WHEREAS, M/s. Merlin Projects Limited (hereinafter referred to as the project proponent) has obtained Stipulated Conditions for Environmental Clearance for their proposed project “Merlin Elements” located at 112, B.L. Saha Road, Kolkata – 700053 for a residential complex comprising of 3 no. of residential tower of B+G+12 storied and a podium of B+G storied. Total number of residential flats will be 180 nos. and total built up area 28687.54 sq.m. Estimated total project cost submitted by project cost is Rs. 60 crores.

AND WHEREAS, the project site was inspected by the officials of the West Bengal Pollution Control Board (hereinafter referred to as the Board) on 07/01/2019. During inspection it was observed that the project proponent has started construction work without obtaining Environmental Clearance from SEIAA, WB, sanctioned building plan from KMC and Consent to Establish from the State Board. Emission of dust was observed due to absence of water sprinkling arrangement and scattered uncovered storage of construction material and debris throughout the project site. No screen cover was at all used during construction. Overall gross violation of environmental norms was observed.

AND WHEREAS, the project proponent was called for a hearing on 18/02/2019 for non-compliance of environmental norms as observed during inspection by the Board official.

AND WHEREAS, the representative of the project appeared in the hearing and submitted that an erection of a temporary structure was necessary for accommodating the site office. The project proponent was directed to submit an affidavit in this regard. The project proponent could not submit any valid document regarding implementation of Enterprise Social Commitment (ECS) (2.5% of total project cost) conditions given in the Stipulated Conditions for Environmental Clearance. The project proponent further assured that they would take all necessary actions to comply with all environmental norms.

NOW THEREFORE, considering the above, M/s. Merlin Projects Limited, for their proposed project “Merlin Elements” located at 112, B.L. Saha Road, Kolkata – 700053 is hereby directed as follows:-

1. The project proponent shall immediately stop construction activities and the same may only be resumed after obtaining Consent to Establish from the State Board.
2. Time bound implementation program of ECS conditions given in the Stipulated Conditions for Environmental Clearance should be submitted within 07 days.
3. The unit shall strictly comply with all environmental norms.
4. The industry shall submit a Bank Guarantee (proforma enclosed) of Rs. 25,00,000/- (Rupees twenty five lakh) only, valid for twelve (12) months within fifteen [15] days from the date of issuance of this direction in favour of the WEST BENGAL POLLUTION CONTROL BOARD (Corporation Bank IFSC Code CORP 0000663) as an assurance to comply with the environmental norms in future.
5. In case of non-compliance of this direction necessary legal action will be initiated.
The Environmental Engineer, Alipur Regional Office, WBPCB is requested to keep a vigil on the unit.

This direction is issued in exercise of the powers conferred under the provision of Section 33A of Water (Prevention & Control of Pollution) Act, 1974 and Section 31A of Air (Prevention & Control of Pollution) Act, 1981 and rules made thereunder after being approved by the Competent Authority.

By Order,

Sd/-
Chief Engineer
Operation & Execution Cell
West Bengal Pollution Control Board