

Minutes of the 254th Meeting of the State Expert Appraisal Committee (SEAC), Haryana held on 31.10.2022 under the Chairmanship of Sh. V. K. Gupta, Chairman, SEAC, in Conference Hall (SEIAA), Bays No.55-58, First Floor, Paryatan Bhawan, Sector-2, Panchkula for considering Environmental Clearance of Projects (B Category) under Government of India Notification dated 14.09.2006

At the outset the Chairman, SEAC welcomed the Members of the SEAC and advised the Member Secretary to give brief background of this meeting.

The minutes of 253rd meeting were discussed and approved. In the meeting 13 nos. of agenda projects received from SEIAA, were taken up for scoping, appraisal and grading as per agenda circulated.

The following members joined the meeting:

Sr. No.	Name	Designation
1.	Sh.Prabhakar Verma (Joined through VC)	Member
2.	Dr.Vivek Saxena, IFS	Member
3.	Dr.Sandeep Gupta	Member
4.	Sh.Bhupender Singh Rinwa, Joint Director, Environment & Climate Change Department, Haryana	Member Secretary

254.01 EC for Commercial Cum Residential Colony (Mix Land Use), at Sector 79, Omaxe City Centre, Faridabad, Haryana by M/s Robust Buildwell Pvt. Ltd.

Project Proponent : Sh. Anil Berwal
Consultant : Grass Roots Research & Creation India (P) Ltd.

BACKGROUND

- This is a Category, 8(a) Building and Construction Project
- Type of project- EC for Commercial Cum Residential Colony (Mix Land Use),
- The requisite fee of Rs.2,00,000/- is deposited vide DD no.011246 dated 04.12.2021
- Application was submitted on 23.05.2019 received on 17.05.2019
- 181st meeting of SEAC and recommended for prosecution
- SEIAA in 119th meeting held on 10.10.2019 agreed recommendation of SEAC
- ToR granted under violation category on 11.08.2019
- EIA submitted on 08.11.2019
- The case was taken up in 207th meeting of SEAC Haryana held on 17.12.2020 but PP has not submitted the details of credible action initiated by HSPCB under section 15 of EP act 1986.
- The case was taken up 210th meeting of SEAC held on 18.02.2021 and recommended to SEIAA for granting of EC
- The case was taken up 128th meeting of SEIAA and deferred the case
- The case was taken up 129th meeting of SEIAA and refer the case to SEAC with some observations:

- i. Whether the case has been applied during the stipulated time period for applying the cases under the violation category as per violation notification dated 14.03.2017 & 2018
- ii. The proof of credible action taken under the EPA 1986
 - The case was taken up 228th meeting of SEAC held on 03.12.2021 and considered the reply submitted by PP and decided to forward the case to SEIAA
 - The case was taken up 132th meeting of SEIAA and refer back the case to SEAC in light of recent order of Hon'ble Supreme Court dated 09th December, in civil appeal No. 7576-7577 of 2021
 - The case was taken up 234th meeting of SEAC held on 10.03.2022 and pp submitted the reply of observation raised by SEIAA in its 132nd meeting. After due deliberation committee considered the reply of PP that PP applied under for EC under violation window and penalty as per SOP 07.07.2021 is half percent of cost of project i.e. 51.4 lakh and it was unanimously decided by the committee to recommend the case to SEIAA along with additional stipulation and other standard and specific condition
 - The case was taken up 137th meeting of SEIAA held on 24.03.2022 and decided to refer back this case to SEAC with an advice to relook into this aspect and recalculate amount strictly with reference to guidelines provided in SOP vide F. No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF&CC , GoI being case of violation.
 - The case was taken up in 241st meeting of SEAC, Haryana held on 26.04.2022 and recommended this case to SEIAA
 - The case was taken up 141st meeting and held on 26.05.2022 and authority decided to get the report from concerned RO HSPCB to verify the latest construction status and the case was defer.
 - The case was considered in 143rd meeting of SEIAA held on 14.07.2022. The Authority referred the case to Learned L.R., Haryana, for seeking legal opinion and guidance as to whether "The SOPs guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs". (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

This was being initiated to obtain more clarity and to further ensure compliance of certain observations made by Hon'ble Supreme Court (Civil Appeal Nos. 7576, 7577 of 2021) vide Order dated 09.12.2021, in the Case of Electro Steels Limited versus Union of India and others.

The matter was again taken up in 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority held detailed discussions/deliberations on the legal opinion dated 04.10.2022 received from Learned Legal Remembrancer, Haryana through AD, (Environment & Climate Change Department, Haryana).

Accordingly, the Authority referred back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The case was taken up in 254th meeting held on 31.10.2022. The PP and consultant appeared before the committee and presented their case. During presentation, PP submitted following reply of the observation of SEIAA:

- Earlier granted Environment Clearance by SEIAA, Haryana vide letter no. SEIAA/HR/2016/904 dated 26.10.2016 for Plot area = 43,133.351 sqm and Built-up area 95,202.63 sqm.
- Thereafter, the Project has been granted a new license and an additional License as stated below:
 - a. License No. 51 of 2017 dated 22/07/2017 for Plot Area = 46,513.55 sqm (11.49375 acre)
 - b. Additional License No. 52 of 2017 dated 22/07/2017 for Plot Area = 582.74 sqm (0.144 acre)
- In view of the above-said new and additional licenses, the plot area has increased from 43,133.351 sqm to 90,229.64 sqm.
- We had constructed 1,26,605.33 sqm built-up area at site against the permitted 95,202.63 sqm built-up area as per earlier Environment Clearance.
- The additional built-up area constructed at site i.e. 31,403 sqm, without prior Environment Clearance attracts MoEFCC Violation Notification dated 14th Mar. 17. Break-up of the additional built-up area (area under violation) is given below:
 - a. Built-up area constructed at site under Phase – 2 = 12,030.49 sqm
 - b. Other structures (raft, water tanks, etc.) constructed at site under Phase – 2 = 15,910.49 sqm
 - c. Excavated area at site under Phase – 2 = 3461.72 sqm
- EC application was submitted to SEIAA, Haryana on 13.04.2018 under violation window as per the Notification dated 8th March, 2018 issued by MoEFCC. Chronology of the project is given below:
 - i. Project was taken up for consideration of ToR in 181st SEAC meeting held on 30.05.2019 and case was recommended to SEIAA for grant of TOR.
 - ii. Project was taken up in 119th SEIAA meeting held on 02.08.2019 wherein TOR was granted and subsequently EIA/EMP Report submitted.
 - iii. Then, project was taken up for consideration in 210th SEAC (Haryana) meeting dated 18.02.2021 and **recommended to SEIAA for grant of EC.**
 - iv. Thereafter, case was considered in 128th SEIAA meeting dated 26.05.2021; case got deferred and few observations were raised.
 - v. Then, case was considered in 129th SEIAA meeting dated 14.10.2021; case was refer back to SEAC for clarification of two points.
 - vi. Thereafter, case was considered in 228th SEAC meeting dated 03.12.2021; case was **again recommended to SEIAA.**
 - vii. Then, the project was taken up in the 132nd SEIAA meeting held on 20.12.2021; case was referred back to in light of order of Hon'ble Supreme Court order dated 9th December, 2021 in Civil Appeal No. 7576-7577 of 2021. Reply for the same was submitted to SEAC.
 - viii. Then, case was considered in 234th SEAC meeting dated 10.03.2022; case was **again recommended to SEIAA for grant of EC.**
 - ix. Then, the project was taken up in the 137th SEIAA meeting held on 24.03.2022; the Authority decided to refer back this case to SEAC with an advice to relook into this aspect and recalculate amount strictly with reference to guidelines provided in SOP vide F.No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF& CC, GoI being a case of violation. Reply for the same was submitted to SEAC.
 - x. Then, case was considered in 241st SEAC meeting dated 26.04.2022; case was **again recommended to SEIAA for EC.**
 - xi. Then, the project was taken up in the 147th SEIAA meeting held on 10.10.2022; case was referred back to in light of with the directions that the Members of Appraisal Committee will follow the methodology and

uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh &Ors V/s Union of India &Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

xii. The case has been taken up in 254th SEAC Meeting dated 31.10.2022.

- Now, it is submitted that the project M/s G.P. Realtors Pvt. Ltd. is not related to our project in any way as this is an individual legal case decided by NGT on NBWL issue, so it is not related to our project. Moreover, there is no Notification/Office Memorandums/Guidelines of MoEF&CC to follow M/s G.P. Realtors Pvt. Ltd. project matter in any of the violation category projects.
- We have followed and agreed to follow the scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.
- As per SOP vide F.No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF&CC, GoI, **“12. Penalty provisions for Violation cases and applications:**
 - a. **For new projects:**
 - i. **Where operation has not commenced:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report. [Ex: Rs. 1 Lakh for project cost of Rs. 1 Cr]
- Subsequently, in para 12.2 it is mentioned that:

“12.2 The percentage rates, as above, shall be halved if the project proponent suo-moto reports such violations without such violations coming to the knowledge of the Government either on inquiry or complaint.”
- Considering the above fact, we would like to inform you that the cost of the project is 102.78 Cr and we have submitted an affidavit of **INR 51.4 Lakhs** as penalty (i.e. 0.5% of the project cost).
- Copy of the affidavit dated 14.03.2022 which was recommended by SEAC in its 241st meeting dated 26.04.2022 is attached for your reference.
- Also, Remediation plan and Natural & Community Augmentation plan of **Rs 1.80 Cr** was recommended by SEAC in its 228th meeting dated 03.12.2021. Details of proposed activities and Budget are given below:

Table1: Remediation Plan with Proposed Activities and Budget–Air Environment

Activity	Significant Impact/Damage	Remediation Plan (To be followed for projects in vicinity of site)	Proposed Budget for Remediation (INR)
<ul style="list-style-type: none"> • Site Clearance • Excavation • Transportation of material • Operation of D.G. sets and construction equipments/machinery. • Construction activity. • Temporary stay 	<ul style="list-style-type: none"> • Impact on human health– Respiratory problems • Damage to properties by way of dust deposition and gaseous emissions • Impact on vegetation/plants –Interference 	<ul style="list-style-type: none"> • Dust suppression and water sprinkling system. • Conduction of vehicle check-up camps in the area at regular intervals (in consultation with the Motor Vehicle Department) • Providing barricades to Panchayat/Local Municipality for use at other construction sites. • Providing tarpaulin sheets to Panchayat/Local Municipality for covering the loose construction material at other construction sites. • Providing Personnel protection equipments to the health department for construction workers. • Ambient air quality monitoring at nearby sensitive locations. 	<ol style="list-style-type: none"> 1. Dust suppression and water sprinkling system=INR1,05,000/- 2. Barricading = INR 2,00,000/- 3. Cost of tarpaulin sheet = INR 50,500/- 4. Vehicle check-up camp = INR 80,000/- (@10,000/camp) 5. Personal protective equipments to construction workers = INR 85,000/- 6. Ambient air quality monitoring at nearby sensitive locations = INR 84,000/- (@6000/month) <p>Total budget proposed for Remediation of Air Environment =INR 6,04,500/-</p>

Table2: Remediation Plan with Proposed Activities and Budget–Water Environment

Activity	Significant Impact/Damage	Remediation Plan (To be followed for projects in vicinity of site)	Proposed Budget for Remediation (INR)
Water consumption for construction activities, drinking water and sanitary facilities for construction workers Waste water generation from construction workers, cleaning machinery/ equipments and vehicles Sediment load generation and contamination of surface run off due to fugitive dust and construction material	Water consumed in construction of the project= 63ML (@2KL/ sqm of built-up area including drinking water consumption of labour, RMC, cement block/brick, curing, bricks/block soaking, concrete curing, masonry and cement plastering, flooring works etc.) STP treated water was used for construction activities through tankers. Drinking water for labour was obtained through tanker. Discharge of contaminated water from construction machinery to land/ water channel drainage. Discharge of domestic sewage to the project site. Deterioration of the water channel/drain due to surface run-off causing impact on aquatic life.	Modular STP for wastewater treatment in public buildings. Storm water channelization, cleaning of drains and ground water recharge in nearby areas. Mobile type toilets in the nearby area.	Modular STPs (5 KLD) = INR5,00,000/- Channelization of storm water, RWH pits, cleaning of public drain system in the area = INR 7,00,000/- Cost of mobile type toilets in the nearby area= INR 2,10,000/- Drinking water facility in the nearby area = INR 33,000/- Total budget proposed for Remediation of Water Environment=INR14,43,000/-

Table3: Remediation Plan with Proposed Activities and Budget-Noise Environment

Activity	Significant Impact/Damage	Remediation Plan (To be followed for projects in vicinity of site)	Proposed Budget for Remediation (INR)
<ul style="list-style-type: none"> ● Movement of construction equipments and machineries. ● Construction activities ● Operation of D.G. set 	<ul style="list-style-type: none"> ● Nuisance to the nearby occupants due to increase in noise and vibration level. ● Health impact on construction workers due to increased noise levels. 	<ul style="list-style-type: none"> ● PPEs to Local Health Department and regular health check-up camps in the area with free distribution of hearing aids. ● Acoustic enclosure for DG sets ● Periodic ambient noise quality monitoring at nearby sensitive locations. 	<ul style="list-style-type: none"> ● Personal protective equipments, health check-up camps and hearing aids distribution = INR3,50,000/- ● Acoustic enclosure and vibration pads for DG sets = INR 5,00,000/- ● Ambient noise quality monitoring at nearby sensitive locations = INR 1,25,000/- <p>Total budget proposed for Remediation of Noise Environment=INR9,75,000 /-</p>

Table4: Remediation Plan with Proposed Activities and Budget –Land Environment

Activity	Significant Impact/Damage	Remediation Plan (To be followed for projects in vicinity of site)	Proposed Budget for Remediation (INR)
<ul style="list-style-type: none"> ● Excavation ● Solid waste generation during construction activity. ● Generation of hazardous wastes like empty cans of varnish, paintsetc. During construction activity. 	<ul style="list-style-type: none"> ● Change in land use – There is no impact on land use as the development of project is in accordance with Master Plan of the area. ● Loss of productivity and fertility of soil. ● Chocking of drains due to surface runoff during rainy season. ● Contamination or degradation of soil /water quality from mis management of solid, hazardous waste. 	<ul style="list-style-type: none"> ● Assistance to the local farmers for storage of excavated top soil and its reutilization. ● Constructing Community Waste Bins in nearby villages. ● Creating awareness for waste segregation and management. 	<ul style="list-style-type: none"> ● Assistance to local farmers for creating barriers to preserve stored top soil = INR 1,50,000/- ● Community waste bins in nearby areas = 2,00,000/- ● Solid waste management awareness camps = INR 1,00,000/- <p>Total budget proposed for Remediation of Land Environment= INR 4,50,000 /-</p>

Table5: Remediation Plan with Proposed Activities and Budget –Biological Environment

Activity	Significant Impact/Damage	Remediation Plan	Proposed Budget for Remediation (INR)
1. Site clearance 2. Cutting of existing trees	<ul style="list-style-type: none"> Loss of vegetation from project site: No trees were cut at site prior to development of project. Habitat loss of native fauna (avi-fauna). 	<ul style="list-style-type: none"> Plantation of 375 native trees within project site to attract native fauna. Development of park, garden (400 native trees) in near by public roads and other public buildings for habitat compensation. 	<ul style="list-style-type: none"> Cost of plantation & maintenance of total 775 trees @ 500/tree = INR3,87,500/- <p>Total budget proposed for Remediation of Biological Environment = INR3,87,500/-</p>

Table6: Remediation Plan with Proposed Activities and Budget–Socio-Economic Environment

Activity	Significant Impact/Damage	Remediation Plan (To be followed for projects in vicinity of site)	Proposed Budget for Remediation (INR)
Occupational Health	Health impacts on construction workers	<ul style="list-style-type: none"> Providing first aid kits to nearby construction sites & primary health centres. Providing wheel chair(10 nos.), stretchers (10nos.) for the primary health centre. 	<ul style="list-style-type: none"> First aid kits (50 nos.) =INR 20,00,000/-(@4000/kit) Stretchers & Wheel chairs = INR 3,40,000 (@ 12,000/ wheel chair & @ 5000/stretchers) <p>Total budget proposed for Remediation of Socio-economic Environment =INR5,40,000/-</p>

Total Budget for Remediation Plan for different components of Environment is presented below in Table7:

Table 7 Total Budget for Remediation Plan

S. No.	COMPONENT OF ENVIRONMENT	PROPOSED REMEDIATION BUDGET (INR)
1.	Air Environment	6,04,500/-
2.	Water Environment	14,43,000/-
3.	Noise Environment	9,75,000/-
4.	Land Environment	4,50,000/-
5.	Biological Environment	3,87,500/-
6.	Socio-economic Environment	5,40,000/-
	TOTAL BUDGET FOR REMEDIATION PLAN	INR 44,00,000/-

Budget proposed for implementation of Natural & Community Resource Augmentation Plan is given below in Table8:

Table 8: Natural & Community Resource Augmentation Plan Budget

S. No.	ACTIVITY	YEAR-WISE IMPLEMENTATION BUDGET (INR)			TOTAL BUDGET (INR)
		1 st Year	2 nd Year	3 rd Year	
1.	Develop greenery in vicinity of project site along external roads, greenbelts, parks, etc in consultation with local authorities	10,00,000	10,00,000	10,00,000	30,00,000/-
2.	Management/maintenance of roads & public greenery	2,00,000	2,00,000	2,00,000	6,00,000/-
3.	Rain water harvesting in nearby schools	10,00,000	10,00,000	10,00,000	30,00,000/-

4.	Awareness camps for local community on waste minimization and water conservation	1,50,000	1,50,000	1,50,000	4,50,000/-
5.	Solar Photo Voltaics for nearby schools, public buildings, etc	5,00,000	5,00,000	5,00,000	15,00,000/-
6.	Provision of clean drinking water taps for public	2,00,000	2,00,000	2,00,000	6,00,000/-
7.	Upgradation of Community resources including religious places, school and health centre	5,00,000	5,00,000	5,00,000	15,00,000/-
8.	Free health check-up camps for residents of nearby areas	1,50,000	1,50,000	1,50,000	4,50,000/-
9.	Training on developing technical skills for the constructions workers	5,00,000	5,00,000	5,00,000	15,00,000/-
10.	Scholarship to meritorious students for higher education	3,00,000	3,00,000	4,00,000	10,00,000/-
TOTAL BUDGET FOR NATURAL & COMMUNITY RESOURCE AUGMENTATION (INR)					1,36,00,000/-

Cumulative Budget for Remediation, Natural & Community Resource Augmentation Plan for which Bank Guarantee will be submitted to HSPCB is given below in Table 9:

Table9: Cumulative Budget for Remediation, Natural & Community Resource Augmentation Plan

S.No.	PARTICULARS	PROPOSED BUDGET(INR)
1.	Remediation Plan	44,00,000/-
2.	Natural & Community Resource Augmentation Plan	1,36,00,000/-
CUMULATIVE BUDGET FOR REMEDIATION, NATURAL & COMMUNITY RESOURCE AUGMENTATION PLAN		INR 1,80,00,000/-

It is submitted by PP that the order passed in project M/s G.P. Realtors Pvt. Ltd. by NGT is not related to their project in any way as the above mentioned case was an individual legal case decided by NGT on NBWL issue, so their project does not come within purview of said order. The PP also submitted that no Notification/ Office Memorandums/Guidelines has been issued by MoEF&CC to follow directions issued in M/s G.P. Realtors Pvt. Ltd. It is further submitted by PP that they agreed to follow the scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The committee discussed on the given information and Cumulative Budget for Remediation, Natural & Community Resource Augmentation Plan submitted by PP. After detailed discussion, the committee found the information in order and decided to recommend the case to SEIAA to granted Environment Clearance (**under violation category**) as recommended vide MoM 241st of SEAC.

254.02 EC under violation notification dated 14.03.2017 for Group Housing Project “EDGE TOWER” at Ramprastha City, Sector-37 D, District-Gurgaon, Haryana by M/s Ramprastha Promoters & Developers Pvt .Ltd

Project Proponent : Not present
Consultant : Not present

BACKGROUND:

- This is a Category, 8(b)
- Type of project- EC for Proposed Group Housing Project- EDGE Towers Ghaduli kalan, sector-37D, District Gurgaon, Haryana.

- PP deposited requisite scrutiny fee of Rs.2,00,000/- vide DD no.009591 dated 25.05.2022.
- The case was transferred to MoEF&CC and vide Notification dated 08.03.2018 MoEF&CC transferred category B cases to SEIAA to consider proposals.
- Whereas the case was taken up in the 172st meeting of the SEAC held on 07.04.2012 for approval of ToR vide Notification dated 14.03.2017 and 08.03.2018 but PP did not appear.
- The project was submitted to SEIAA on 16.04.2018 received in the SEAC on 27.04.2018.
- ToR was ganted by SEIAA under violation category vide letter no. SEIAA/HR/18/ dated 07.08.2018
- PP submitted EIA/ EMP report on basis of approved ToR on 11.10.2019. Whereas the case was taken up in the 192st and 195th meeting of the SEAC held on 03.12.2019 and the case was deferred in both meetings.
- The case was taken up in the 197th meeting of the SEAC held on 26.02.2020 and recommended to SEIAA for grant of EC under category 8B under violation category.
- The case was taken up in the 124th meeting of the SEIAA held on 22.07.2020 and the case was deferred back to SEAC.
- The case was taken up in the 202th meeting of the SEAC held on 30.08.2020 and recommended to SEIAA for grant of EC under category 8B under violation category.
- The case was taken up in the 125th meeting of the SEIAA held on 07.10.2020 in principle approval.
- The case was taken up in the 129th meeting of the SEIAA held on 12.10.2020 and authority issued show cause notice.
- The case was taken up in the 129th meeting of the SEIAA held on 12.10.2020 and the case was deferred back to SEAC in the light of recent Hon'ble Supreme Court judgement dated 09.12.2021 in Civil appeal no. 7576-7577.
- The case was taken up in the 234th meeting of the SEAC held on 10.03.2022 but PP requested for deferment.
- The case was taken up in the 241th meeting of the SEAC held on 25.04.2022 and forwarded the case to SEIAA for taking further action on the representation of PP.
- The case was taken up in the 141st meeting of the SEIAA held on 26.05.2022 and SEIAA decided to call a report from concerned RO, HSPCB to verify latest construction.
- The case was taken up in the 142th meeting of the SEIAA held on 07.06.2022 and SEIAA deferred case till next meeting to evolve and arrive more clarity in the issue.
- The case was taken up in the 143th meeting of the SEIAA held on 14.07.2022 and referred the case to Learned L.R of Haryana for seeking legal opinion and guidance as to whether the SOP guidelines dated 07.07.2021 issued by the MoEF&CC, GoI shall apply on the proposals, applied for grant of EC under violation window, prior to the issue of the said SOPs. (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

This was being initiated to obtain more clarity and to further ensure compliance of certain observations made by Hon'ble Supreme Court (Civil Appeal Nos. 7576, 7577 of 2021) vide Order dated 09.12.2021, in the Case of Electro Steels Limited versus Union of India and others.

The matter was again taken up in 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority held detailed discussions/deliberations on the legal opinion dated 04.10.2022

received from Learned Legal Remembrancer, Haryana through AD, (Environment & Climate Change Department, Haryana).

Accordingly, The Authority referred back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The case was taken up in 254th meeting held on 31.10.2022 however PP requested vide letter dated 31.10.2022 to defer the case. The committee acceded with the request of PP and deferred the case.

254.03 Environment Clearance for Expansion of Commercial Office Complex “Signature Tower-III” at Sector-15, Gurugram by M/s Unitech Limited

Project Proponent : Sh. Nadeem Khan
Consultant : Perfact Enviro Solutions Pvt. Ltd.

BACKGROUND

- This is a Category, 8(a) Building and Construction Project
- Type of project- Environment Clearance for Expansion of Commercial Office Complex
- The requisite fee is deposited vide DD No. 883970 dated 10.11.2021 Amount 2,00,000/-
- The case was taken up 197th meeting of SEAC held on 26.02.2020 and committee decided to recommend the case to SEIAA for verification of letter dated 17.01.2018 and approval that the project falls under violation Notification No. S.O. 804 (E), dated the 14th March, 2017 and subsequent Notification No. S.O. 1030(E) dated 08th March, 2018, OM dated 9th September 2019.
- The case was taken up 124th meeting of SEIAA held on 22.07.2020 and decided to refer the case to SEAC to appraise in view of O.M of MoEF&CC, Gol, F. No.22-10/2019-1A.III dated 9th septemeber2019.
- The case was taken up 202th meeting of SEAC held on 31.08.2020 and recommended to SEIAA for approval of ToR under violation category.
- The case was taken up 125th meeting of SEIAA held on 07.10.2020 and approved of ToR under violation category dated 28.10.2020.
- EIA application submitted on 01.09.2021.
- The case was taken up 228th meeting of SEAC held on 01.12.2021 and decided to defer this case
- The case was taken up 231st meeting of SEC held on 29.12.2021 and decided to recommend the case to SEAC for granting of EC under violation category.
- The case was taken up in the 134th meeting of SEIAA held on 18.01.2022 and the Authority decided to refer back the case to SEAC to submit recommendations as per the notification of MoEF &CC dated 7th July 2021 recalculating the penalty and damage assessment and clearly mentioning the methodology used in arriving at the final figure.
- The case was taken up 234th meeting of SEAC. The PP submitted the reply raised in 134th meeting of SEIAA and committee again recommended the case to SEIAA for granting of EC

- The case was taken up 137th meeting of SEIAA held on 24.03.2022 and decided to refer back this case to SEAC with an advice to relook into this aspect and recalculate amount strictly with reference to guidelines provided in SOP vide F. No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF&CC , GoI being case of violation
- The case was taken up 243rd meeting of SEAC held and recommend the case to SEAC for grant of EC
- The case was taken up 143rd meeting of SEIAA held on 14.07.2022 and authority decided to refer the case to LR Haryana for seeking legal opinion a guidance as to whether the SOP guidelines dated 07.07.2021 issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs". (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

This was being initiated to obtain more clarity and to further ensure compliance of certain observations made by Hon'ble Supreme Court (Civil Appeal Nos. 7576, 7577 of 2021) vide Order dated 09.12.2021, in the Case of Electro Steels Limited versus Union of India and others.

The matter was again taken up in 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority held detailed discussions/deliberations on the legal opinion dated 04.10.2022 received from Learned Legal Remembrancer, Haryana through AD, (Environment & Climate Change Department, Haryana).

Accordingly, The Authority referred back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The case was taken up in 254th meeting held on 31.10.2022. The PP and consultant appeared before the committee and presented their case. During presentation, they submitted the following details of the case :

- The project is the development of Commercial Office Complex Project "Signature Tower-III" located at **Sector 15, Gurugram, Haryana** developed by **M/s. Unitech Ltd.**
- The project has already been granted Environmental Clearance vide letter no. SEIAA/HR/2012/128 dated 11th July, 2012 for plot area 30958.45 m² (7.65 Acres) and built-up area 86802.00 m²
- TOR was granted on 28.10.2020 under violation category. and the EIA Report was submitted to SEIAA on 01.09.2021.
- The project was appraised in 228th meeting of SEAC on 01.12.2021. Certain observations were raised, reply to them were submitted.
- The reply was considered in the 231st meeting of SEAC on 29.12.2021. SEAC recommended the case to SEIAA for grant of EC under Violation Category.
- The case was considered in 134th SEIAA meeting on 18.01.2022 and SEIAA decided to refer back the case to SEAC to submit recommendations as per the notification of MoEF & CC dated 7th July, 2021. **Reply for the same has been submitted on 03.03.2022.**
- **The case was considered in the 234th meeting of SEAC on 09.03.2022 and SEAC recommend the case to SEIAA for EC under violation.**

- The project was considered in 137th SEIAA Meeting on 24.03.2022 and SEIAA decided to refer back this case to SEAC and the committee is advised to re-look into this aspect and re-calculate amount strictly with reference to guidelines provided in SOP vide F.No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF & CC, GoI being a case of violation
- The project was again considered in 243rd SEAC Meeting on 30.06.2022 and SEAC recommend the case to SEIAA for EC under violation
- The project was again listed in 143rd SEIAA meeting on 17.07.2022 and After due deliberations and perusal of relevant record, the Authority refer the case to Learned L.R., Haryana for seeking legal opinion and guidance as to whether the SOP guidelines dated 07.07.2021
- The project was again considered in 147th SEIAA Meeting on 10.10.2022 and Authority refer back the case to SEAC
- The project was listed in 254th SEAC meeting on 31.10.2022 and PP submitted the undertaking stated that SOP of MoEF & CC for violation cases dated 07.07.2021 has been followed
- The Final Damage Assessment Cost as per SOP dated 07.07.2021 is as follows:

S.No.	Particular	Cost in INR (lacs)
	Project Cost for Violated area	2400
1	Cost on Remediation of Environmental Damages	₹28.58
2	Cost towards Natural Resource Augmentation	₹5.00
3	Cost towards Community Resource Augmentation	₹10.00
Total Cost(A)		₹43.58
Penalty as per SOP dated 07.07.21- B		24.0
Total Cost (A+B)		₹ 67.58

PP also submitted an undertaking mentioning therein that Standard Operating Procedures (SOPs) for violation cases dated 07.07.2021 issued by MOEF & CC, GOI. has been followed.

A detailed discussion was held on the documents and information submitted by the PP but the committee observed that the PP has not submitted complete documents and details of the project as required such as tangible Remediation Plan and Natural Resource & Community Resource Augmentation Plan. Therefore, it was decided that the PP may be directed to submit the complete documents/ information and deferred the case.

254.04 EC under violation notification dated 14.03.2017 for Integrate d Residential Colony (Plotted & Group Housing) "Sushant City/Royale" at Sector-35/36, Karnal, Haryana by M/s Ansal Landmark (Karnal) Township Pvt. Ltd

Project Proponent : Sh. Vishal
Consultant : Ind Tech House Consult

BACKGROUND

- This is a Category, 8(b) Township and area development project
- Type of project- Environment Clearance for Expansion of Commercial Office Complex

- The requisite fee is deposited vide DD No. 883970 dated 10.11.2021 Amount 2,00,000/-
- ToR granted on 07.08.2018
- EIA application submitted on 25.09.2020
- The case was taken up 143rd meeting of the SEAC held on 27.10.2016. The Project proponent requested for adjournment and the same was discussed in the meeting. The Committee acceded to the request and decided to issue 30 days' notice to the PP. The observations of 143rd meeting were conveyed to the PP vide letter No. 1582 dated 08.11.2016. The PP submitted the request on dated 27.06.2017.
- The case was taken up 155th meeting of SEAC and decided to issue a show cause notice to the Project Proponent for not submitting the reply as per the MoEF&CC guidelines No. J-11 013/5/2009-IA-II (Part) dated 30.10.2012.
- The case was taken up 206th and 211th meeting of SEAC and defer this case on request of PP.
- The case was taken up in 215th meeting of SEAC held on 18.06.2021 but the PP/Consultant requested to defer the case for submitting the prosecution details filled in the special Environment court Kurukshetra. PP and consultant failed to reply.
- The case was taken up 219th meeting of SEAC and recommended to SEIAA for granting of EC.
- The case was taken up 129th meeting of SEIAA and decided to refer back this case to SEAC with some observations
- The case was taken up 225th meeting of SEAC. The PP submitted the reply of observations raised in 129th meeting of SEIAA and committee again recommended the case to SEIAA for grant of EC
- The case was taken up 131st meeting of SEIAA and decided to Defer this case till the legal opinion from LR Haryana.
- The case was taken up 137th meeting of SEIAA held on 24.03.2022 and decided to refer back this case to SEAC with an advice to relook into this aspect and recalculate amount strictly with reference to guidelines provided in SOP vide F. No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF&CC , Gol being case of violation.
- The case was taken up 241st meeting of SEAC and committee asked to PP to submit the self contained note along with penalty to be deposited as per SOP 07.07.2021.
- Thereafter, PP submitted self contained note along with penalty provision of 5.4 Lakh and decided to recommend this case to SEIAA for grant of EC
- The case was taken up 141st meeting of SEIAA held on 26.05.2022 and authority decided to call a report from concerned RO, HSPCB to verify the latest construction status and the case was deferred.
- The case was taken up 143rd meeting of SEIAA held on 14.07.2022 and authority decided to refer the case to LR Haryana for seeking legal opinion and guidance as to whether the SOP guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs". (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

This was being initiated to obtain more clarity and to further ensure compliance of certain observations made by Hon'ble Supreme Court (Civil Appeal Nos. 7576, 7577 of 2021) vide Order dated 09.12.2021, in the Case of Electro Steels Limited versus Union of India and others.

The matter was again taken up in 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority held detailed discussions/deliberations on the legal opinion dated 04.10.2022

received from Learned Legal Remembrancer, Haryana through AD, (Environment & Climate Change Department, Haryana).

Accordingly, The Authority referred back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The case was taken up in 254th meeting held on 31.10.2022. A detailed discussion was held on the documents and information submitted by the PP but the committee observed that the PP has not submitted complete documents and details of the project as required such as tangible Remediation Plan and Natural Resource & Community Resource Augmentation Plan. Therefore, it was decided that the PP may be directed to submit the complete documents/ information and deferred the case.

254.05 EC under violation notification dated 14.03.2017 for Warehouse Project located at Village Binola, Gurgaon, Haryana by M/s India Land and Space Logistics Pvt. Ltd

Project Proponent : Not Present
Consultant : Not present

BACKGROUND

- This is a Category, 8(b) Township and area development project
- Type of project- EC under violation notification dated 14.03.2017 for Warehouse Project
- The requisite fee is deposited vide DD No. 524780 dated 30.11.2021 Amount 2,00,000/-
- ToR granted under violation category on 07.08.2018
- PP applied EC under violation category and submitted EIA on 27.08.2020
- The case was taken up 206th and 212th meeting of SEAC and committee decided to defer this case
- The case was taken up 216th meeting of SEAC and recommend this case to SEIAA for granting of EC
- The case was taken up 129th meeting of SEIAA and decided to refer back this case to SEAC with the direction to look into the proof to credible action taken as per EPA,1986 and whether the proponent applied during the window period as per violation Notification dated 14.03.2017 & 08.03.2018.
- The case was taken up 225th meeting of SEAC and again recommend the case to SEIAA
- The case was taken up 131st meeting of SEIAA and decided to Defer this case till the legal opinion from LR Haryana.
- The case was taken up 137th meeting of SEIAA held on 24.03.2022 and decided to refer back this case to SEAC with an advice to relook into this aspect and recalculate amount strictly with reference to guidelines provided in SOP vide F. No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF&CC , GoI being case of violation.
- The case was taken up 241st meeting of SEAC and committee asked to PP to submit the self contained note along with penalty to be deposited as per SOP 07.07.2021. Thereafter, PP submitted self contained note and recommend the case to SEIAA.

- The case was taken up 141st meeting of SEIAA held on 26.05.2022 and authority decided to call a report from concerned RO, HSPCB to verify the latest construction status and the case was deferred.
- The case was taken up 143rd meeting of SEIAA held on 14.07.2022 and authority decided to refer the case to LR Haryana for seeking legal opinion and guidance as to whether the SOP guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs". (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

This was being initiated to obtain more clarity and to further ensure compliance of certain observations made by Hon'ble Supreme Court (Civil Appeal Nos. 7576, 7577 of 2021) vide Order dated 09.12.2021, in the Case of Electro Steels Limited versus Union of India and others.

The matter was again taken up in 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority held detailed discussions/deliberations on the legal opinion dated 04.10.2022 received from Learned Legal Remembrancer, Haryana through AD, (Environment & Climate Change Department, Haryana).

Accordingly, The Authority referred back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The case was taken up in 254th meeting held on 31.10.2022 however PP requested vide letter dated 29.10.2022 to defer the case. The committee acceded with the request of PP and deferred the case.

254.06 EC under violation notification dated 14.03.2017 for an Institutional "Office Building" Project at Plot No. 6, Sector – 32, Gurgaon, (Haryana) by M/s Focus Energy Ltd

Project Proponent : Sh. Mahesh Rana
Consultant : Perfact Enviro Solutions Pvt. Ltd.

BACKGROUND

- This is a Category, 8(b) Township and area development project
- Type of project- EC under violation notification dated 14.03.2017 for Warehouse Project
- The requisite fee is deposited vide DD No. 524780 dated 30.11.2021 Amount 2,00,000/-
- ToR granted under violation category on 07.08.2018
- The case was taken up 193rd meeting of SEAC and recommended for the amendment in ToR
- The amended ToR was granted dated 24.06.2020 in 123rd meeting of SEIAA
- PP submitted EIA application on 12.01.2021
- The case was taken up 211th meeting of SEAC but deferred.
- The case was recommend to SEIAA for grant of EC in 215th meeting of SEAC.

- The case was taken up 129th meeting of SEIAA and decided to refer back this case to SEAC with some observations
- The case was taken up 225th meeting of SEAC and again recommend the case to SEIAA
- The case was taken up 131st meeting of SEIAA and decided seek clarifications from MoEF&CC, GoI in regards to the aid project and defer this case
- The case was taken up 137th meeting of SEIAA held on 24.03.2022 and decided to refer back this case to SEAC with an advice to relook into this aspect and recalculate amount strictly with reference to guidelines provided in SOP vide F. No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF&CC , GoI being case of violation.
- The case was taken up 241st meeting of SEAC and committee asked to PP to submit the self contained note along with penalty to be deposited as per SOP 07.07.2021.
- The case was taken up 242nd meeting of SEAC. The PP submitted self contained note and recommend the case to SEIAA.
- The case was taken up 143rd meeting of SEIAA held on 14.07.2022 and authority decided to refer the case to LR Haryana for seeking legal opinion and guidance as to whether the SOP guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs". (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

This was being initiated to obtain more clarity and to further ensure compliance of certain observations made by Hon'ble Supreme Court (Civil Appeal Nos. 7576, 7577 of 2021) vide Order dated 09.12.2021, in the Case of Electro Steels Limited versus Union of India and others.

The matter was again taken up in 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority held detailed discussions/deliberations on the legal opinion dated 04.10.2022 received from Learned Legal Remembrancer, Haryana through AD, (Environment & Climate Change Department, Haryana).

Accordingly, The Authority referred back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The case was taken up in 254th meeting held on 31.10.2022. The PP and consultant appeared before the committee and presented their case. During presentation, they submitted the following details of the case :

- The project is a development of an **Institutional Office Building located at Plot No. 6, Sector 32, Gurugram, Haryana** developed by **M/s. Focus Energy Ltd.**
- The ToR was granted vide: TOR Letter No. : SEIAA/HR/2018/862 dated 07.08.2018 and subsequently got an amendment vide: Amended TOR Letter No: SEIAA(123)/HR/2020/272 dated 24th June 2020.
- **EIA report was submitted with TOR Compliance and the project was appraised in 211th SEAC on 26.02.2021 and Few observations were raised and reply of the same was submitted on 29.05.2021.**

- The reply was considered in 215th SEAC on 18.06.2021 and **SEAC recommended the proposal to SEIAA for grant of Environmental Clearance.**
- **The recommendation of SEAC was considered in 129th SEIAA on 08.10.2021** and SEIAA refer back the case to SEAC with few observations. Reply to the same was submitted.
- The project was again considered in 225th SEAC on 10.11.2021 and **SEAC again recommended the proposal to SEIAA for grant of Environmental Clearance.**
- The project was again considered in 131st SEIAA on 02.12.2021 and After deliberations, **SEIAA decided to defer** this case till the legal opinion from Ld. LR, Haryana is received.
- The project was again considered in 137th SEIAA on 25.03.2022 and SEIAA after due deliberations **decided to refer back case to SEAC** for appraisal in the light of SOP vide F.No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF & CC, GoI being a case of violation.
- The project was again considered in 241st SEAC on 26.04.2022 and SEAC after deliberation asked the PP to submit the self contained note along with penalty to be deposited as per SOP 07.07.2021. **The case will be taken up after receipt of reply.**
- The project was again considered in 242nd SEAC on 25.06.2022 and **SEAC again recommended the proposal to SEIAA for grant of Environmental Clearance.**
- The project was again considered in 143rd SEIAA on 16.07.2022 and the case was referred to LR Department of Haryana.
- The project was again considered in 147th SEIAA on 10.10.2022 and the case was refer back to SEAC
- The project was again considered in the 254th SEAC meeting on 31.10.2022. The PP presented the case before the committee.
- The PP submitted the Chronology and Undertaking stating that “That Standard Operating Procedures (SOPs) for violation cases dated 07.07.2021 issued by MOEF & CC, GOI.has been followed.”
- The Summarized cost of Damage Assessment as per SOP dated 07.07.2021 is below:

S.No.	Particular	Cost in INR (lacs)
	Project Cost	₹ 8100
1	Cost on Remediation of Environmental damages	₹ 70.95
2	Cost towards Natural Resource augmentation	₹ 5.67
3	Cost towards Community Resource augmentation	₹ 4.86
Total damage cost proposed-A		₹ 81.48
Total penalty cost required as per SOP dated 07.07.2021-B		₹ 40.5
Total Cost (A+B)		₹ 121.98

PP also submitted an undertaking mentioning therein that Standard Operating Procedures (SOPs) for violation cases dated 07.07.2021 issued by MOEF & CC, GOI. has been followed.

A detailed discussion was held on the documents and information submitted by the PP but the committee observed that the PP has not submitted complete documents and details of the

project as required such as tangible Remediation Plan and Natural Resource & Community Resource Augmentation Plan. Therefore, it was decided that the PP may be directed to submit the complete documents/ information and deferred the case.

254.07 EC for expansion of Group Housing Project “Lavanya Apartments” at Sector-81, Village Nawada Fatehpur, Gurgaon, Haryana under violation notification dated 14.03.2017 by M/s Graphic Research Consultants (I) Pvt. Ltd

Project Proponent : Not present
Consultant : Not present

BACKGROUND

- This is a Category, 8(a) building and construction
- Type of project- EC under violation notification dated 14.03.2017 for Warehouse Project
- The requisite fee is deposited vide DD No.979052 dated 24.11.2021 for Rs.2,00,000/-
- ToR granted under violation category on 07.08.2018
- The case recommended to SEIAA in 199th meeting of SEAC for grant of EC under violation.
- The case was taken up in 124th and 128th meeting of SEIAA but was deferred.
- The case was taken up in 129th meeting of SEIAA and decided to refer back the case to SEAC for further verification of document submitted by PP.
- The case recommended to SEIAA in 226th meeting of SEAC for grant of EC under violation.
- The case was taken up in 131st meeting of SEIAA but was deferred.
- The case was taken up 137th meeting of SEIAA held on 24.03.2022 and decided to refer back this case to SEAC with an advice to relook into this aspect and recalculate amount strictly with reference to guidelines provided in SOP vide F. No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF&CC , GoI being case of violation.
- The case was taken up 241st meeting of SEAC and committee decided to forward the case to SEIAA in view of request of PP.
- The case was taken up 141st meeting of SEIAA held on 26.05.2022 and authority decided to call a report from concerned RO, HSPCB to verify the latest construction status and the case was deferred
- The case was taken up 143rd meeting of SEIAA held on 14.07.2022 and authority decided to refer the case to LR Haryana for seeking legal opinion an guidance as to whether the SOP guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs”. (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

This was being initiated to obtain more clarity and to further ensure compliance of certain observations made by Hon’ble Supreme Court (Civil Appeal Nos. 7576, 7577 of 2021) vide Order dated 09.12.2021, in the Case of Electro Steels Limited versus Union of India and others.

The matter was again taken up in 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority held detailed discussions/deliberations on the legal opinion dated 04.10.2022 received from Learned Legal Remembrancer, Haryana through AD, (Environment & Climate Change Department, Haryana).

Accordingly, The Authority referred back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The case was taken up in 254th meeting held on 31.10.2022. The PP requested vide letter dated 31.10.2022 to defer the case due to unavoidable circumstances. The committee acceded with the request of PP and deferred the case.

254.08 EC under violation notification dated 14.03.2017 for Group Housing Residential Colony Project “Vipul Gardens” located in Sector-1, Village-Dharuhera (NH-8), District–Rewari, Haryana by M/s Mudra Finance Ltd

Project Proponent : Not present
Consultant : Not present

BACKGROUND

- This is a Category, 8(a) building and construction
- Type of project- EC under violation notification dated 14.03.2017 for Warehouse Project
- The requisite fee is deposited vide DD No. 000294 dated 24.11.2021 Amount 2,00,000/-
- ToR granted under violation category on 07.08.2018
- EIA Submitted on 12.06.2019
- The case was taken up 184th meeting of SEAC and decided to SEIAA shall recommended for credible action/prosecution by competent authority for not obtaining the prior EC
- The case was taken up 192nd and 202nd meeting committee decided to defer this case
- The case was recommended to SEIAA in 206th meeting of SEAC for grant of EC
- The case was taken up 126th meeting of SEIAA and refer back this case for appraisal of the project after proper verification of the damage assessment report.
- The case was taken up 208th meeting of SEAC but case was deferred
- The case was recommended to SEIAA in 210th meeting of SEAC for grant of EC
- The case was taken up 128th meeting of SEIAA but case was deferred
- The case was taken up 129th meeting of SEIAA and refer the case to SEAC with some observations:
 - Whether the case has been applied during the stipulated time period for applying the cases under the violation category as per violation notification dated 14.03.2017&2018
 - The proof of credible action taken under the EPA 1986
- The case was recommended to SEIAA in 226th meeting of SEAC for grant of EC. PP submitted reply of observation raised in 129th meeting of SEIAA
- The case was taken up 131st meeting of SEAC but case was defer for legal opinion from LR Haryana
- The case was taken up 137th meeting of SEIAA held on 24.03.2022 and decided to refer back this case to SEAC with an advice to relook into this aspect and recalculate amount strictly with reference to guidelines provided in SOP vide F. No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF&CC , GoI being case of violation.

- The case was taken up 241st meeting of SEAC and committee decided to forward the case to SEIAA in view of request of PP.
- The case was taken up 141st meeting of SEIAA held on 26.05.2022 and authority decided to call a report from concerned RO, HSPCB to verify the latest construction status and the case was deferred
- The case was taken up 143rd meeting of SEIAA held on 14.07.2022 and authority decided to refer the case to LR Haryana for seeking legal opinion and guidance as to whether the SOP guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs". (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

This was being initiated to obtain more clarity and to further ensure compliance of certain observations made by Hon'ble Supreme Court (Civil Appeal Nos. 7576, 7577 of 2021) vide Order dated 09.12.2021, in the Case of Electro Steels Limited versus Union of India and others.

The matter was again taken up in 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority held detailed discussions/deliberations on the legal opinion dated 04.10.2022 received from Learned Legal Remembrancer, Haryana through AD, (Environment & Climate Change Department, Haryana).

Accordingly, The Authority referred back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The case was taken up in 254th meeting held on 31.10.2022. The PP requested vide letter dated 31.10.2022 to defer the case due to unavoidable circumstances. The committee acceded with the request of PP and deferred the case.

254.09 EC for the Project "Corporate Office" at Plot No. 13, Sector-32, Urban Estate Gurugram-II, Haryana by M/s Padmini Technologies Ltd

Project Proponent : Sh. P.K. Garg
Consultant : Perfact Enviro Solutions Pvt. Ltd.

BACKGROUND

- This is a Category, 8(a) Building and Construction
- Type of project- EC for the Project "Corporate Office"
- The requisite fee is deposited vide DD No. 000294 dated 24.11.2021 Amount 2,00,000/-
- ToR granted under violation category on 28.04.2022
- EIA Submitted on 17.06.2022
- The case was recommended to SEIAA in 244th meeting of SEAC for grant of EC under violation.
- The case was taken up 144th meeting of SEIAA with some observations
- PP submitted reply to the observation of SEIAA in 247th meeting of SEAC and again recommended the case to SEIAA to grant EC

- Case was taken up in 146th meeting of SEIAA but case was referred to Learned L.R., Haryana, for seeking legal opinion and guidance as to whether “The SOPs guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs”. (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

This was being initiated to obtain more clarity and to further ensure compliance of certain observations made by Hon’ble Supreme Court (Civil Appeal Nos. 7576, 7577 of 2021) vide Order dated 09.12.2021, in the Case of Electro Steels Limited versus Union of India and others.

The matter was again taken up in 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority held detailed discussions/deliberations on the legal opinion dated 04.10.2022 received from Learned Legal Remembrancer, Haryana through AD, (Environment & Climate Change Department, Haryana).

Accordingly, the Authority referred back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The case was taken up in 254th meeting held on 31.10.2022. The PP and consultant appeared before the committee and presented their case. During presentation, they submitted the following details of the case :

Background :

- The project is “Corporate Office Complex” which is located at Plot No. 13, Urban Estate Gurugram-II, Haryana developed by M/s Padmini Technologies Ltd.
- The project was granted Terms of Reference vide SEIAA(139)/HR/2022/849 dated 28.04.2022
- The EIA report along with compliance to the Terms of Reference was submitted online on 17.06.2022.
- The case was considered in the 244th meeting of SEAC, Haryana on 09.07.2022 and SEAC recommended the project to SEIAA for grant of Environment Clearance.
- The recommendation of SEAC was considered in the 144th SEIAA Meeting on 09.08.2022 and few observations were raised and the project was referred back to SEAC.
- The Reply of 144th SEIAA meeting was considered in 247th SEAC meeting on 31.08.2022 and SEAC recommended the case to SEIAA.
- Case was considered in the 146th SEIAA meeting on 21.09.2022 and the case was referred to the LR Department of Haryana.
- Again the case was considered in the 147th SEIAA meeting on 10.10.2022 and authority referred the case to SEAC Meeting .
- Case considered in 254th SEAC on 31.10.2022. The PP presented the case before the committee.
- The PP submitted the Chronology and Undertaking stating that “That Standard Operating Procedures (SOPs) for violation cases dated 07.07.2021 issued by MOEF & CC, GOI. has been followed.”

**Total Summarized Cost on Environmental Damage, Natural resource, community augmentation
(% contribution w.r.t. total project cost)**

S.No.	Particular	Cost in INR (lacs)
	Project Cost	₹6,013.4
1	Cost on Remediation of Environmental damages	₹52.32
2	Cost towards Natural Resource augmentation	4.2
3	Cost towards Community Resource augmentation	3.62
Total Damage Cost Proposed- A		₹60.14
4	1% penalty as per SOP 7th July 2021, Clause no 12.a(ii)	60.13
	0.25 % of Total Turnover as per SOP 7th July 2021, Clause no 12.a(ii)	25.3512
Total Penalty as per SOP 7th July 2021-B		85.49
Total cost-(A+B)		145.63

PP also submitted an undertaking mentioning therein that Standard Operating Procedures (SOPs) for violation cases dated 07.07.2021 issued by MOEF&CC, GOI has been followed.

A detailed discussion was held on the documents and information submitted by the PP but the committee observed that the PP has not submitted complete documents and details of the project as required such as tangible Remediation Plan and Natural Resource & Community Resource Augmentation Plan. Therefore, it was decided that the PP may be directed to submit the complete documents/ information and deferred the case.

254.10 EC of Proposed Expansion of Commercial Complex Project at Sector-66, Gurugram, Haryana by M/s Gentle Realtors Pvt. Ltd

Project Proponent : Not Present
Consultant : Ind Tech House Consult

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/278736/2022 dated 17.06.2022 for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006.

The PP has submitted Scrutiny Fee amounting to Rs.2,00,000/- vide DD No. 500349 Dated: 03.12.2021 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

Thereafter, the case was considered in 246th meeting of SEAC held on 22nd and 23rd August 2022 and recommended to SEIAA for grant of Environment Clearance.

The recommendation of SEAC was considered in 145th meeting of the SEIAA held on 08.09.2022. After detailed discussions and examination of facts on record; the Authority decided to constitute a sub-committee consisting of Sh. V.K. Gupta, Chairman, SEAC and Sh.Sandeep Gupta,

Member, SEAC to visit the site and submit report in regard to actual status of the construction/project. Regional Officer, Gurgurgam (North) will assist the committee.

Accordingly, the case was referred back to SEAC.

Then, the case taken up in 251st meeting of SEAC, Haryana held on 11.10.2022. However, the site inspection report of the case has not been received till now. The committee instructed the sub-committee to conduct the site inspection and submit the report at the earliest. The case will be taken up in SEAC meeting after receiving the report.

The case was taken up in 254th meeting held on 31.10.2022. In its 145th meeting, Authority constituted a sub-committee to visit the site and submit report in regard to actual status of the construction/project. The site inspection report was presented during the meeting. A detailed discussion was held on the report of sub-committee. After due deliberations, the committee unanimously decided to recommend the case to SEIAA along with original site visit report for granting Environment Clearance as recommended vide MoM 246th of SEAC.

254.11 EC under Violation Notification dated 14.03.2017 for Expansion of Group Housing Project “Parsvnath Exotica Phase-II” (under violation) at Village Wazirabad, Sector 53, Gurugram, Haryana by M/s Parsvnath Developers Ltd

Project Proponent : Ms. Rashmi Jha
Consultant : Ind Tech House Consult

BACKGROUND:

- This is a Category, 8(b) project
- Type of project- EC under Violation Notification dated 14.03.2017 for Expansion of Group Housing Project
- The requisite fee is deposited vide DD No.12914 dated 11.01.2022 Rs.2,00,000/-
- The case was taken up 169th meeting of SEAC and recommended to SEIAA grant of ToR under violation category.
- ToR under violation category granted on 07.08.2018
- The case was taken up 139th meeting of SEIAA held on 19.04.2022 and authority referred back the case to SEAC through Parivesh Portal for appraisal of the project in the light of SOP dated 07.07.2021
- The case was taken up 243rd and following observations were raised and conveyed to PP/Consultant for submission of reply at the time of appraisal alongwith conditions of ToR:
 1. The details of the project with brief background will be submitted in chronological order w.e.f. the date of obtaining EC.
 2. The status of OC obtained for first phase shall also be given.
 3. The layout plan and site plan must be legible and in the scale of 1:10000
 4. The co-ordinates of the area be given and also be marked on the plan alongwith KML file.
 5. The status of existing green area/landscape be also submitted.
 6. The detail and status of the licence from DTCP be provided.
 7. Forest NOC and Aravali NOC is also required.
 8. The EIA study must be corresponding to the ToR granted in violation category.
 9. The photographs to be submitted for appraisal must be geo-tagged with stamp of date.

Thereafter, the case was taken up in 245th and 251st meeting of SEAC but deferred on request of PP.

Further, the case was taken up in 254th meeting held on 31.10.2022. The PP alongwith the consultant appeared before the committee and presented their case. During discussion, Dr.Sandeep Gupta, Member raised following points :

- i. The site visit report of Year 2014 should be taken into consideration (for e.g. 500 KLD of STP in EC, while 400 KLD of STP installed etc.)
- ii. The said project “M/s Puri Constructions Pvt. Ltd.” is Land Owner and “Parsvnath Developers Ltd.” is developer and there is a MoU and agreement between the two for a part of the total land of the land owner.
- iii. The 1st EC granted on 05.12.2006 for a plot area of 9635 sqm and built up area 168377.91 sqm which already got expired.
- iv. The building plan was revised and approved on 10.04.2009 for a plot area of 112335.77 sqm and built up area of 196570.91 sqm
- v. As per the google earth satellite images observed, the construction started well before the revised building plan approved on 10.04.2009 in the extension part of the project/built up area.
- vi. The NOC for Aravali and Forest is submitted only for extension part which is dated 05.05.2015 and 10.02.2015 respectively.

During the meeting, it was also observed by the committee that PP has not submitted the reply of observations raised during 243rd SEAC meeting. Therefore, the committee decided to defer the case directing the PP to submit the reply of observations raised during 243rd meeting as well as the points raised by Dr.Sandeep Gupta, Member, SEAC.

254.12 EC of proposed Ware House Project at Village-Narhera, District – Gurgaon, Haryana by Sh. Jai Karan Sharma

Project Proponent : Not Present
Consultant : Not Present

The project was submitted to the SEIAA, Haryana on 15.06.2018. The project proponent has submitted the Form-1, Form-1A and Conceptual Plan to the SEIAA with reference to the Notification No. S.O.804 (E) dated the 14th March, 2017 and subsequent Notification No. S.O.1030 (E) dated 08th March, 2018, issued by the Ministry of Environment, Forest and Climate Change. The MoEF& CC has prescribed the process for appraisal of projects for grant of Terms of Reference and Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance as mandated under the Environment Impact Assessment Notification, 2006 [S.O.1533 (E), dated the 14th September, 2006; The Ministry of Environment, Forest and Climate Change in the Notification dated 08.03.2018 inter alia, directed vide sub-paragraph (2) of paragraph 13, that in case the projects or activities requiring prior environmental clearance under Environment Impact Assessment Notification, 2006 from the concerned Regulatory Authority, are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernization, and change in product-mix without prior environmental clearance, these projects shall

be treated as cases of violations and in such cases, even Category B projects which are granted Environmental Clearance by the State Environment Impact Assessment Authority constituted under sub-section (3) section 3 of the Environment (Protection) Act, 1986 shall be appraised for grant of environmental clearance only by the State Expert Appraisal Committee and Environmental Clearance will be granted at the State level by State Environment Impact Assessment Authority constituted under sub-section (3) section 3 of the Environment (Protection) Act, 1986. Thereafter the proposal was considered by the State Expert Appraisal Committee, Haryana in its 172nd meeting held on 03.07.2018 for approval of Terms of Reference under violation Notification dated 14.03.2017 and 08.03.2018 respectively.

The PP neither attended the meeting nor requested for adjournment. The Committee is of the view that 30 days notice be issued to the project proponent.

Thereafter, the case was taken up in 192nd meeting of SEAC held on 03.12.2019. The PP neither attended the meeting but submitted that the project area is less than 20,000sqm and also submitted the Occupation certificate that covered area of the project is 19995.522sqm which is less than 20,000m². However, the CLU was granted for 40364.51sqm and the committee decided that the PP shall give evidence in support of his claim that the construction has not been carried out beyond the 20,000sqm. The PP had not submitted the reply after lapse of six months, Thereafter; the case was taken up in 201th meeting of SEAC Haryana held on 11.08.2020. The PP neither submitted the reply nor attended the meeting. The committee deliberated on the issue of construction and decided to constitute a committee consisting of Sh. S. N. Mishra and Sh. Vivek Saxena both members SEAC to visit the project and submit a report on the status of construction to the committee for further decision/appraisal

The members inspected the site on 04.03.2021 and enquired about the project details.

Observations of committee as given below:

1. The PP was able to furnish only Occupation certificate issued by DTCP dated 14-7-2014. Mentioning covered area of 19,995.522 sq. mtr for warehouse building shed no. A, C and D. (Annexure A). The size of each shed was not provided by PP and also could not provide copy of the CLU as well. There was more than ten rooms constructed within the premises
2. The PP representative was not able to provide any of details of the project.
3. The PP did not provide the any approved construction plan copy/ map to the committee.
4. Rainwater harvesting (RWH) pits neither dug proper nor in desired number nor working.
5. Septic tank constructed to manage sewage generated due to workers/employees/visitors staying in the premises.
6. Fresh water supply is being managed by bore well & any permission/ approval in this regards was not furnished.
7. Greenery/ Plants / tree/ shrubs or any kind of vegetation around premises which may help in abatement of air pollution was absolutely absent.

Thereafter, the case was taken up in 216th meeting of SEAC held on 29.06.2021. The PP presented the case before the committee. The discussion was held on Occupation certificate, Building

plans, self contained note and report of sub-committee etc. and certain observations were raised as following:-

1. The PP shall submit the approval of existing borewell in the project.
2. The PP shall submit the details of Occupation Certificate obtained
3. The PP shall submit approved Building Plan from the competent authority before the start of the construction and any other revision of building plan.
4. The PP shall submit the details of 10 extra rooms constructed apart from building plan and affidavit that whether FAR of extra rooms is added into the OC or not.
5. The PP shall submit the self contained note for existing status, details of area constructed in consonance with approved building plans, any violation being carried out and if any expansion part apart from approved building plan status duly signed by the PP and the consultant.

The PP shall submit the required information as detailed above within 30 days and it was also made clear to the PP that his project will be considered as received only after the receipt of complete information. In case of non-receipt of information in time the case shall be recommended for rejection/ filing.

Thereafter, the case was taken up in 222nd meeting of SEAC held on 11.10.2021. The PP attended the meeting and requested for the deferment of the case for the last time and committee after deliberation gave the last chance and defer the case and again conveyed that the next time decision will be taken according to MoEF&CC notification dated 18.11.2020.

Then, the case was again taken up in 231st meeting of SEAC held on 28.12.2021. The PP submitted undertaking vide letter dated 28.12.2021 that the project has temporary structure which will be removed. The committee deliberated that in order to ascertain the status of construction at the site a sub-committee consisting of following 2 members is constituted;

1. Sh. Hitender, Member SEAC
2. Sh. Viveksaxena, Member SEAC

The Committee shall visit the project site and submit the report regarding the status of the project in view of the details as mentioned above within 30 days positively.

Thereafter, the case was taken up in 235th meeting of SEAC held on 25.03.2022. The committee deliberated in view of the request of PP and consultant that new committee may be constituted as the term of earlier nominated member i.e. Sh. Hitender, Ex-Member SEAC is expired on 29.01.2022. The Committee decided to constitute new sub-committee consisting of Dr Vivek Saxena, Member SEAC and Sh. Prabhakar Verma, Member SEAC for site visit. The case will be taken up after the receipt of sub-committee report.

The case was taken up in 242nd meeting of SEAC, Haryana held on 24.06.2022. The site visit report was to be submitted in this case, however, one of the committee member Sh.Prabhakar Verma, who was present in the meeting had stated that he is overburdened in various other official works and also been nominated as member in several other committees. Therefore, he has shown unavailability to visit the site for inspection. Hence, the name of Sh.Prabhakar Verma is replaced with Dr.Rajbir Singh Bondwal, IFS (Retd.), Member SEAC. The new committee will inspect the site and submit its report at the earliest. The case will be taken up after the receipt of sub-committee report.

The case was taken up in 254th meeting held on 31.10.2022. The site inspection report of the sub committee has been received and circulated among the members. The case is deferred and shall be taken up in next meeting.

254.13 EC for VSR Mall Retail Cum Office Complex Sec 114 Village Bajghera, Gurgaon, Haryana-122017 by Sh. Puran Das, M/s VSR Mall

Project Proponent : Sh. Shailesh Mathur
Consultant : M/s Earthvision India Associate (EIA) Consultants

The project was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIS/290750/2022 dated 29.08.2022 for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006.

- The ToR granted to the project on dated 03.08.2022
- PP submitted the requisite scrutiny fee of Rs.1,50,000/- vide DD No. 112829 dated 26.04.2022

The case was taken up in 250th meeting of SEAC, Haryana. The Project Proponent along with consultant has appeared before the committee. They were informed about a complaint received against them. In the said complaint it is stated by M/s Aplinka Solutions and Technologies Pvt. Ltd. (NABET Accreditation, Disclosure of Consultant, and Management details) that M/S VSR Infratech Private Limited, having its registered office at Plot No. 14, Institutional Area, Sector 44, Gurugram, Haryana has illegally used the credentials of their company in their EIA Report for obtaining the Environment Clearance of one of their Projects, namely; "**VSR Mall, A Retail-cum-Office Complex (Expansion Under Violation)**" from SEIAA/ SEAC, Haryana. It has further been submitted that the same Project is to be taken up in 250th meeting of SEAC, Haryana, at Agenda No: 250.06 proposed to be held on 28.09.2022. It has further been submitted by complainant that any details submitted by the PP and/or his non-accredited consultant with respect to this project are not known to them and they have no role in the preparation and submission of any ToR application, EIA report, and supplementary documents submitted on the online portal/circulated in hard copy to SEIAA/SEAC pertaining to said project. The copy of complaint provided to Project Proponent as well as to consultant and the Committee directed them to furnish their comments with regard to the complaint.

The Project Proponent received the copy of complaint and requested to give them time for submitting their reply in connection with the complaint. The committee acceded with the request of PP and deferred the case. PP was directed to submit reply/comments to complaint within 15 days.

The case taken up in 252nd meeting of SEAC held on 14.10.2022. The consultant appeared before the committee and submitted that he has submitted that he has made a written apology to M/s Aplinka Solutions and Technologies Pvt. Ltd. A copy of email dated 14.10.2022 sent by M/s Earthvision India Associate (EIA) Consultants to M/s Aplinka Solutions and Technologies Pvt. Ltd. has also been submitted by consultant. In response to the said email M/s Aplinka Solutions and Technologies Pvt. Ltd. also conveyed to Member Secretary, SEAC through its **official email** dated 14.10.2022, as under:

“We would like to update you that we have received an email from the consultant, M/s Earthvision India Associate who is the NABET accredited consultant for the project M/s. VSR Infratech Pvt. Ltd. Based on the Apology submitted by the consultant and subject to the compliance of points mentioned in the undertaking submitted by him, we would like to withdraw the complaint made by us against the PP for illegally using the credentials of Aplinka Solutions and Technologies Pvt. Ltd. for the said project.”

Further, Sh.Varun Gupta representative of M/s Earthvision India Associate (EIA) Consultants also submitted an undertaking stating therein that:

1. Inadvertently, the “work in progress” report was attached as the same was placed next to our finalized report. M/s Aplinka Solutions & Technologies Pvt. Ltd. is not responsible for this error made by us.
2. We, the consultants, M/s Earthvision India Associate (EIA) Consultants (NABET accredited consultant bearing accreditation no.QCI/NABT/ENV/ACO/21/1884) take the full responsibility of the error made by us.
3. The contents of the final report have not been copied/pasted from any report of M/s Aplinka Solutions & Technologies Pvt. Ltd.
4. This is an inadvertent error conducted at our part and will not be repeated ever again in the future.
5. We assure that this report will be replaced by the final report prepared by us on the online portal after decision taken by the Honourable SEIAA&SEAC for our project. All the consequences related to this will be borne by us and M/s Aplinka Solutions & Technologies Pvt Ltd will not be held liable for the mistake made by us.
6. We will take the complete responsibility for the for any harm happened and/or to happen in future to the image or reputation of M/s Aplinka Solutions & Technologies Pvt Ltd. due to this error and will be ready to pay the damages linked to it.
7. Further, we want to assure that similar mistake will not be repeated in future, if by any reason Earth Vision found in similar activity in that case M/s Aplinka Solutions & Technologies Pvt. Ltd. can take legal action against us.

After detailed deliberation on the email of M/s Aplinka Solutions and Technologies Pvt. Ltd. regarding withdrawal of the complaint and the documents submitted by consultant as well as apology made by Sh.Varun Gupta, representative of M/s Earthvision India Associate (EIA) Consultants in writing, the committee accepted his request for apology, however, the consultant M/s Earthvision India Associate (EIA) Consultants (through Sh.Varun Gupta, representative) has been warned to be careful and not to repeat such mistake in future.

Further, an application has also been submitted wherein it is requested to generate ADS to enable PP to upload updated EIA report on PARIVESH portal after making necessary correction/rectification as discussed above. The committee acceded with the request and decided that ADS be generated in this case and deferred the case.

The case was taken up in 254th meeting held on 31.10.2022. The PP and consultant appeared before the committee and presented their case. The PP submitted Basic Detail, EMP detail and Remediation and Natural & Community Resource Augmentation Plan as following :

TABLE 1 : Basic Details

Project Name : EC for VSR Mall Retail Cum Office Complex Sec 114 Village Bajghera, Gurgaon, Haryana-122017 by Sh. Puran Das, M/s VSR Mall				
Sr. No.	Particulars	As per Existing EC	Modification & Expansion	Total
1.	Online Proposal Number	SIA/HR/MIS/290750/2022		
2.	Latitude	Latitude:28°32'13.08"N		
3.	Longitude	Longitude:77°01'05.02"E		
4.	Total Plot Area(Sqm)	12,011.05	No Change	12,011.05
5.	Net Plot Area(Sqm)	12,011.05	No Change	12,011.05
6.	Achieved Ground Coverage(Sqm)	39.66	No Change	39.66
7.	Achieved FAR(Sqm)	21019.11 sqm	360.3315 sqm (Additional FAR 3 % as per HUDA notification for SWTM)	21,379 44 sqm
8.	Non FAR Area(Sqm)	19579.99	4564.01	23766.748 sqm
9.	Built up area (Sqm)	41429	360.3315 + 427.58884) (Additional FAR 3 % as per HUDA notification for SWTM + compounding area @ 2%) 4145	45574.00834
10.	Total Green Area (Sqm) with Percentage	2447.35	No Change	2447.35
11.	Rain Water Harvesting (Nos.)	0	2	2
12.	STP Capacity	170 kld	No Change	170 kld
13.	Total Parking (ECS)	428	No Change	428
14.	Organic Waste Converter (Nos.)	0	1	1
15.	Maximum height & number of floors (in meter)	30	No Change	30
16.	Power Requirement	3291 kva	No Change	3291 kva
17.	Power Backup (KVA)	4000	No Change	4000
18.	Total Water Requirement (KLD)	378	No Change	378
19.	Fresh Water Requirement (KLD)	201	No Change	201
20.	Recycled/Treated Water Requirement (KLD)	127	No Change	127
21.	Waste Water Generated (KLD)	149	No Change	149
22.	Solid Waste Generated (TPD)	1.141	No Change	1.141
23.	Biodegradable Waste (TPD)	0.799	No Change	0.799
24.	Number of Towers (Nos.)	3	No Change	3
25.	Stories	2B/LGF/SERVICE FLOOR /G+ 8	No Change	2B/LGF/SERVICE FLOOR /G+ 8
26.	Total Cost of the project:	79.68	6.0	85.68 Crores
30.	Incremental Load in respect of:	PM10 (µg/m3)	0.242 µg/m3	
		PM2.5 (µg/m3)	0.215 µg/m3	
		SO2 (µg/m3)	1.2 µg/m3	
		NO2 (µg/m3)	6.8 µg/m3	
		CO (mg/m3)	0.00319 mg/m3	

Table 2: EMP BUDGET

Budget During Construction Phase		
Item	Capital / Investment Cost (RsLacs)	Recurring / Maintenance Cost per year (RsLacs/yr)
Barricading of construction site	1.5	0
Anti - smog gun with complete assembly	2	1
Dust mitigation measures	0.5	
Site sanitation	1	0.5
Mobile stp	2	1
Disinfection/ pest control	0.5	0.2
Labour health check up & first aid facility	1	0.5
LABOR WELFARE (canteen, creche, safe access road - water power, cooking kerosene/gas)	1.5	1
Wheel washing	0.5	
Waste storage bins - labour camp/site offices	0,5	1.0
Safety training to workers		0.6
Environment monitoring & 6 monthly compliance report of ec conditions		2
TOTAL	11	7.8

Budget During Operation Phase		
Item	Capital / Investment Cost (Rs Lacs)	Recurring / Maintenance Cost per year (Rs Lacs/yr)
Sewage treatment plant	65.00	6
Rain water harvesting system	8	1
Solid waste storage bins & composter (organic waste converter)	30	5
Horticulture development (tree plantation & landscaping)	15	5
Environment monitoring & 6 monthly compliances of environment clearance conditions		2.00
TOTAL	118	19

Budget proposed for implementation of Remediation and Natural & Community Resource Augmentation Plan is given below in Table

S. No.	Environmental Component	Action Plan	Budget (INR Lakh) [A]	Additional Budget under violation (INR Thousand)	Total Budget (INR Lakh) [A+B]
1	Water Conservation	STP Water will be reused for Flushing, Low Water Fixtures at project site and nearby areas	500	-	500
2	Waste Water treatment	Installation of waste water treatment facilities (STP, soak pits, etc.)	200	-	200
3	Rain Water Harvesting & Ground Water Recharge	Rain Water Harvesting Structure and Storm Water Drain at project site and nearby areas	6	0.5	6.5

4	Top Soil Preservation & Reuse	Land reclamation of nearby areas	3	--	
5	Solid Waste Management	Organic Waste Converter and disposal arrangement at project site and nearby areas	10	-	11
6	Energy Conservation	Solar Water Heater, Solar Photo Voltaic, ECBC compliance	8	-	8
7	Ambient air quality	Installation of air pollution control devices and measures at project site; tree plantation and green area maintenance in nearby areas	5	0.5	5.5
8	Noise level	Installation of acoustic DG sets, barricading at project site; tree plantation and green area maintenance in nearby areas	6	--	6.2
9	Green Cover	Landscaping & tree plantation within project site	5	20.0	5.5
10	Topography & Natural Drainage	Natural Drainage shall be maintained in vicinity of project site	3	10.0	3.1
11	Transportation Management	Traffic management within project site and in vicinity	0.5	20.0	0.7
	Environment monitoring	Six monthly environment	6	30.0	7
	Community welfare	Promoting rain water harvesting in nearby schools Awareness camps for local community on waste minimization and water conservation Provision of clean drinking water taps for public Upgradation of Community resources including religious place, school and health center Free health check-up camps for workers engaged at project site and residents of nearby villages. Training on good construction practices for workers engaged at project site	2	10.0	5.3
		TOTAL	754.50	100	755.50

A detailed discussion was held on the documents and information submitted by the PP but the committee observed that the PP has not submitted the complete details of the project as required such as tangible Remediation Plan and Natural Resource & Community Resource Augmentation Plan.

Therefore, it was decided that the PP may be directed to submit the complete documents/ information and deferred the case.
