by the project proponent from Office of the Chief Conservator of Forest (HQ), Forest and Environment Department, Government of Sikkim, stating that SEIAA / SEAC of the state of Sikkim is momentarily defunct due to completion of term.

Hence, it was suggested in the letter that application may be made directly to Central Expert Appraisal Committee (EAC) till SEAC & SEIAA are reconstituted for a fresh term in the state.

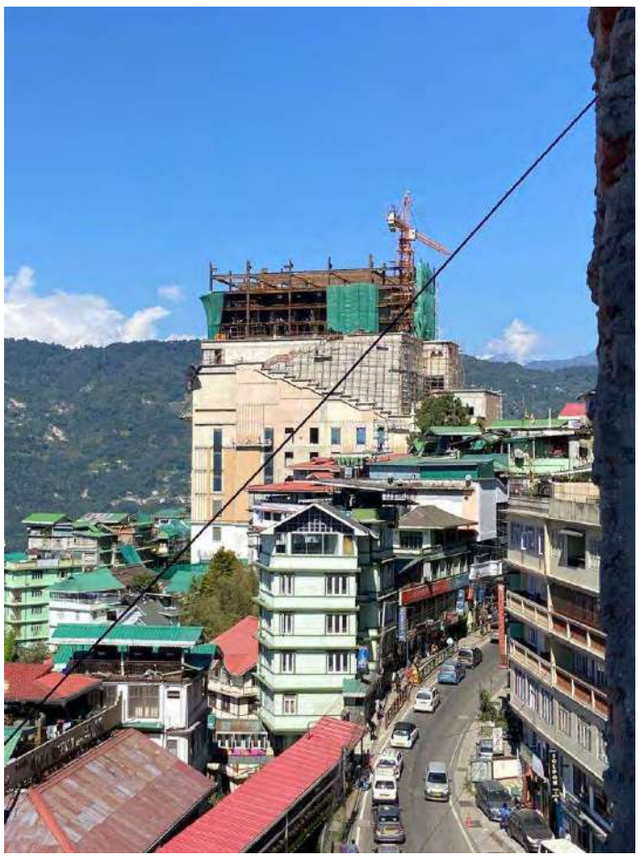
Accordingly, application was made to Expert Appraisal Committee (EAC) of MoEF&CC vide Proposal No. IA/SK/INFRA2/417703/2023.

Environment Clearance vide EC Identification no. EC23C3802SK5858756E dated 23.08.2023 was obtained for construction of the additional 3 floors from the Ministry of Environment, Forests and Climate Change (MoEF&CC).

Photographs of current construction status of the project have been presented below:

Quarterly Compliance Report of Environmental Clearance for Proposed Development of "WEST POINT" - Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G. Marg, Gangtok, East Sikkim by MESASO INFRASTRUCTURE PVT. LTD.

Quarterly Compliance Report of Environmental Clearance for Proposed Development of "WEST POINT" - Integrated Commercial cum MLCP Complex at Old West Point School Area, Near M.G. Marg, Gangtok, East Sikkim by MESASO INFRASTRUCTURE PVT. LTD.



Sl. No.	Conditions	Compliance
i.	The official permissible height for building in Sikkim is 5 ½ for domestic and 7 for Commercial purpose as per the existing bye laws in Sikkim. However the Project Proponent has procured Certification from Mr. Majumdar of Jadavpur University for construction of 11 storeys building. The SEAC informed the PP to get this certification to be validated / vetted by Mines & Geology Department, Government of Sikkim.	Department of Mines & Geology, Government of Sikkim has validated the Certification procured from Mr. Majumdar of Jadavpur University for construction of 11 storeys building. The letter from Department of Mines & Geology, Government of Sikkim is attached as **Annexure - 1**.
ii.	Structural Engineers from GMC also have to be included in the project.	GMC Engineers are already a part of the project as they are involved in the drawing sanction of the proposal. Documents in this regard have been attached as **Annexure - 2**.
iii	Project Proponent has to follow the labour laws of Sikkim and engage local people.	Labour Laws of Sikkim are being followed and the company has employed local labours as far as possible and in special case, if field and technical manpower is not available then the company is hiring from outside the state and it has been registered with the

		Labour Department of the state. Copy of Work orders granted to the local contractors have been attached as **Annexure - 3**.
iv	Corporate Environment Responsibility to be taken up and Environment measures to be implemented in consultation with Environment sector of the Forest Department, Government of Sikkim.	Corporate Environment responsibility (CER) - 1.5% of the total project cost is admissible under the provision of F.No.22-65/2017-IA.III dated 1st May, 2018 and its subsequent amendments. Environment protection measures like regular water sprinkling to prevent dust emissions, construction of screen around the project site, using fit vehicles with proper PUC certificates, tyre washing, etc. have been implemented.
v	Parking / ventilation structure design to be submitted to SEIAA.	Attached as **Annexure - 4**.
vi	Disposal of sludge from STP to be specified till its end point.	STP Schematic Flow Diagram and Request Letter to Star Cement Pvt. Ltd. For utilization of the STP sludge cake as fuel in their cement plant is attached as **Annexure - 5.**
vii	Rain water harvesting plan, Composting & disposal plan to be submitted with specification till its end point.	Water Balance Diagram, Rain water harvesting plan, Composting & disposal plan, Letter from Khayerbari Tea Company Limited regarding buying of compost cakes have been attached as **Annexure - 6.**
viii	Dumping of extra excavated muck (unutilisable) should be done at pre identified and approved sites. No muck should be washed away during rainy seasons and cause choking of nallahs, jhoras or water bodies or damage the surrounding environment. Clearances from the concerned department(s) or agency(ies) to be taken for the dumping sites. Rehabilitation of such dumping sites may be done at the cost of PP by providing suitable structures for holding the muck and do plantation with suitable local species.	Complied and Being Complied. Construction wastes and muck is being dumped at designated place. Permission in this regard had been obtained from Government of Sikkim vide letter dated 25th November, 2021.
ix	The number of storey of the proposed building should be restricted to 11 storeys only as per the approval of GMC.	Project Proponent, MESASO Infrastructure Pvt. Ltd., had applied for obtaining EC from SEIAA, Sikkim, for the construction of "WEST POINT" - integrated Commercial cum MLCP Complex of configuration 4G+10 storey.

		At that time, sanction plan was available for 4G+7 storey. Hence, EC was also granted by SEIAA, Sikkim for G+7 storey. Now, sanction plan for constructing additional 3 floors above the 4G+7 stories has already been obtained. Accordingly, application was made to Central Expert Appraisal Committee (EAC) for obtaining EC for the additional 3 floors. Environment Clearance vide EC Identification no. EC23C3802SK5858756E dated 23.08.2023 has been obtained for construction of the additional 3 floors from the Ministry of Environment, Forests and Climate Change (MoEF&CC). Copy attached as **Annexure - 7.** No construction work for the additional 3 floors shall be initiated until and unless Consent to Establish is obtained for the additional 3 floors.
x	All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Management Rules 2016.	To be complied / being complied. There was an obsolete existing parking block at the site which was demolished. The land was handed over to MESASO Infrastructure Pvt. Ltd. for development in barren condition. All construction debris are being stored at a designated place within the site and not being dumped on the roads or open spaces outside, before they are properly reused for landfilling or disposed. All construction waste are being managed as per the provisions of the Construction and Demolition Waste Management Rules 2016.
xi	The extra excavated muck / soil to be disposed at designated sites as stated at Sl.no.x above to avoid choking of drains and flooding.	To be complied / being complied. The extra excavated muck / soil is stored at a designated place within the site and not being disposed into drains, nallahs, jhoras or any other water bodies to avoid choking of drains and flooding.

		Construction wastes and muck is being dumped at designated place. Permission in this regard has been obtained from Government of Sikkim vide letter dated 25th November, 2021.
xii	Utilisation of water from Rain water harvesting structure to be maximized to minimize the load on fresh water demand.	Being complied and water balance diagram has been attached as **Annexure - 6.**
xiii	Commitment letter to the effect that no damage is caused to the surrounding areas and habitation as per the stake holders meeting held on 13.11.2021 is insisted.	Being complied and copy of the letter has been attached as **Annexure - 8.**
xiv	Environment Management Plan further needs to prepared to strengthen the existing EMP spell out in the instant proposal to ensure intensive mitigation measure to maintain overall ecological balance.	Being complied and Environment Management Plan (EMP) has been attached as **Annexure - 9.**
xv	Green Cover Plan needs to be covered 30% of the total areas of proposed MLCP for beautification of the blank areas, creation of hanging garden in all the flyover falling within the Gangtok Municipal Areas (GMC).	Being complied as per the plan and consent of the department. Vertical gardens, rooftop gardening and greening of blank areas for beautification of proposed MLCP and creation of hanging garden in all the flyover falling within the Gangtok Municipal Areas (GMC) shall be undertaken juxtaposing during the construction phase of the project to mitigate adverse impact on local surrounding environment.
xvi	Local labours to be employed as far as possible and train them also to get the desired output.	Labour Laws of Sikkim are being followed and the company has employed only local labours except skilled and proficient workers for the project. Copy of Work orders granted to the local contractors have been attached as **Annexure - 3**.
xvii	Permission from State Pollution Control Board for E-waste, DG set and Hazardous waste to be obtained by the Project proponent.	Permission from State Pollution Control Board for E-waste and Hazardous waste shall be obtained. NOC for DG sets has been obtained from State Pollution Control Board, Sikkim vide Ref. No. 1415/SPCB/ dated 31.05.2022. The NOC Certificate has been attached as **Annexure - 10**.
xviii	Taxi Driver's Union / Association consent letter copy to be submitted.	Being complied and copy of the document has been attached as **Annexure - 11.**
xix	The environment safeguard measures to be monitored by the Multidisciplinary	Agreed.

	committee to be constituted by Forest Department / Smart City / Project proponent.	
xx	The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of firefighting equipment etc. as per National Building Code including protection measures from lightening etc.	Complied and Being complied. GMC construction order, Mines & Geology Department Report and Fire NOC has already been obtained. Copy of the NOC attached as **Annexure - 12.**
xxi	The provisions of the Solid Waste Management Rules, 2016, e-Waste (Management) Rules, 2016, and the Plastics Waste Management Rules, 2016, shall be followed.	Solid waste during construction phase mainly comprises of excavation earth, concrete debris with bits and pieces of steel, cement bags, waste paper and cardboard packing materials etc. Usable / recyclable materials are being sold off to waste recyclers. Unusable construction wastes are being dumped at a designated site. During the construction phase solid wastes of domestic origin are generated. Such wastes are being collected, transported and disposed off by local authority as per Rules. Solid waste during operational phase in general will be of domestic nature. Garbage will be segregated at source for biodegradable, in-organic recyclables and in-organic inert material during operational phase (664.4 kg/day). Total MSW will be stored at a place within the site. Organic component will be managed in house by installing mechanical composter, inorganic recyclables will be sold to vendors and inorganic inert material will be stored at a place within the site. From there it be collected, transported, treated and disposed off by local authority as per Rules. Negligible quantity of e-waste shall be generated during the operational phase of the project. Plastics Waste Management Rules, 2016, shall be followed during the operational phase of the project and necessary permission in this regard shall be obtained.
xxii	Construction site shall be adequately	Complied and Being complied.

<table>
<tr><td></td><td>barricaded before the construction begins.</td><td>Screen of adequate height has been constructed all along the boundary of the site and the site has been adequately barricaded to ensure that the pollutants don't disperse into the surrounding areas.</td></tr>
<tr><td>xxiii</td><td>Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.</td><td>Complied and Being Complied.
Water sprinkling arrangements have been made at site and the loose soil is adequately sprinkled with water to suppress dust at regular intervals.</td></tr>
<tr><td>xxiv</td><td>Total fresh water use shall not exceed the proposed requirement as provided in the project details.</td><td>To be complied.
Total fresh water use will not exceed the requirement amount as provided in the project details. Water Balance Diagram has been attached as Annexure - 6.</td></tr>
<tr><td>xxv</td><td>Sewage shall be treated in the STP with tertiary treatment. The treated effluent from STP shall be recycled / re-used for flushing, AC make up water and gardening. As proposed, no treated water shall be disposed in to municipal drain.</td><td>To be complied.
The STP shall have tertiary treatment facility. The treated effluent from STP will be recycled for flushing, AC make up water and gardening purposes. Zero liquid discharge will be followed. No treated water will be disposed into the municipal drain.
STP Schematic Flow Diagram has been attached as Annexure - 5.
Water Balance Diagram has been attached as Annexure - 6.</td></tr>
<tr><td>xxvi</td><td>No sewage or untreated effluent water would be discharged through storm water drains.</td><td>STP shall be installed for treatment of wastewater generated. Zero liquid discharge will be followed. No sewage or untreated effluent water will be discharged through storm water drains.</td></tr>
<tr><td>xxvii</td><td>Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.</td><td>Being complied / to be complied
The U-values of the roof, external wall and fenestration of the building will meet the requirements as specified in the Energy Conservation Building Code (ECBC).
<table>
<tr><th>Component</th><th>Material Used</th><th>Permissible U-Value as per ECBC (W/m^2-°C)</th></tr>
<tr><td>Roof</td><td>Concrete</td><td>0.04</td></tr>
<tr><td>External Wall</td><td>Brick</td><td>0.07</td></tr>
<tr><td>Fenestration</td><td>Glass Facade</td><td>3.3</td></tr>
</table></td></tr>
<tr><td>xxviii</td><td>Outdoor and common area lighting shall be LED.</td><td>To be complied.</td></tr>
<tr><td>xxix</td><td>Separate wet and dry bins must be provided in each unit and at the ground</td><td>To be complied.
Separate wet and dry bins will be</td></tr>
</table>

	level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.	provided in each unit and at the ground level for facilitating segregation of waste. Solid waste will be segregated into wet garbage and inert materials. Solid waste during operational phase in general will be of domestic nature. Garbage will be segregated at source for biodegradable, in-organic recyclables and in-organic inert material during operational phase. Total MSW will be stored at a place within the site. Organic component will be managed in house by installing mechanical composter, inorganic recyclables will be sold to vendors and inorganic inert material will be stored at a place within the site. From there it be collected, transported, treated and disposed off by local authority as per Rules.
xxx	Organic waste compost / Vermi-culture pit / Organic Waste Converter within the premises with a minimum capacity of 0.3 kg/person/day must be installed.	To be complied. Organic waste composter will be installed at site for treatment of the organic waste generated. Composting & disposal plan has been attached as **Annexure - 6.**
xxxi	Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.	Being complied. Construction waste does not contain any remarkable harmful substances that can cause health hazards. Therefore, possibility of any health hazard will be negligible. Other wastes like, pieces of steel, cement bags, waste paper and cardboard packing material will be sold off to recyclers.
xxxii	Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards be operated only during non-peak hours.	Vehicles in good condition have been hired for bringing construction material to the site. Photographs of PUC certificates of the trucks carrying construction materials and wastes and tyre washing of the trucks before leaving the project site have been attached as **Annexure -13.**
xxxiii	All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.	Complied and Being complied. All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution have been provided with safety equipment like helmets and dust masks.

xxxiv	Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.	Being complied / to be complied. Most of the workers are from surrounding areas. Temporary arrangements were made at site for the housing of construction labour within the site with all necessary infrastructure and facilities. Now since the structure is complete the arrangement for the workers have been shifted within the building.
xxxv	A First Aid Room shall be provided in the project both during construction and operations of the project.	Being complied / to be complied. A First Aid Room with adequate medical facilities will be provided in the project both during construction phase for the workers as well as the operation phase of the project.
xxxvi	The condition laid down by the GMC as mentioned in DPR should strictly adhere to by the project proponent.	The conditions laid down by GMC as mentioned in DPR shall be adhered to by the project proponent.
xxxvii	The User Agency needs to quantify muck generated during construction and proper estimation must be spell out to avoid future problem in the vicinity of project site due to spilling of muck	Excavated Soil / muck generation register was maintained at site. Photographs have been attached as **Annexure - 14.**
xxxviii	The Project Proponent should calculate total quantity of rainwater discharge during the construction period and shall accordingly prepare water harvesting plan.	Rainwater harvesting plan has been prepared based on the quantity of rainwater discharge. The rainwater harvesting plan has been attached as **Annexure - 6**.
xxxix	Green cover plan needs to be covered 50% of the total areas of proposed MLCP for beautification of the blank areas, creation of hanging garden in all the flyover falling within the Gangtok Municipal Areas (GMC).	Vertical gardens, rooftop gardening and greening of blank areas for beautification of proposed MLCP and covering 50% of the total area and creation of hanging garden in all the flyover falling within the Gangtok Municipal Areas (GMC) shall be undertaken juxtaposing during the construction phase of the project to mitigate adverse impact on local surrounding environment.
xl	The cost of maintenance should be provided including cost of creation of garden, beautification, quality planting materials of ornamentals and other evergreen shrubs & herbs till the expiry of the agreement with the state Government.	Agreed. The cost of creation and maintenance of garden, beautification, quality planting materials of ornamentals and other evergreen shrubs & herbs for a period of five years shall be provided by the Project Proponent to the Environment Cells of the State Forest Department, GoS based on the Annual Plan of Operation (APO) prepared by the Department as a part of **Environment**

		Compensatory Green Project within the GMC areas.
xli	The Multi-Disciplinary Committee comprising of members from Forest and Environment Department, State Pollution Control Board (SPCB), UDHD Department, Smart City, Mines & Geology, NGOs (Non-Government Organization), Power Department, Health department, Fire & Emergency Services, PHE (Water Supply) and PHE (Sewage) which will do quarterly field monitoring and submit report.	Agreed
xlii	Quarterly inspect project site and submit report accordingly. If committee feels need to visit the project site besides stipulated dates, may visit the site to ensure proper execution of the project and follow all the guidelines and condition laid down by the various agencies.	Agreed
xliii	Half-yearly progress report for implementation of different work components under the project should be furnished to SEIAA and State Forest Department by project proponent.	Half-yearly progress report for implementation of different work components under the project shall be submitted to SEIAA and State Forest Department by project proponent.
xliv	The SEIAA reserves the right to add additional safeguard measures subsequently, if found necessary.	Agreed

ANNEXURE R-41

GANGTOK MUNICIPAL CORPORATION
DEORALI, EAST SIKKIM

Email:- gmc.sikkim@gmail.com
Website:-www.gmcsikkim.in

Memo No: 138 /GMC/2021 **Dated: 30.06.2021**

TO WHOM IT MAY CONCERN

The Gangtok Municipal Corporation has 'no objection' on shifting of water supply pipes and Sewerage connection from Old West Point School (South West Taxi Stand parking area) for demolition of said structure for purpose of constructing new Multi-Level Car Parking cum Commercial Development by Mesaso Infrastructure Private Limited.

Municipal Commissioner
Gangtok Municipal Corporation

Municipal Commissioner
Gangtok Municipal Corporation

GANGTOK MUNICIPAL CORPORATION * DEORALI, SIKKIM *

-TRUE COPY-

ANNEXURE R-42

OFFICE OF THE ASSISTANT ENGINEER
PUBLIC HEALTH ENGINEERING DEPARTMENT
SEWERAGE SUB-DIVISION
GOVERNMENT OF SIKKIM
GANGTOK

NO : Sew/Rev/Gtk/101

Dated Gangtok the : .05..../..12....2023

CLEARANCE CERTIFICATE

This is to certify that Mr./Mrs./Miss..Mesaso Infrastuture Pvt. Ltd..... of the address .Old..west..point..School..Area..Gangtok..... has/~~has not~~ connected the sewer line of his premises to the Government sewer system and cleared all the dues / ~~no dues~~ on account of sewer connection up to ....30th.....Day of month..Nov'..2023

Therefore, Department has no objection for the issuance of occupancy certificate & other official purpose.

Consumer ID number ...SW/P5/80A

Bank Receipt for NOC Fee, amounting Rs. 60/-
Vide B R No.1001-43729..... /..05.../..12../2023

Note : This NOC is valid for a period of six month only from the date of issue.

Assistant Engineer (Sewerage)
WS & PHE Department
Government of Sikkim
Gangtok

Assistant Engineer (Sewerage)
W.S.&P.H.E. Deptt.
Govt. of Sikkim
Gangtok

-TRUE COPY-

ANNEXURE R-43

GANGTOK MUNICIPAL CORPORATION

DEORALI, SIKKIM

Issue No. 3839/Misc./TPC/GMC/2021/936 Date. 8/10/2021

To,

The Chief Executive Officer,
Gangtok Smart City Dev. Ltd.,
Gangtok, Sikkim

Sub: for Documents

Sir,

As directed by the higher authority and as per the Ref. Memo No: 608/GSCDL/2021 dated: 04/10/2021 from Gangtok Smart City Dev. Ltd. regarding approval of drawings for BPP purpose the Gangtok Municipal Corporation is in receipt of Architectural & Structural drawings for the project **"Multi-Level Car Parking cum Commercial Development"** at old West Point School, Gangtok, East Sikkim.

However for the purpose of BPP process following document may be kindly furnished please:

i) Parcha / Land Documents / Land Details
ii) Sale Deed/Gift Deed/Lease Deed / Lease Agreement
iii) Stability Report / Site Stability Report vetted by Mines & Geology Department, GOS
iv) Cadastral Map
v) Site Plan / Master Plan by Empanelled Architect
vi) Details of Consultants / Project Management Team
vii) Company Registration & Signatory Authority
viii) Structural Details & Analysis
ix) Construction Management Plan
x) Green Building Implementation (if any) & by which group whether GRIHA / IGBC

Thanking you

Yours faithfully

Jimita Shenga
Assistant Town Planner II
Gangtok Municipal Corporation

Assistant Town Planner - II
Gangtok Municipal Corporation

-TRUE COPY-

ANNEXURE R-44

GANGTOK SMART CITY DEVELOPMENT LTD

GANGTOK SMART CITY DEVELOPMENT LIMITED
LEVEL 5, KISAN BAZAAR, LAL MARKET ROAD,
GANGTOK- 737101, SIKKIM, INDIA
CIN-U93090WB2017SGC223807

Memo No: - 651/GSCDL/2021-22 Dated: - 12/10/2021

To,
The Assistant Town Planner-II,
Gangtok Municipal Corporation,
Gangtok, East Sikkim.

Ref letter no: - 3839/Misc/TPC/GMC/2021/936 Dated: - 08/10/2021

Sub: - Forwarding of documents

Sir,

With reference to the afore-mentioned letter, the undersigned is hereby forwarding the documents as requested by your office.

Thanking you

Yours sincerely

Assistant Engineer
Gangtok Smart City Dev. Ltd.

Enclosed: as above

Assistant Engineer
Gangtok Smart City Dev. Ltd.
Gangtok, East Sikkim

-TRUE COPY-

ANNEXURE R-45

GANGTOK MUNICIPAL CORPORATION

DEORALI, SIKKIM

Issue No. 3839/Misc/TPC/Gmc/2021/979 Date. 31/12/2021

FORM – III

(See regulation 09 of the Sikkim Building Construction Regulation, 1991)

Form of Sanction

To,

(Party -1)
The C.E.O.,
Gangtok Smart City Dev. Ltd.,
Gangtok, Sikkim

(Party – 2)
M/s MESASO Infrastructure Pvt. Ltd.
3rd mile, Siliguri,
West Bengal - 734003

CONSTRUCTION ORDER

(VALIDITY OF THIS ORDER IS FOR THREE YEARS)

With reference to your application dated12/10/2021, approval has been granted (as per Cabinet Approval accorded by the cabinet vide Cabinet Extract no: CON/CAB/283/2021/6655 dated: 11.06.2021) for construction of proposed eleven storied GOLD RATED Green Building measuring 310071.87 sq.ft.to come up at old West Point parking area, Gangtok revenue block. Arithang Ward No. 09

The proposed structure is approved for registered landed property having Private Site Measuring: 60984sq.ft. (1.40 acre) vide Parcha/Sale Deed bearing Khatiyan No. 686(P), 715 & 716.

Project Mode : PPP under Gangtok Smart City Dev. Ltd.

Key Consultant's for the Project:

	EXPERTISE	Name of expert
1	Independent Engineer	Mr. Eshwar Shrestha
2	Architecture, Landscape & Interior Design	Mr. Vikram Rathod (SALIENT Consultants)
3	Structural Design	Mr. Sanjiv Parekh (SPA Consultants)
4	MEPF	Pankaj Dharkar Associates, Ahmedabad
5	Green Building Consultant	Pankaj Dharkar Associates, Ahmedabad
6	Hospitality Consultant	ENVEE Engineering Pvt. Ltd. New Delhi

This construction order is approved on the following conditions:-

1. Prior permission for commencement of the building should be sought for on **Form V** obtainable from Gangtok Municipal Corporation or GSCDL.
2. In case, the ownership is found to be defective at any stage of time the approval accorded and this order shall stand automatically revoked and the

structure/work building thus constructed shall be considered as without proper approval and shall be dealt accordingly.

3. The construction of the building should be completed no later than three years from the date of issue of construction order. Failure to do so the B.P. Plan automatically shall stand cancelled and the B.P. Plan should be submitted for renewal.
4. No new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until permission has granted in that behalf.
5. The construction should be as per approved BPP and no deviation is permissible without the prior permission of the Government.
6. The construction should be as per the order and supervision of Gangtok Municipal Corporation Town Planner/Engineer.
7. The Engineer/Town planner of Gangtok Municipal Corporation must be informed before the foundation is laid. Only after the foundation is passed by Divisional Engineer/Town planner, the construction shall be allowed to continue.
8. Strict quality control to be maintained in the process of construction.
9. There should be enough facilities for good sanitation and drainage system.
10. The door or window panels shall be fixed in such a way that they shall not, when open project on any street.
11. The building shall not be constructed within 10 ft. of the live electric wire running on any public street.
12. The land vacated in consequence of the enforcement of the set back limit shall form part of the public street.
13. The excavated earth obtained from site development & foundation, shall not be dumped on public street, road, gully and jhoras. Moreover any building materials found lying on the road setback or over drains shall be seized and auctioned without ant notice whatsoever, and action shall be taken as per the bye-laws against the defaulters.
14. **No construction involving earth excavation works shall be allowed with effect from 1st of June 2022 to 30th of September 2022**. Anyone found carrying out construction in contravention of the above shall be penalized as per the relevant clause of the Sikkim Allotment and House Sites and Construction of Building (Regulation and Control) Act,1985 as amended in 2000,and the Sikkim Building Construction Regulation, 1991 as amended in 2000. Such person shall also be solely responsible for the loss of life and property, as a result of such unauthorized excavation/construction.

Two copies of the approved B.P. Plans are returned herewith for your record.

31/12/24

Town Planner
Gangtok Municipal Corporation

Town Planner
Gangtok Municipal Corporation.

Note:Contact: Mr. Naresh Pradhan, Assistant Town Planner - I, G.M.C, Mob No: 94344 47827

-TRUE COPY-

Dated-12/01/202

The undersigned visited the site of proposed 04 level parking +10 level commercial developmet @ Old West Point School, Gangtok Sikkim along with the Kumar Manish, VP-(Project), Asit Mukhopadhyay (Site Engineer), Shubham Malu (Engineer) of Mesasso Ind Infrastructure Private Limited dated 12/01/2022 for demarkation.

Further this to certify that the set-back has been maintained as the per the approved Blue print-plan in G.M.C.

Further, 04 level parking + 10 level plan has to be demarked. later and the office of TP Cell of GMC may be informed.

12/01/2022
Assistant Town Planner - I
Gangtok Municipal Corporation

Infrastructure Private Limited
Infrastructure Private Limited
Acknowledged by:
Authorised Signatory
Authorised Signatory

Sem.

ANNEXURE R-47

GANGTOK MUNICIPAL CORPORATION
DEORALI, SIKKIM

No. LOSSE/GMC/TPC/24..... Date. 16/02/2024.....

FORM – VII
(See regulation 13 of the Sikkim Building Construction Regulation, 1990)

OCCUPANCY CERTIFICATE

To,

MESASO Infrastructure Private Limited
Arithang - 1, Ward no 9,
Gangtok Municipal Area.

With reference to your application, dated 06.01.2024 permission is hereby granted for the partial completion certificate & occupation of parking level – 04 to mall level -04 of Multi-Level Car Parking cum Commercial Development (West-Point) at Old West Point School Area, Near M.G Marg Gangtok, East-Sikkim.

This occupancy certificate is for the following landed property:

- Name of the Landowner -Government of Sikkim.
- Location of Landed Property - Arithang - 1, WardNo.9
- Details of holding
  Khatiyan no. 1440
  Plot no. 686/3114,715,716
  Area of Plot: 61398 Sqft (1.41 Acres)

Assistant Town Planner IV
Gangtok Municipal Corporation

Assistant Town Planner
Gangtok Municipal Corporation

-TRUE COPY-

ANNEXURE R-48

GANGTOK SMART CITY DEVELOPMENT LTD

GANGTOK SMART CITY DEVELOPMENT LIMITED
LEVEL 5, KISAN BAZAAR, LAL MARKET ROAD,
GANGTOK – 737101, SIKKIM, INDIA
CIN – U93090WB2017SGC223807

Memo no: 499/GSCDL/2021-22 Dated: - 04/10/2021

To,
The Divisional Forest Officer-Territorial,
Forest,Environment & Wildlife Management Department,
Government of Sikkim,
Gangtok, East Sikkim – 737101

Sub: - Request for removal/relocation of tree from old West Point School Complex to a suitable location

Sir/Ma'am,

This is to inform you that Gangtok Smart City Dev. Ltd. is undertaking the work **"Construction of Multi-Level Car Parking cum commercial development at Old West Point School Complex"** wherein there are 2-3 trees that needs to be relocated. Hence, in this regard I would like to request that your staff may be deputed for a joint visit so that the same could be worked out.

Thanking you

Yours sincerely

Nodal Officer
Gangtok Smart City Dev. Ltd.

NODAL OFFICER
GANGTOK SMART CITY DEV. LTD
GANGTOK, EAST SIKKIM

Gangtok Smart City Development Ltd

ANNEXURE R-49

Government of Sikkim,
Office of the Range Office,
Gangtok Territorial Range, East Territorial Division,
Forest & Environment Department

Ref No: 459 ...GRT/ETD/F&ED

Date: 07/10/2021

To,

The Assistant Conservator of Forest,
East Territorial Division,
Gangtok, East Sikkim.

Subject: **Field report regarding removal of 9 nos of trees form old West Point School complex applied by Nodal Officer, Gangtok Smart City Dev. Ltd.**

Sir,

With reference to letter memo no. 499/GSCDL/2021-22 dated: 04/10/2021 regarding the above mention subject the field verification has been done by Shri PK Chettri BO (T) Gangtok Territorial Range along with the officials from Gangtok Smart City Dev. Ltd. and the observation are as under:-

- The applicant Nodal Officer, Gangtok Smart City Dev. Ltd. has requesting for removal order of 9 nos. of trees falling within the construction site of multilevel car parking –cum-commercial development at Old West Point School Complex, Gangtok.
- That the applied tree is falling within the construction site of multilevel car parking –cum-commercial development at old West Point School, Gangtok and as such has applied for the permission for the removal of the same.
- Details of the tree are as under:

Sl. No.	Species	GBH	Qty	Remarks
1	Cherry	4'10" 4'11"	2	Falling within the construction site of multilevel car parking –cum-commercial development at old West Point School, Gangtok.
2	Araucaria	2'0"	1	
3	Malato	1"0" 1'0"	6	
TOTAL			9	

- The status of the land as per the Deputy Director, District Collectorate, East vide memo no. 71/765/G/DD/DC/E dated: 22.2.2021, falls within plot no. 715 & 716 as per old record of 1951-52 which is recorded in the name of 'Private Estate' under Gangtok Station Block.(copy enclosed)
- The applicant wants to remove/ fell the above mentioned tree which is causing obstruction at the construction site.

The trees as been verified as per Rule 17 of The Sikkim Private Land Tree Felling Rule 2006

The field verification report is enclosed for your kind reference.

e report submitted for your kind perusal and necessary action please.

cing Your,

Yours Faithfully,

Range Officer
Gangtok (T) Range
Forest & Env. Department

DEPTT. OF FOREST & ENVIRONMENT ★ GOVT. OF SIKKIM ★

-TRUE COPY-

ANNEXURE R-50

GOVERNMENT OF SIKKIM

OFFICE OF THE CONSERVATOR OF FORESTS (TERRITORIAL)
FOREST AND ENVIRONMENT DEPARTMENT

Forest Secretariat, Deorali, Gangtok

Ref. No. GOS/F & ED/FTC/5.36 1528 Date: 12/10/2021

To,

The Divisional Forest Officer, (T)East,
Forest and Environment Department,
Government of Sikkim,
P.S. Road, Gangtok.

Sub: **Removal of trees posing danger .**

Reference letter no. 20/ED/T/F&ED/ date 07/10/2021 regarding the subject cited above, the authority has accorded approval for issuing marking order/removal of trees with details as follows;

S N	Location	Status of Land	Range	Spp.	Girth	No. of tree	No.of poles
1	Old West Point School plot no 715/716, Gangtok East Sikkim	Private Estate	Gangtok	Cherry	4'10",4'11"	2	07
				Araucaria	2'0"		
				Malato	1,0",1'0"		
					Total	**02**	**07**

You may take steps to issuing marking order and hand over the marked trees to Utilisation for removal/disposal. Accordingly compliance report is to be submitted.

(Enclosed find herewith letter relevant document).

12/10/21

(Karma Legshey D., IFS)
Conservator of Forests (T

(Karma Legshey D., IFS)
Conservator of Forests
(Territorial Circle)
Forest & Environment Department

Copy to:-
1.Addl.Director (Utilisation)

-TRUE COPY-

ANNEXURE R-51

GOVERNMENT OF SIKKIM
CULTURE DEPARTMENT
GANGTOK-737101, SIKKIM

No. 48/SSA/CD. Dated:09/02/2022

To

The Chief Executive Officer,
Gangtok Smart City Development Ltd.
Kisan Bazar, Lal Market Road,
Gangtok.

Sub :Information sought about historical monuments in M.G. Marg.

Sir,

With reference to your letter no. 67/GSCDL/2021-22, dated 28/01/2022 on the above cited subject this is to inform you that apart from the three monuments in West Sikkim which are Monuments of National Importance under the administrative control of Archaeological Survey of India and protected under Ancient Monuments, Archaeological Sites and Remains Act (AMASR), there is no structure/site which has been declared as historical monuments in Sikkim.

This is being issued with the formal approval of the Competent Authority, please.

Thanking you,

Yours sincerely,

09.02.2022

Additional Director (Archives)
Culture Department.

-TRUE COPY-

ANNEXURE R-52

GOVERNMENT OF SIKKIM
ROADS & BRIDGES DEPARTMENT
NIRMAN BHAWAN, GANGTOK-737101
e-mail: nhwingsikkim@gmail.com

No. 04/R&B/NH/2019-20/165 Date. 20/08/2021

To

MESASO Infrastructure Private Limited,
3rd Mile Sevoke Road,
Siliguri, 734008.

Subject: NOC to proceed with the work "Implementation of Multi-Level Car Parking cum Commercial Development at Old West Point School, Near M.G. Marg, Gangtok".

Sir/Madam,

Reference your letter no. MIPL/HO/14/2021-22 Dated: 19/08/2021, it is to inform you that the said construction work does not fall under Right of Way (R.O.W.) of NH-10, hence the competent authority has no objection for the implementation of said work.

Thanking you,

Yours Sincerely,

Divisional Engineer-I (NH),
Roads & Bridges Department.
Gangtok

Divisional Engineer (N/H)-III
Roads & Bridges Department
Govt. of Sikkim
Gangtok

-TRUE COPY-

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ANNEXURE R-53

HEADQUARTERS
SIKKIM FIRE & EMERGENCY SERVICE
[27°33'21.36"N 88°61'42.01"E]

No: 388/ROL/F&ES/2021 Date: 21.09.2021

PROVISIONAL N.O.C.

With reference to your letter No. MIPL/HO/13/2021-22 dated 19.08.2021, requesting Fire NOC for 'Implementation of 'Multi-Level Car Parking cum Commercial Development at Old West Point School', near M.G. Marg, Gangtok, East Sikkim, you are granted this certificate as permission to execute the said project subject to satisfactory compliance with the fire safety requirements of the National Building Code of India 2016.

1. **ACCESS:**
   (i) The premises should be located as to provide easy access to fire brigade.
   (ii) Adequate passageway and clearance required for fire fighting vehicle to enter the each premises should be provide at the main entrance. The width of such entrance shall not be less than 4.5 meters. If an arch or covered gate is constructed, it shall have clear headroom of not less than 5 meters.
2. **COURTYARDS/OPEN SPACES:**
   (i) The open spaces around the building shall be not less than 4.5 meters and shall be hard surface so as take load of the fire engine weighing up to 45 tons each.
   (ii) Courtyard as above all around the building shall be free from obstruction and encroachment for fire brigade access at all the times.
3. **STAIRCASE:**
   (i) The staircase shall be terminated at ground floor level and divert to the basement if any.
   (ii) The staircase of not less than1.5 meters width shall be provided on each floor of the building.
   (iii) No gas piping or electrical panels shall be allowed in the stairway.
   (iv) The exit signs with arrows indicating the escape routes shall be provided at a height of 1.5 m. from the floor level on the wall and shall painted with fluorescent paints.
   (v) All exists signs should be flush with the wall and so designated that no mechanical damage to them can result from the removing furniture, material or any other equipments.
4. **ESCAPE ROUTE LIGHTING:**
   (i) Escape route that i.e. staircase and common corridor, left, etc. Lighting shall be on independent/separate circuits and shall be independently connected so as it could be operated by one switch installation on the ground floor easily accessible to fire staff at any time irrespective of the position of the individual control of the light points, if any.
5. **D.G. SET:**
   (i) A Stand- by D.G. Set with appropriate change over switch shall be provided to supply power to staircase and common corridor lighting circuit, fire lift, the stand-by fire pump, pressurization fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply.

The generator shall be capable of taking starting current of all the machines and circuits started above simultaneously.

(ii) Diesel generator shall not be installed at any floor other than ground/ first basement. If installed indoors, proper ventilation and exhaust shall be planned. The DG room shall be separated by 120 min fire resistance rated walls and doors.

6. **All transformers** above 10 MVA shall be protected by high velocity water spray system or nitrogen injection system.
7. **Electric panel** shall be protected of clean agent flooding system.

8. **FIRE PROTECTION REQUIREMENT:**

A. PORTABLE FIRE EXTINGUISHER:

(i) First aid fire extinguishers bearing ISI mark shall be installed in the building as per the scale laid down in IS 2190:1992 and shall be maintained periodically. So as to ensure their perfect serviceability at all time and keep ready for inspection by officer from the fire department in time to time.

B. HOSE REEL:

(i) The first aid hose reel shall be installed on each floor in the staircase landing of the building for fire fighting and first aid hose reel shall be connected directly to the wet/dry riser main and diameter of the hose reel shall be not less than 19 mm.

C. WET RISER:

(i) The Wet Riser system connected to a fire pump at ground level and having main not less than 100 mm internal diameter G.I. "C" class pipe shall be provided with single landing valve on each floor/landing in the premises.

(ii) Landing valve should be provided with hose box along with 2 delivery hoses and a standard branch pipe 19 mm diameter.

D. AUTOMATIC SPRINKLER SYSTEM

(i) The automatic sprinkler system should be provided on each floor of the building.

E. YARD HYDRANT:

(i) External fire hydrant system shall be also installed in the premises at appropriate distance and having main not less than 200/150 mm internal diameter G.I. "C" class pipe with connect to the diesel/electric centrifugal fire pump to charge hydrant system.

(ii) Hydrant point shall be provided with hose box along with 2 delivery hoses and a standard branch pipe 19 mm dia meter.

(iii) It shall also fit with inlet connection (two way collection head with non return valve) near at main gate for charging with water by pumping by first service appliances.

F. FIRE ALARM SYSTEM:

(i) The manually operated electric fire alarm (MOEFA) system with main control penal at ground floor level and pill-boxes and hooter at each upper floor level shall be provided at appropriate places in the building.

G. AUTOMATIC DETECTION & ALARM SYSTEM:

(i) Automatic detection and alarm system with control penal (addressable) shall be provided on common corridor on each floor of the building.

H. UNDER GROUND WATER STORAGE TANK:

250K ltrs.

I. OVERHEAD TANK :

20K Ltrs.

J. FIRE PUMP:

1 set for hydrant system and 1 set for sprinkler system. Each set consisting of

(i) one Electrical driven pump 2850 LPM, Head – 105 M ;
(ii) one Jockey pump 180 lpm 105 M and
(iii) one Diesel driven pump 2850 LPM, Head – 105 M (may keep common)

K. LIGHTNING PROTECTION OF BUILDINGS:

(i) The lightning arrester shall be provided for protection of the building.

L. SMOKE VENTILATION REQUIREMENTS:

(i) Shall be provided as per **NBC 2016.**

M. OTHER REQUIREMENTS:

1. Openings in walls or floors which are necessary to be provided to allow passages of all building services like cables, electrical wirings, telephone cables, plumbing pipes, etc, shall be protected by enclosure in the form of ducts/shafts having a fire resistance not less than 120 min. The inspection door for electricalshafts/ducts shall be not less than 120 min. Further, medium and low voltage wiring running in shafts/ducts, shall either be armoured type or run through metal conduits.
2. The space between the electrical cables/conduits and the walls/slabs shall be filled in by a fire stop material having fire resistance rating of not less than 120 min. This shall exclude requirement of fire stop sealing for low voltage services shaft.
3. For plumbing shafts in the core of the building, with shaft door opening inside the building, the shafts shall have inspection doors having fire resistance rating not less than 30 min.
4. Every vertical opening between the floors of a building shall be suitably enclosed or protected, as necessary, to provide the following:

a) Reasonable safety to the occupants while using the means of egress by preventing spread of fire, smoke, or fumes through vertical openings from floor to floor to allow occupants to complete their use of the means of egress. Further it shall be ensured to provide a clear height of 2 100 mm in the exit access.
b) Limitation of damage to the building and its contents.

5. Emergency power supplying distribution system for critical requirement for functioning of fire and life safety system and equipment shall be planned for efficient and reliable power and control supply to the following systems and equipment where provided:

a) Fire pumps.

b) Pressurization and smoke venting; including its ancillary systems such as dampers and actuators.

c) Fireman s lifts (including all lifts).

d) Exit signage lighting.

e) Emergency lighting.

f) Fire alarm system.

g)Public address (PA) system (relating to emergency voice evacuation and annunciation).

h) Magnetic door hold open devices.

j) Lighting in fire command centre and security room.

Power supply to these systems and equipment shall be from normal and emergency (standby generator) power sources with changeover facility.

6. Refuge area shall be provided and planned to accommodate the occupants of two consecutive floors, based on the occupant load served by the area of refuge or a minimum of 15 m2 , whichever is higher as :

1) The refuge area shall be provided on the periphery of the floor and open to air at least on one side protected with suitable railings.

2) Refuge areas shall be provided at/or immediately above 24 m and thereafter at 15 m.

3) A prominentsign bearing the words **REFUGE AREA** shall be installed at the entry of the refuge area, having height of letters of minimum 75 mm and also containing information about the location of refuge areas on the floors above and below this floor. The same signage shall also be conspicuously located within the refuge area.

4) Each refuge area shall be ventilated and provided with first aid box, fire extinguishers, public address speaker, fire man talk back, and adequate emergency lighting as well as drinking water facility.

9. Egress components as number and size of exits to which access is provided, capacity of exit access, travel distance to an exit, the obviousness of the direction to an exit, and any hindrance including due to security issues shall be in accordance with the NBC 2016.

10. GENERAL REQUIREMENT:

(i) Any commpartmentation in addition to the proposed plan/ existing structure shall be made only with the prior approval of the Sikkim Fire & Emergency Service failing which legal action shall be initiated against the applicant.

(ii) The storage, use and handling of gasoline, fuel oil and other flammable liquids/ gases shall not be permitted in any group occupancy unless it complies with the regulations of explosive materials.

(iii) **"NO SMOKING" "FIRE EXTINGUISHER" and "DANGER"** caution boards should be displayed at the appropriate places physically shown wherever required & the caution boards should be easily visible.

(iv) Emergency telephone numbers like **"police - 100", "Fire -101", "Ambulance-102" "Responsible Persons"** should be displayed in security cabin reception hall and Fire Control Room.

(v) Emergency / Fire Evacuation floor plan shall be displayed on each floor at appropriate places in the building.

(vi) All signs with the arrows indicating the escape routes shall be provided at appropriate places in the building.

(vii) The competent authority reserves rights to amend any additional recommendations amended from time to time and in the interest of the protection of the occupants and building.

(viii) Right to reject/ withdrawing of N.O.C. at any time without any notice vested/ reserved with the competent authority if the conditions stipulated above are not complied with.

(ix) The safety instructions detailed in Annex A shall be complied with during the construction period.

(x) This " Provisional NOC " for the details given above, which shall be treated valid for the period of " one year" or till the completion of the work whichever is earlier from the date of issue and it is the responsibility of the proprieter to get the same renewed after satisfactory inspection of the fire safety installations and arrangements provided by you.

(xi) Quarterly progress report of the project and compliance shall be submitted to the Fire Station Officer, Gangtok Fire Station.

DIRECTOR FIRE & EMERGENCY SERVICE SIKKIM

Dy. Chief Fire Officer,
Sikkim Fire & Emergency Service,
Gangtok.

Dy. Chief Fire Officer-I
Sikkim Fire & Emergency Service
Govt. of Sikkim, G

To.

MESASO Infrastructure Pvt. Ltd.,
3rd Mile, Sevoke road,
Siliguri – 734008.

Copy to :

(i) Secretary, U.D.H.D. – for kind information pl.
(ii) Secretary, Labour - – for kind information pl.
(iii) DC, East – for kind information pl.
(iv) S.P., East – for kind information pl.
(v) Commisioner,GMC – for kind information pl.
(vi) Office copy
(vii) Guard File.

-TRUE COPY-

ANNEXURE R-54

SIKKIM FIRE & EMERGENCY SERVICE
HEADQUARTERS
GANGTOK
Phone: 03592 202748 Email: director@sikkimfire.nic.in

No. 806/POL/SF&ES/2022/98. Dated:- 09/02/2024

NO OBJECTION CERTIFICATE

The premises of **Project West Point,** located at Old West Point School Area. Gangtok. Sikkim has been inspected on 05/02/2024 by the Sikkim Fire & Emergency Service officials in respect of implementation of inbuilt Fire Fighting/Fire Prevention and Life Safety measures. Sufficient Fire Safety Systems have been provided to 08 floors of the building upto level 04 (27.08 mtr)

The Sikkim Fire & Emergency Service grant the Partial No Objection Certificate for its Occupation for the purpose of Multilevel Car Parking and Malls including underground water tank and pump, subject to the following conditions:-

1. The life safety and means of escape systems shall not be tempered and shall be kept in maintained and functional conditions.
2. No loose or naked electric wirings shall be permitted in the premises.
3. Electrical load shall not be more than sanctioned and approved load.
4. No storage of highly flammable and combustible items shall be permitted in the premises.
5. Fire Detection System shall be kept in maintained and functional condition.
6. Fire Prevention System shall be kept in maintained condition and shall not be tempered.
7. Installed Fire Fighting System as required shall be properly maintained/ updated and ready to use condition.
8. Smoke Exhaust System shall be in maintained and working condition.
9. A qualified Fire Safety Officer shall be appointed solely responsible for the maintenance and operation of fire safety systems round the clock.
10. Fire safety classes/trainings and fire drills shall be conducted periodically by all the employees.
11. The premises shall always be open for safety inspection to the fire officers from SF & ES between sunrise and sunset.
12. The final Fire Safety Certificate shall be applied and obtained on completion of the project.

The NOC becomes void in the event of violation, removal or dilution of any of the above conditions.

Note: Validity is one year from the date of issuance.

B.R. No : 11001-50601 **dated** 24/01/2024

09/02/2024

Dy. Chief Fire Officer (N/E).
Sikkim Fire & Emergency Service,
Gangtok.

Dy. Chief Fire Officer/HQ
Sikkim Fire & Emergency Service
Gangtok

To.

Vice President - Projects,
Mesaso Infrastructure Pvt. Ltd,
Gangtok.

Fire Safety Certificate cancelled due to: _____

-TRUE COPY-

ANNEXURE R-55

IGBC

CII
Confederation of Indian Industry

Membership Certificate

This is to certify that

Mesaso Infrastructure Pvt Ltd

is an Annual Member of Indian Green Building Council (IGBC)

Bearing Membership No ***IGBCBD210233***

This certificate shall be valid up to December 2024

K S Venkatagiri
Executive Director
CII - IGBC

Gurmit Singh Arora
Chairman
Indian Green Building Council

B Thiagarajan
Vice Chairman
Indian Green Building Council

Indian Green Building Council
CII - Sohrabji Godrej Green Business Centre, Survey No. 64, Near Hitech City, R R Dist, Hyderabad - 500 084
T: +91 40 4418 5132 / 33 F: +91 40 4418 5189 E: igbc@cii.in W: igbc.in

-TRUE COPY-

ANNEXURE R-56

IGBC

CII
Confederation of Indian Industry

Indian Green Building Council (IGBC)

hereby precertifies

WEST POINT, GANGTOK

(IGBC Registration No. NBT 21 0211)

The project has demonstrated intent to design and build high performance building in accordance with

IGBC Green New Buildings Rating System

(Tenant-Occupied Building)

Precertified Gold

01 August 2022

(Precertification is valid for 3 years, renewed based on six monthly progress updates till certification)

C N Raghavendran
Chair, IGBC Green New Buildings

Gurmit Singh Arora
Chairman, IGBC

K S Venkatagiri
Executive Director, CII-Godrej GBC

-TRUE COPY-

ASSOCHAM
Celebrating 101 Years

ANNEXURE R-57

Mr. Sanjay Mittal
Managing Director
MESASO Infrastructure Pvt. Ltd.

Sub - ASSOCHAM GEM Pre-certification - West Point, Gangtok, Sikkim Project (GEM-CB-C4040)

Dear Sir,

Greetings from ASSOCHAM GEM Green Building Council,

Congratulations to the project team,

Please find attached the e-Certificate for the **West Point, Gangtok, Sikkim Project (Project registration number - GEM-CB-C4040).**

The project is awarded with GEM 4 Pre-certification under ASSOCHAM GEM New Building Rating System, with 86 points.

We wish the project team best of luck and extend our support and guidance during the Certification process.

We will also send hard copy of **GEM 4 Pre-certification Certificate and Plaque** for the project.

We would also like to have a VC meeting with the project team for training and capacity building. Kindly let us know the convenient time for the same.

We value your association with ASSOCHAM.

Regards

Neeraj Arora

Senior Director & Head
GEM Green Building Certification Program
Councils on Water, Env. & Climate Change
Councils on Education & Skill

-TRUE COPY-

ANNEXURE R-58

Hamro Sikkim
Dec 20, 2021 ·

CBI should investigate both previous government and current government scams .

It is heartening to know the SKM Govt is bringing CBI to Sikkim early next year. This was announced by the HCM Mr. P S Golay in a speech recently. i hope this time he does keep his word and not be like any other promises he has made in the past. We would like the SKM Govt to let CBI investigate everything from the last Government's scams to all the scams that are happening during the tenure of the present Government as well. Starting from scams related to Smart TV given to students, Su Swastha Yojna Scheme, all the kick backs from construction of hospital to new Universities and all PPP models given to private companies.
It is high time that the present Government makes public all these deals that have been signed. Hamro Sikkim Party welcomes the announcement regarding CBI but the govt cannot pick and choose which scams should be investigated. Hamro Sikkim as a party has zero tolerance policy on corruption and we want our Sikkim to be a corruption free state.
The parivartan (change) the people of Sikkim can see is the only in the envelopes (lifa) getting thicker. Hamro Sikkim Party will make the youth of Sikkim Gari khane and not Thapi khane. Let us all unite to fight corruption that benefits only a small portion of people.

Bhaichung Bhutia
Hamro Sikkim Party

Gmail ENVIRO LEGAL DEFENCE FIRM <eldflegal@gmail.com>

Service in Dr. Bina Basnett Vs. State of Sikkim & Ors. [O.A. No. 38 of 2022/EZ]

1 message

ELDF <eldflegal@gmail.com> Sat, Mar 16, 2024 at 6:29 PM
To: Legal Consultus <legalconsultus@gmail.com>, Amrita Pandey <amritalegal@gmail.com>, Advocate KS Thupden <Thupden2009@gmail.com>, Saumitra Jaiswal <saumitra.jaiswal@gmail.com>, Gitanjali Sanyal <gitanjalisanyal@gmail.com>, sonalisengupta.93@gmail.com, "contactadvsa@gmail.com" <contactadvsa@gmail.com>
Cc: Arushi Malik <arushi@eldfindia.com>

Respected Sir/Ma'am

Please find the attached copy of the Reply Affidavit on behalf of M/s MESASO Infrastructure Private Limited [Respondent No. 12].

Thanks & Regards
--
Sameer Manher
Clerk
Enviro Legal Defence Firm
29, Presidential Estate LGF,
Nizamuddin East New Delhi – 110013
Ph. No. 011-40573181

Reply Affidavit R-12.pdf