

**Minutes of the 256<sup>th</sup> Meeting of the State Expert Appraisal Committee (SEAC), Haryana held on 30.11.2022 and 01.12.2022 under the Chairmanship of Sh. V. K. Gupta, Chairman, SEAC, in Conference Hall (SEIAA), Bays No.55-58, First Floor, ParyatanBhawan, 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 255<sup>th</sup> meeting were discussed and approved. In this meeting 32 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.Prabhaker Verma (Through VC)	Member
2.	Dr.Vivek Saxena, IFS	Member
3.	Shri Rajbir Bondwal, IFS (Rtd). (on leave out of country)	Member
4.	Dr.Sandeep Gupta (Attended on 30.11.2012 and on leave on 01.12.2022)	Member
5.	Sh.Bhupender Singh Rinwa, Joint Director, Environment & Climate Change Department, Haryana	Member Secretary
6.	Shri Omdutt Sharma	Mining Officer

**256.01 Corrigendum in Environmental Clearance (EC) for "Addition of (minor mineral) Boulder and Gravel" as per the DMG letter at Kanalsi Block/YNR B-5, over an area of 44.14 Hectares in Village Kanalsi, Tehsil Chhachhrauli, District Yamunanagar, Haryana by M/s P S Buildtech**

**Project Proponent : Shri Veer Bhan**  
**Consultant : Vardan EnviroNet**

The Project Proponent submitted the proposal to SEIAA vide online Proposal SIA/HR/MIN/293365/2022 dated 28.10.2022 for obtaining Corrigendum in Environmental Clearance under category 1(a) of EIA Notification dated 14.09.2006. The PP submitted the scrutiny fee vide DD No. 505444 of amount Rs.1,50,000/-.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. PP presented the case before the committee and followings points were discussed during the presentation:

- The LOI for the project was granted the Letter of Intent (LOI) by the Director General, Mines and Geology department, Haryana vide letter no DMG/HY/Cont/Kanalsi/YNR B-5/2015/10072 dated, 30.11.2015.
- Environment Clearance for the project has been granted by SEIAA Haryana vide letter no SEIAA/HR/2016/746 Dated 15.09.2016 only for five years, which was expired on 14.09.2021.
- Environment Clearance for the project has been extended by SEIAA Haryana vide letter no SEIAA/HR/2022/1597 Dated 07.10.2022 for a period upto 14.09.2025 i.e. till the validity of LOI granted on 30.11.2015.
- District Survey report of Yamuna Nagar District was prepared and approved by DC Yamunanagar on 10.08.2017. Our case of "Kanalsi Block/YNR B-5" with production

capacity of 19,50,000 TPA has been mentioned at point no. 7, page no. 16 of DSR Report.

- DMG issued a letter for Addition of (minor mineral) boulder and gravel as per the DMG letter no. DMG/HY/Cont./KanalsiBlock/YNR B-5/2015/5573 dated 26.11.2020.
- Replenishment study was conducted during the Pre-monsoon (15th to 20th June, 2021) and post-monsoon (18th to 21st September, 2021) and approved vide letter no. DMG/HY /RS/Kanalsi Block YNR B-5/2022/5116 on 09.08.2022.
- Mining Scheme for boulder, gravel and sand has been approved by DMG Haryana vide letter no. DMG/HY/MP/KanalsiYNR B-5/2021/5672 dated 01.12.2021 for production of 19,50,000 TPA.
- Report on Status of EC Compliance by Haryana State Pollution Control Board was issued vide File No. HSPCB-180001/84/2022-Region Yamuna Nagar-HSPCB dated 09/07/2022.

The PP submitted an undertaking dated 01.12.2022 affirming the above mentioned facts. An affidavit dated 02.12.2022 also submitted by PP to the effect that there is a case OA No.423 is pending on the project at NGT and they will comply to the judgement pronounced by the NGT.

The Committee thoroughly discussed the details, affidavit, undertaking and reply submitted by the PP at length. This project is proposed for issuance of Corrigendum in EC already granted for mining of Boulder, Gravel in addition to Sand Minor mineral mining to M/s P.S. Buildtech. The rate of production shall be 19,50,000 TPA. The lease area lies of Yamuna riverbed.

The Environment Clearance for the project had already been granted by SEIAA Haryana on 15.09.2016 only for five years, which was expired on 14.09.2021 but the same has been extended by SEIAA Haryana for a period upto 14.09.2025 i.e. till the approved Mining Plan and lease period.

The PP has further submitted that Letter of Intent (LOI) has been granted by the Director General, Mines and Geology department, Haryana vide letter no DMG/HY/Cont./Kanalsi/YNR B-5/2015/10072 dated, 30.11.2015 for the sand minor mineral.

The earlier Mining plan for the mineral Boulder Gravel and sand has been approved by the Department of Mines and Geology, Haryana vide letter no DMG/HY/MP/KanalsiYNR B-5/2015/3095 dated 10.06.2016 for production of 19,50,000 TPA.

Latest Mining Scheme for boulder, gravel and sand has been approved by DMG Haryana vide letter no. DMG/HY/MP/Kanalsi/YNR B-5/2021/5672 dated 01.12.2021 for production of 19,50,000 TPA.

Addition of (minor mineral) boulder and gravel as per the DMG letter no. DMG/HY/Cont./KanalsiBlock/YNR B-5/2015/5573 dated, 26.11.2020 over an area measuring 44.14 Ha proposed by M/s P.S. Buildtech. The Project Proponent has proposed for issuance of Corrigendum in EC for mining of additional mineral i.e. Boulder and Gravel in addition to existing mining of sand.

Shri Omdutt Sharma, Mining Officer also stated that minerals cannot be excavated separately as such the Director General has allowed on the overall quantity of mineral production shall not exceed the annual production of 1950000 MT allowed as per environment clearance.

A detailed discussion was held on the documents as well as details submitted by the PP and after discussion, the committee found the details given as well as documents submitted by the PP,

in order and decided to recommend the case to SEIAA for issuance of Corrigendum in EC issued to PP for mining of Boulder, Gravel in addition to Sand Minor mineral mining of “Kanalsi Block/YNR B-5” Village Kanalsi, Tehsil Chhachhrauli, District Yamunanagar, over an area of 44.14 Hectares proposed by M/s P. S. Buildtech Amendment/modification of EC with same quantity of production as mentioned in earlier EC.

**256.02 Amendment/Modification of EC for Expansion of International Tech Park (ITPG), IT/ITES, SEZ (63.25 Acres), Village Behrampur, Near Sector 59, Gurugram, Haryana by M/s ITPG Developers PVT. LTD.**

**Project Proponent : Sh. Pankaj Tyagi**  
**Consultant : Ind Tech House Consult**

The Project Proponent submitted the case to SEIAA vide online Proposal SIA/HR/MIS/293760/2022 dated 10.11.2022 for obtaining Modification of Environmental Clearance under category 8(b) of EIA Notification dated 14.09.2006. The PP submitted the scrutiny fee vide DD No. 765263 dated 10.10.2022 of amount Rs.2,00,000/-.

Previous EC was granted to the project on 22.11.2021 in favour of M/s ITPG Developers Pvt. Ltd.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. The PP and consultant presented the case before the committee.

The brief facts of the case are as under:

- Earlier Environment clearance of the project was obtained under expansion category for plot area: 2,55,972.3 sqm and built-up area was 11,28,839.42 sqm (processing zone) vide file no. SEIAA/HR/2020/281 and EC Identification No. EC21B039HR151147 dated 22/11/2021 and construction of the project is going on in phase wise manner.
- In Approved Master plan in Building No.8, FAR of 3859.86 sqm out of 105748.56 sqm will be used for lab purpose with built up area 4130.21 sqm and No. of floors will be G+2.
- No construction has been done in phase 3 under which building no.8 Comes.
- Building plan of lab building has been approved vide File no. 10/76/2012/SEZ/3360 dated 27/04/2022.
- Approx. 39.6 KLD ~ 40 KLD is required for lab building in which 1.7 KLD Fresh water for lab population, 2 KLD for flushing and approx. 36 KLD (for making distilled water) will be used for lab operations.
- Domestic Effluent generated from the lab building will be treated in STP and Trade Effluent generated from the lab building will be treated in ETP having capacity 43 KLD (1.25 % of Trade Effluent generated)
- There will be no change in the other parameters in obtained EC except ETP proposal.

The committee discussed the case and raised some observations. The PP replied to the observations in the form of an undertaking and also submitted an affidavit with regard to the pendency of court case.

The PP also submitted Comparative Statement as below:

Sr. No.	Particulars	Details as per EC Letter	Changes	Total
1	Plot area	255972.3 sqm	No Change	255972.3 sqm
2.	Proposed Ground coverage	68984.99 sqm	No Change	68984.99 sqm
3	Proposed FAR	638722.74 sqm	No Change	638722.74 sqm
4	Non FAR Area	490116.684 sqm	No Change	490116.684 sqm
5	Total Built Up Area	1128839.42 sqm	No Change	1128839.42 sqm
6	Total Green area with percentage	60016.258 sqm(23.45%)	No Change	60016.258 sqm(23.45%)
7	Rain water harvesting pits	63 nos.	No Change	63 nos.
8	Total Parking	9958 ECS	No Change	9958 ECS
9	Organic waste converter	02 Nos.	No Change	02 Nos.
10	Maximum height of the building	94.20 M	No Change	94.20 M
11	Power requirement.	71.90 MVA	No Change	71.90 MVA
12	Power backup	51000 KVA	No Change	51000 KVA
13	Total water requirement	5381 KLD	No Change	5381 KLD
14	Domestic water requirement	3081 KLD	No Change	3081 KLD
15	Fresh water requirement	1746 KLD	No Change	1746 KLD
16	Treated Water available	3635 KLD	No Change	3635 KLD
17	Waste Water Generated	2750 KLD	No Change	2750 KLD
	Domestic Effluent to STP	2750	-34 KLD	2716 KLD
	Trade Effluent to ETP	-	34 KLD	34 KLD
18	Total STP and ETP Capacity	3300 KLD	-	3300 KLD (3257 KLD STP + 43 KLD ETP)
19	Solid Waste Generated	20 TDP	No Change	20 TDP
20	Basement	3	No Change	3

Details of configuration is as follows for which modification is proposed

Sr. No.	Particulars	Details as per EC Letter	Changes	Total
1	Waste Water Generated	2750 KLD	No Change	2750 KLD
	Domestic Effluent to STP	2750	-34 KLD	2716 KLD
	Trade Effluent to ETP	-	34 KLD	34 KLD
2	STP Capacity	3300 KLD	-43	3257 KLD (Approx 1.2 % of domestic effluent)
3	ETP Capacity	-	+43 KLD	43 KLD (i.e. 1.25 % of trade effluent)

The committee discussed the documents and details submitted by the PP at length. The PP has proposed for “modification” in the earlier granted “EC” dated 22.11.2021 with regard to bifurcation of the treatment of effluent. The PP has submitted that total water generation would be 2750 KLD, still the total volume remained the same, only change is sought that for better treatment and disposal of effluent, project proponent wants to treat the effluent from the Lab in a separate “ETP”. The PP has further submitted that total effluent generated from Lab would be 34 and will be treated in the 43 KLD capacity of “ETP” which is 1.25 times of the effluent treated.

The PP also submitted that this case is not of “Expansion” in plan, as there is no increase in Plot area/built-up area and there is no increase in population. Even the water requirement and total waste water generation remains the same. Only modification sought is in regard to treatment of the

water of Laboratory through a separate “ETP”, total capacity of STP + ETP being 2716 +34 = 2750 KLD, which is same as mentioned in the “Accorded EC” i.e. 2750 KLD.

After detailed discussion, the committee found the details as well as documents submitted by the PP, in order and decided to recommend the case to SEIAA for modification of earlier EC granted on 22.11.2021.

**256.03 EC (under violation) for Proposed Panipat Cooperative Sugar Mills Limited, 5000 TCD Sugar Mill Crushing Capacity at Village Dahar, Tehsil Israna, District Panipat, Haryana by M/s Panipat Cooperative Sugar Mills Limited**

**Project Proponent : Sh. Navdeep Singh**  
**Consultant : SMS Envocare Ltd**

The Project Proponent submitted the case to SEIAA vide online Proposal SIA/HR/IND2/404530/2022 dated 29.10.2022 for obtaining Environmental Clearance under category 5 (j) of EIA Notification dated 14.09.2006. The PP submitted the scrutiny fee vide DD No. 075275 dated 12.11.2021 of amount Rs.2,00,000/-.

ToR was granted to the project on 08.04.2022 under violation.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. The PP and consultant presented the case before the committee.

The Committee discussed the documents and information given by PP and further, raised following observations:

1. The PP shall submit detailed/chronological note of the project
2. The PP shall submit latest status report of the project with photographs
3. The PP shall submit cost certificate duly verified by authorised CA including Civil, Mechanical and component costs
4. The PP shall submit latest google images of the project
5. The PP shall submit details of Air Pollution Control Measure device
6. The PP shall submit the proof of the fact that data regarding air quality/emission is being provided to HSPCB/CPCB.
7. The PP shall submit technical details of Bioler and its SoP
8. The PP shall submit report regarding efficiency of Bioler with reasonability
9. The PP shall details of work order given to the agency for lifting of ash/baggase
10. The PP shall revise details/figures of hazardous waste given in PPT
11. The PP shall submit actual, tangible and audited EMP detail.
12. The PP shall submit the details of expenses done so far and future action plan (tabular form) of its EMP budget in tabular form
13. The PP shall clearly depict public demands raised during public hearing in the revised EMP detail
14. The PP shall identify and adopt a nearby pond for its rejuvenation
15. The PP shall given the details of use of ground water as well as water from canal
16. The PP shall submit plan as to how use of ground water can be reduced for the project.
17. The PP shall submit updated compliance report of public demand and its future action plan in tabular form
18. The PP shall submit a revised, detailed and tangible Damage Assessment Study keeping in view the fact that the project has been completed before taking Environment Clearance.
19. The PP shall submit the detail of ETP/STP and ZLD.

The PP shall submit the reply of above mentioned observations within 15 days. Thereafter, the case shall be taken in next meeting as and when the reply is submitted by PP.

**256.04 EC for Capacity Expansion Mining of Stone along with Associated Minor Minerals mine for total production enhancement from 5.6 MTPA to 9 MTPA at Khasra No 216, over area of 29.50 ha Located at Kalyana 2 Village Kalyana, Tehsil & District- Charkhi Dadri, Haryana proposed by M/s SBIPL Projects Limited**

**Project Proponent : Sh. Rakesh Sangwan**  
**Consultant : Vardan EnviroNet**

The Project Proponent submitted the cases to SEIAA vide online Proposal SIA/HR/MIN/406448/2022 dated 15.11.2022 for obtaining Environmental Clearance under category 1(a) of EIA Notification dated 14.09.2006. The PP submitted the scrutiny fee vide DD No. 751532 dated 15.11.2022 of amount Rs.1,50,000 /-.

Previous EC was granted on 23.05.2017. The ToR was auto generated on 23.06.2021.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. The PP and consultant appeared before the committee and presented the case.

During the presentation, it was submitted by PP that the project relates to District Charkhi Dadri but District Survey Report has still not been finalized, however, mining plan has been approved. It is also submitted by PP that Certified Compliance Report with regard to the project also not available.

After due deliberation, the committee decided to defer the case and directed PP to submit finalized District Survey Report as well as Certified Compliance Report of the project within 15 days. Thereafter, the case shall be taken up in next meeting.

**256.05 EC for Proposed Group Housing Project (5.00 ACRE) falling in the Residential Plotted Colony (50.14375 ACRE) in the revenue estate of Village Maheshwari & Garhi Alawalpur, Sector-23 & 24, Tehsil Dharuhera & District Rewari, Haryana by M/s AMD Estates Private Limited**

**Project Proponent : Sh. Sanjay Malhotra**  
**Consultant : OCEAO-ENVIRO Management Solutions (India) Pvt. Ltd.**

The Project Proponent submitted the case to SEIAA vide online Proposal SIA/HR/INFRA2/402398/2022 dated 15.11.2022 for obtaining Environmental Clearance under category 8(a) of EIA Notification dated 14.09.2006. The PP submitted the scrutiny fee vide DD No. 011877 dated 11.10.2022 of amount Rs.2,00,000/-.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. The PP along with its consultant presented the case before the committee.

During discussion it is submitted by PP that earlier environment clearance dated 12.12.2013 has been obtained for the Group Housing part of the project having plot area 5 acres and built-up area 48588.30 m<sup>2</sup> and the remaining plot area measuring 45.14375 acres is a residential plotted colony project as per the zoning plan so it has been exempted from Environment Clearance. Further, the PP has submitted site photographs stating that no construction activity has been done till date on the area for which EC has been obtained. However, the PP could not produce the certified compliance report issued by the competent authority on the earlier obtained environment clearance.

Further, the PP informed the Committee that there are slight changes in the planning with regard to this proposal (Group Housing project (5.00 acres) and requested vide letter dated 01.12.2022 to raise EDS/ADS to enable them to submit revised Form-I, IA etc. with regard to falling the Residential Plotted Colony (50.14375 acre) in the revenue estate of Village Maheshwari & Garhi Alawalpur, Sector-23 & 24, Tehsil Dharuhera & District Rewari, Haryana.

The committee after deliberation decided to raise ADS as requested by PP to enable them to revise/update required information through PARIVESH portal. The case is deferred and shall be taken up after receiving the revised proposal on portal to be uploaded by PP.

**256.06 EC for construction of Group Housing Colony in the revenue estate of village Kadarapur & Maidawas, District Gurgaon Sector-63 A Gurgaon by M/s Mahamaya Exports Pvt. Ltd**

**Project Proponent : Not present**  
**Consultant : Not present**

The case was lastly taken up in 131st SEIAA meeting held on 03.12.2021 and decided to defer this case with the decision that RO, HSPCB, Sh. V.K. Gupta, Chairman, SEAC and Dr. S. N. Mishra, Member SEAC shall visit the site for current status of Project and shall submit the report within 3 weeks period. Further, the Authority decided to issue Final Show-Cause Notice to PP stating that why the case should not be de-listed as he is not responding to the communications since long.

The case was again taken up in 136<sup>th</sup> meeting of SEIAA held on 02.03.2022 and it was observed that sub-committee has not submitted the report. The Authority decided to request Member Secretary, HSPCB to nominate concerned RO, HSPCB (Convener of sub-committee) along with Dr. Rajbir Singh Bondwal, IFS (Retd.) to carry out the spot inspection to get the current status of project & submit the report within 10 days. Accordingly, the case is referred back to SEAC to make recommendations after perusing the report of Sub-committee as and when received.

The case was taken up in 235<sup>th</sup> meeting and neither PP nor consultant appeared before the committee. During discussion it is informed by member of nominated sub- committee that no orders have been received. The SEAC decided that MS, HSPCB may be requested to depute concerned RO for site visit. The Member may also be requested to carry the inspection and submit the report before SEAC and decided to take up the case after the receipt of sub-committee report

The case was taken up in 242<sup>nd</sup> meeting of SEAC, Haryana held on 24.06.2022 but deferred as site visit report was not received.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. The site inspection report of sub-committee still not been received. The sub-committee member has been requested to visit the site and submit the report. The PP has also not **submitted scrutiny fee as prescribed**. The case is deferred and shall be taken up in the next meeting on receipt of site inspection report.

**256.07 EC for warehouse project in the revenue estate of village Pathrari, Gurgaon by M/s Sunsat Infotech Pvt. Ltd.**

**Project Proponent :Not present**  
**Consultant : Not present**

The case was taken up in 131st SEIAA meeting held on 03.12.2021; after going through the report of the sub-committee the Authority decided to defer this case for the next meeting and before that a self- contained note mentioning all the facts of the case will be submitted in the next meeting. The matter was again considered in the 135th meeting of SEIAA held on 25.01.2022 and after detailed deliberations; the Authority opined that this is a clear-cut case of violation and to ascertain the facts a committee of Mr. V.K. Gupta (Chairman, SEAC) & Mr. A.K. Mehta (Member, SEAC) is being constituted. The committee will submit the report within next 7 days.

The case was again taken up 136th meeting of SEIAA held on 02.03.2022 and it was observed that sub-committee has not submitted the report. The Authority decided to request Member Secretary, HSPCB to nominate concerned RO, HSPCB (Convener of sub-committee) along with Dr. Rajbir Singh Bondwal, IFS (Retd.) to carry out the spot inspection to get the current status of project & submit report within 10 days. Accordingly, the case is referred back to SEAC to make the recommendations after appraising the report of sub-committee as and when received.

The case was taken up in 235<sup>th</sup> meeting and neither PP nor consultant appeared before the committee. It is informed by sub-committee member that no orders have been received

The case was taken up in 242<sup>nd</sup> meeting. After detailed deliberations, the committee decided that SEIAA may be requested to take up with HSPCB to depute concerned RO for site visit. Dr. Rajbir Singh, Member SEAC may also be requested to carry out the inspection and submit the report before SEAC and decided to take up after the receipt of sub-committee report.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. Dr. Rajbir Singh, Member SEAC has been replaced with Dr. Sandeep Kumar, Member, SEAC in the sub-committee vide order dated 20.10.2022. The site inspection report of sub-committee still not been received. The sub-committee member has been requested to visit the site and submit the report. The PP has also not **submitted scrutiny fee as prescribed**. The case is deferred and shall be taken up in the next meeting on receipt of site inspection report.

**256.08 ToR for Project Commercial Colony at Village Fazilpur Jharsa, Sector 48, Gurgaon, Haryana by M/s Victory Infraedge Private Limited**

**Project Proponent : Not present**  
**Consultant : Perfect Enviro Solutions Pvt. Ltd.**

The Project was submitted to the SEIAA, Haryana vide online Proposal No. SIA/HR/MIS/82897/2022 dated 24.08.2022 for approval of Terms of Reference under Violation



Category. The Project Proponent has deposited Scrutiny fees of Rs. 2,00,000/- vide DD No.504182 dated 01.09.2022 in compliance of Haryana Govt. Notification dated 14.10.2021.

The case was taken up in 250<sup>th</sup> meeting of SEAC held on 28.09.2022 for the appraisal and SEAC recommended this Project to SEIAA for Grant of Terms of Reference (under violation) for undertaking EIA and preparation of Environment Management Plan (EMP).

The recommendations of SEAC were taken up in the 148<sup>th</sup> meeting of SEIAA held on 28.10.2022.

On perusal of records placed on the file, the Authority observed that the Project Proponent has applied again for Approval of Terms of reference under violation Category; whereas, ToR has already been granted to the Project by SEIAA vide letter dated 07.08.2018. This appeared to be a case of repeated/wilful and blatant set of violations, without getting the Environment Clearance.

After discussion; the Authority decided to constitute a Sub-Committee comprising of Shri Vijay Kumar Gupta, Chairman, SEAC, Bhupender Singh Rinwa, Member Secretary, SEAC and Concerned Regional Officer, HSPCB (to assist the Sub-committee) to visit the site and to submit status report of the project site before Appraisal Committee and copy to the office of Authority.

Further, the Authority decided to refer back this case to SEAC to re-look into all the aspects pertaining to violations and other activities being carried out by the project proponent at site.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. The sub-committee submitted Site Inspection Report during the meeting. The report was circulated among all the members. The detailed discussion was held on the report and after deliberation, the committee decided to send the case to SEIAA alongwith site visit report (in original) and also reiterated its recommendations conveyed to SEIAA vide MoM of 250<sup>th</sup> SEAC meeting for granting Terms of Reference to the project (**under violation**).

**256.09      EC for proposed expansion of Affordable Residential Plotted Colony Project under DDJAY-2016 located at Village Dhunela, Sector-33, Tehsil Sohna & District Gurugram Haryana by M/s Global Horizon Holdings Private Limited**

**Project Proponent      : Sh.Harshit Singla**  
**Consultant                : OCEAO-ENVIRO Management Solutions (India) Pvt. Ltd.**

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/279337/2022 dated 22.06.2022 for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006.

The Project Proponent has deposited Scrutiny fees of Rs.1,50,000/- vide DD No.001837 dated 29.04.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021) on the cost of the Project i.e. Rs.90 crores (as disclosed by the PP).

The case was taken up in 244<sup>th</sup> meeting of SEAC and decided to recommend this case to SEIAA for grant of EC.

The recommendations of SEAC were taken up in the 144<sup>th</sup> meeting of SEIAA held on 09.08.2022, and the Authority decided to refer the case back this case to SEAC. Further, it was decided by SEIAA to constitute a sub-committee comprising of Dr. Rajbir Singh Bondwal, IFS (Retd.), Member SEAC and a representative of HSPCB to verify the **status of construction on the ground** and to send a comprehensive report within 10 days.

Thereafter, the case was taken up in 247<sup>th</sup> meeting. However, PP submitted a letter with a request to defer the case. The Committee acceded with the request of PP and deferred the case.

The case was taken up in 252<sup>nd</sup> Meeting of SEAC held on 14.10.2022. However, an email dated 14.10.2022 of consultant is received requesting to defer the case as site inspection has not been done yet in the present case.

It is observed that a sub-committee was constituted by SEIAA in 144<sup>th</sup> Meeting. Shri Rajbir Singh Bondwal is one of the Member of the said sub-committee who has gone abroad. Thus, site inspection could not be conducted in the present case. After due deliberation, the Committee recommended to send the case to SEIAA with a request to re-constitute sub-committee replacing Shri Rajbir Singh Bondwal, IFS, Member, SEAC with some other Member so that the site inspection can be done.

The recommendations of SEAC were taken up in the 149<sup>th</sup> meeting of SEIAA held on 08.11.2022.

After due deliberations; the Authority decided to refer back this case to SEAC for consideration as Shri Sandeep Kumar Gupta, Member SEAC has already been nominated in place of Shri Rajbir Singh Bhondwal, IFS (Retd.) for site visit.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. The sub-committee submitted Site Inspection Report during the meeting. The report was circulated among all the members. The Committed held a detailed discussion on the report and after deliberation, the committee decided to send the case to SEIAA alongwith site visit report (in original) and reiterated the previous recommendations conveyed to SEIAA vide MoM of 244<sup>th</sup> SEAC meeting for granting EC.

**256.10 EC For Proposed Expansion of Godowns/Warehouse for other than Agriculture Produce Ware House at Land Measuring 328454.874 Sqm. Located at Village Pathredi & Bhudka, Tehsil Manesar, Distt. Gurugram by M/s Embassy Industrial Parks Private Limited**

**Project Proponent : Sh. Ankur**

**Consultant : Ind Tech House Consult**

The Project Proponent submitted the case to the SEIAA vide online Proposal SIA/HR/MIS/72822/2022 dated 02.03.2022 for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited Scrutiny fees of Rs.2,00,000/- vide DD No.158642 dated 25.02.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021) on the cost of the Project i.e. Rs. 431.5 Cr. (as disclosed by the PP).

The said case was taken up in 251<sup>st</sup> meeting of SEAC held on 10.10.2022 and SEAC recommended the Project to SEIAA for Grant of Expansion in existing EC (Environment Clearance) dated 07.12.2021.

The recommendations of SEAC were taken up in the 149<sup>th</sup> meeting of SEIAA held on 08.11.2022.

After having gone through the details & record placed on the file and upon considering the recommendations of SEAC, the Authority observed the followings:

1. That Green area details provided by the Project Proponent are not at harmony as the Project Proponent has mentioned in the plan that Green Area is achieved @18.50% i.e. 60,764.45 sqmtrs, whereas in the application PP has proposed that Green area will be provided 58560.13 Sqmtr. This is quite contradictory / ambiguous and devoid of factual position. This needs clarity and clarification.
2. In view of the Govt. Notification No. 08/04/2021-ICI dated 01.06.2021 issued by Department of Urban Local Bodies, Haryana and subsequently Notification No. 391-ARIC-I-2021/6273 dated 25.11.2021 issued by Revenue & Disaster Management Department, Haryana; RoW is required to be obtained by the PP from the Competent Authority. Whereas, status of revenue rasta in the instant case requires clarity. Permission of RoW from Competent Authority is required.
3. Having seen the Plan and location of the Project site, Land parcel of other entity appearing in the middle of the Project, needs clarity.
4. Status of Sewerage Permission is not clarified.

After due deliberations, the Authority decided to constitute a Sub-committee consisting of Shri V.K. Gupta, Chairman, SEIAA, Shri Prabhaker Kumar Verma, Member SEAC and concerned Regional Officer, HSPCB (to assist the Sub-committee) to carryout site inspection and to submit its report before the Appraisal Committee under intimation to SEIAA.

Accordingly, the case is referred back to SEAC with the directions to re-look into all the aspects including aforesaid observations raised by SEIAA at Sr. No. 1 to 4.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. PP submitted the reply of observations raised by SEIAA vide letter dated 22.11.2022 as below:

Sr.No.	Query	Reply	Observation of SEAC
1	That Green area details provided by the Project Proponent are not at harmony as the Project Proponent has mentioned in the plan that Green Area is achieved @18.50% i.e. 60,764.45 Sqmtrs, whereas in the application PP has proposed that Green area will be provided 58560.13 Sqmtr. This is quite contradictory/ambiguous and devoid of factual position. This needs clarity and clarification.	Proposed Green area will be 58560.13 sqm (16910.13 as per previous EC and 41650 sqm proposed), the same has also mentioned in Form 1 and EIA report. Landscape plan is attached in this regard as Annexure 1. The green area proposed for the project is 58560.13 sqm which is 17.82 % of total plot area if some where it is written as @18.50% i.e. 60,764.45 Sqmtrs, kindly ignore it, if it is there in any document then it is because of typographical error.	Reply of PP is not satisfactory as they have not intimated the reason and simply to ignore the figure. It seems that they could not find the fault. On perusal of the documents submitted by PP it was found that landscape plan provided with the documents by PP is in different name and indicating area as @18.50% i.e. 60,764.45 Sqmtrs. PP is directed to submit <b>correct landscape</b>

			<b>plan</b> with correct figures.
2	In view of the Govt. Notification No.08/04/2021-ICI dated 01.06.2021 issued by Department of Urban Local Bodies, Haryana and subsequently Notification No. 391-ARIC-I-2021/6273 dated 25.11.2021 issued by Revenue & Disaster Management Department, Haryana; RoW is required to be obtained by the PP from the Competent Authority. Whereas, status of revenue rasta in the instant case requires clarity. Permission of RoW from Competent Authority is required.	Mentioned notification are for purchase and exchange of defunct rasta in any project whereas in our project there is no defunct rasta and we will maintain the rasta as it by constructing boundary on both side of rasta. We will use rastas as access for us and in public use.	The reply submitted by PP is not satisfactory as the revenue rasta is shown in Zoning Plan submitted by PP and landscape plan shows that there is other land in between their project which indicates that revenue rasta. Permission of RoW from Competent Authority is required.
3	Having seen the Plan and location of the Project site, Land parcel of other entity appearing in the middle of the Project, needs clarity.	Land parcel showing other land belongs to different owner and have proper access is available to such lands.	PP shall submit <b>the access to the other land as other land from all sides is surrounded by project of PP.</b>
4	Status of Sewerage Permission is not clarified.	There is no sewer line in the project vicinity. Our project is Zero liquid discharge (ZLD). There will be no discharge of excess treated water. We will install Multi effect evaporator (MEE) for evaporation of excess treated water.	<b>Affidavit</b> for installation of Multi effect evaporator (MEE) for evaporation be submitted.

Reply submitted by the PP is not proper, therefore directed to submit revised reply to the observations raised by SEIAA. Further, the sub-committee constituted in this case, has not submitted its report. The sub-committee is advised to submit site visit report as soon as possible. The case is deferred and shall be taken up in the next meeting and shall be taken up as and when reply of observations as well as report of sub-committee is received.

**256.11 EC for Commercial Complex "JMD The Regent" at village Nangli Umarpur, Sector-62, Gurugram, Haryana by M/s JMD Limited**

**Project Proponent : Not present**  
**Consultant : Gaurang Environmental Solutions Pvt. Ltd.**

The application was submitted on 13.02.2015 and the case was considered by SEAC in its 129<sup>th</sup> meeting held on 15.03.2016 wherein it was observed that PP has already started construction work which amounts to violation of EIA Notification and sent back to SEIAA for taking legal Action.

The file was transferred to MoEF&CC, GoI in compliance of MoEF& CC, GoI Notification dated 14.03.2017. The Ministry of Environment Forest & Climate Change returned back all the cases pertains to violation category to SEIAA Haryana in view of MoEF& CC, GoI Notification dated 08.03.2018.

Thereafter, the case was considered by SEAC in its 169<sup>th</sup> meeting held on 18.05.2018 for approval of Terms of Reference under violation notification dated 14.03.2017 and 08.03.2018 and recommended to SEIAA for Approval of Terms of Reference. The recommendation of SEAC was considered in 115<sup>th</sup> meeting of SEIAA held on 25.07.2018 and SEIAA decided to agree with the recommendation of SEAC and approved the ToR and communicated to the PP vide letter dated 09.08.2018. The case was taken up in 131<sup>st</sup> SEIAA meeting held on 3<sup>rd</sup> December, 2021 and Authority deliberated on the reply submitted by PP and recommendations of SEAC.

After due deliberations, Authority decided to defer this case till the legal opinion from Ld. LR, Haryana is received. Thereafter, the case was taken up in 232<sup>nd</sup> meeting of SEAC held on 07.01.2022. The committee deliberated on the inspection report submitted by sub-committee members and as per report no construction has been done on the project site and therefore it was decided by the committee to recommend to SEIAA for withdrawal of earlier TOR issued to the project as the PP has also requested vide letter dated 12.10.2021 to Chairman SEIAA for withdrawal of Proposal No. SIA/HR/NCP/22996/2018 applied under Violation Notification.

The recommendation of SEAC was taken up in the 135<sup>th</sup> meeting of SEIAA held on 25.01.2022 and the Authority after examining the MoM of SEAC of 129<sup>th</sup> and 232<sup>nd</sup> meeting gathered that there is clear cut contradiction in stand of PP and recommendations of SEAC, and more so the record indicated that violation has been committed vis-à-vis approved plan.

The Authority decided to refer the case back to SEAC with the direction that there is need for thorough inspection of records and SEAC should do the critical analysis before recommending such cases to SEIAA.

The case was taken up in 235<sup>th</sup> meeting, and the PP requested vide letter dated 28.03.2022 for the deferment which was considered and acceded by SEAC after discussion. Thereafter, the case was taken up in 242<sup>nd</sup> meeting of SEAC, held on 24.06.2022. The PP submitted the self contained note of the project as below:

- The proposal was for EC for Commercial Complex 'JMD The Regent' at village Nangli Umarpur, Sector-62, Gurugram, Haryana under fresh category.
- Earlier ToR under violation category has been granted to the project vide letter dated 09.08.2018
- As per earlier planning of project, the plan were approved on 26.04.2019 with plot area of 2.00 acres and built up area of 19,974.761 sqmt. which is less than 20,000 sq.mt
- CTE has been granted by HSPCB to the project valid till 18.11.2022 for built up area 19,774.76 sq.m.
- PP then planned for Revision of building plan and area statement and submitted drawings having a plot area of 2.00 acres and built up area of 23,113.591 sqmt.
- To verify the present site condition, the site inspection was conducted by HSPCB's representative on 24.03.2021 and was found that the construction work done at site was less than 20,000 sq. m. A joint sub-committee was constituted by SEAC comprising of HSPCB (RO HSPCB) and SEAC members (Shri S. N. Mishra and Shri Hitender Singh), who also inspected the site and found the construction below 20,000 sqm.

The SEAC thus reiterated the previous decision submitted to SEIAA in view of similar facts and findings conveyed vide MoM of 232<sup>nd</sup> SEAC meeting for delisting the case.

The recommendation of SEAC was taken up in the 143<sup>rd</sup> meeting of SEIAA held on 15.07.2022. After detailed examination of records, SEIAA observed that the SEAC handling two issues – one regarding violation and another regarding expansion and that there is no clear-cut harmony between the details submitted by PP and subsequent proposal put up for considering the expansion proposal, which requires a clarity with reference to the details mentioned at page No. 3 of 61 regarding FAR, wherein the PP has clearly agreed that total built up area was 22,437.76 sqm. After this initial claim, details have been placed on record indicating 19,974.761 sqm, just less than 30m short of the area required for applicability of EC. It is, therefore, decided that the case be referred back to SEAC to examine the issue thoroughly along with all the relevant documents with reference to the claims of the unit on its non-applicability.

Further, the Authority decided to constitute 2 Members Committee consisting of Shri Sandeep Gupta, Member, SEAC and Shri Prabhaker Kumar Verma, Member, SEAC along with RO, HSPCB (concerned) to visit the site location and put up a comprehensive report/status of the project within 15 days. MS, HSPCB be requested to depute the concerned RO to assist the team during the site visit.

The case was taken up in 251<sup>st</sup> meeting of SEAC held on 10.10.2022. Further, Shri Sandeep Gupta, Member SEAC, informed the committee that he has not received any communication/order for conducting the site visit. The committee unanimously decided to send the case to SEIAA with a request to write a letter to Members of Sub-Committee and concerned RO to conduct site inspection and submit the report in the present case, at the earliest as it is pending since long, as well as PP be asked to submit the prescribed pending scrutiny fees.

The recommendations of SEAC were taken up in the 149<sup>th</sup> meeting of SEIAA held on 08.11.2022.

The Authority after due deliberations; decided to refer back this case to Appraisal Committee (SEAC) with the direction to Sub-committee to carry out site inspection within 07 days, positively and submit its report before the Appraisal Committee under intimation to SEIAA. Further, the project proponent is also directed to submit required Scrutiny fee.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. **PP has submitted requisite scrutiny fee vide DD No. 147056 dated 01.12.2022 of Rs.1,50,000/-**. However, the site inspection report of sub-committee still not been received yet. The sub-committee has been requested to visit the site and submit the report. The case is deferred and shall be taken up in the next meeting on receipt of site inspection report.

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

**Project Proponent : Not present**  
**Consultant : Vardan EnviroNet**

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 192<sup>nd</sup> 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 20,000m<sup>2</sup>. 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 216<sup>th</sup> 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 222<sup>nd</sup> 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 231<sup>st</sup> 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. Vivek Saxena, 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 235<sup>th</sup> 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 242<sup>nd</sup> 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 254<sup>th</sup> 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.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. Comments of PP not received. Report be circulated again to PP for their comments with direction to submit comments within 15 days from the date of issue of minutes. **The PP shall submit scrutiny fee as prescribed.** The case is deferred and shall be taken up as and when the comments of PP received.

**256.13            EC for Expansion of Group Housing Colony at Sector 48, Gurugram, Haryana by M/s Sweta Estates Pvt Ltd**

**Project Proponent    : Not present.**  
**Consultant             : Gaurang Environmental Solutions Pvt. Ltd.**

The EIA/EMP report was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/68360/2015 dated 03.06.2022 for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006.

The PP has submitted scrutiny fee amounting to Rs.2,00,000/- vide DD No.507024 dated 26.11.2021 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244<sup>th</sup> meeting of SEAC, Haryana held on 09.07.2022 and recommended the case to SEIAA for grant of EC.

The recommendations of SEAC were taken up in the 144th meeting of SEIAA held on 09.08.2022. SEIAA observed that the project proponent has obtained Environmental Clearance of 562141.739 Sq. Meters and now has proposed addition of 8826.641 Sq. Meters in the existing EC already granted by the Government of India. The total built-up area proposed after expansion will be 570968.38 Sq. Meters unit.

After going through the above facts and records, the Authority decided to refer the case back to SEAC to examine the case with respect to the status of construction of existing site with detailed report of FAR and Non FAR areas and status of construction of the proposed expansion and submit its recommendations for further consideration.

Further, it was decided to depute a sub-committee comprising of Dr. Rajbir Singh Bondwal, IFS (Retd.), Member SEAC and a representative of HSPCB to verify the status of existing construction and proposed construction on ground and to send a comprehensive report within 10 days.

Vide SEIAA order dated 20.10.2022, Dr.Sandeep Kumar Gupta, Member SEAC was nominated in place of Shri Rajbir Bondwal during his leave period to carry out the site visit.

The case was taken up in 255th meeting held on 14.11.2022. The site visit report in this case is still awaited. The PP appeared before the committee and has submitted that Dr.Sandeep Gupta, Member, SEAC has conducted site visit on 01.11.2022. However, Dr.Sandeep Gupta, Member, SEAC has sent an email dated 14.11.2022 that he is unable to attend the meeting due to sickness and could not prepare site inspection report. He has further stated that site inspection report will be submitted as early as possible. Accordingly, the committee decided to defer the case for next meeting and Sub-Committee, SEAC Member is requested to submit the site visit report, positively before the next meeting.

The case was taken up in 256th meeting held on 30.11.2022. The sub-committee submitted Site Inspection Report during the meeting. The committee decided to circulate the report among all the members and PP for comments. The case is deferred and shall be taken as and when comments of PP received with regard to report, in this case.

**256.14      EC for compliance under violation category for the project Expansion of Residential Group Housing Colony (Township Residential Complex and Commercial complex) at Village Rasoi, G. T. Karnal Road, Sector 61, Sonipat, Haryana by M/s CMD Pardesi Developers Pvt. Ltd**

**Project Proponent      : Not present**  
**Consultant                : Perfect Enviro Solutions Pvt. Ltd.**

The project was submitted to the SEIAA, Haryana on 19.04.2018 received in the SEAC on 27.04.2018 for the extension of validity of ToR under violation category approval of Terms of Reference under violation Notification dated 14.03.2017 and 08.03.2018 respectively.

The ToR under violation category with total plot area 14.149 acres was granted on 07.08.2018 but thereafter there is no response from the PP. This case has been taken up in various

meetings by SEAC but all the time PP did not appear before the Committee on one or the other pretext and all the time sought deferment of the case.

A sub-committee for site visit was also constituted in this case. During the site visit, the representative of PP conveyed their willingness to apply to get the validity of ToR under violation category extended for further appraisal. The Committee conveyed to SEIAA along with the recommendations of SEAC vide earlier MoM's regarding violation and taking action under the provisions of the Section 15 read with 19 of the Environment (Protection) Act, 1986.

The recommendation of SEAC was considered in the 132nd Meeting of SEIAA held on 21.12.2021 and the Authority decided to refer back the above said case to SEAC with the following observations:

- a) Whether PP has applied under the Violation Window period as per Notification dated 14.03.2017.
- b) Authority found out that one Member SEAC has sent a mail dated 02.12.2021 stating that the visit reports of sub-committee are not being circulated among the constituent members of SEAC and such cases could not be thoroughly deliberated.
- c) Further, SEAC is being directed to examine the case in the light of recent judgment of Hon'ble Supreme Court dated 9th December, 2021 in Civil Appeal No. 7576-7577 of 2021.

Thereafter, the case was taken up in 246<sup>th</sup> Meeting of SEAC. The PP and consultant submitted that since the submission of EIA report to SEIAA vide online proposal no.102984/2019 dated 23.04.2019, some changes/addition have been made in the built up area and occupancy has also come up as PP has obtained occupation certificate from Town and Country Planning Department and consent to operate from HSPCB on dated 05.01.2021 for built up area 134762.5 sqm. Therefore, a revised/updated EIA study has to be submitted /uploaded on PARIVESH portal. Further the damage assessment, natural and community resource accommodation shall have to be revised as per SoP dated 07.07.2021 from MoEF&CC.

The detailed deliberations were held and committee was of the view that before appraisal of the project under violation category, the case be recommended to SEIAA to allow the project proponent as following:

1. The PP shall submit a revised EIA report as per the OC Certificate obtained from Town and Country Planning Department and consent to operate obtained from HSPCB.
2. The damage assessment, natural and community resource augmentation shall also be revised as per SoP dated 07.07.2021 issued by MoEF&CC as earlier EIA report submitted on dated 23.04.2019 in SEIAA was not as per the SoP.

The recommendations of SEAC were considered in 145<sup>th</sup> meeting held on 08.09.2022. After having gone through the facts and records placed on the file; the Authority deemed it appropriate to constitute a sub-committee comprising of Sh.Rajbir Singh Bondwal, IFS (Retd.), Member, SEAC, Sh.Vivek Sexana, IFS, Member SEAC and Sh.Bhupinder Singh Rinwa, Member Secretary, SEAC to verify the actual/current status of the project. Regional Officer, HSPCB, Sonipat will assist the Sub-Committee. The Sub-Committee will submit report within 15 days, positively.

Accordingly, the case is referred back to SEAC with the advice to re-look at the case with regard to its earlier recommendations, site visit report, scrutiny fee and current status of credible action.

Vide SEIAA order dated 20.10.2022, Dr.Sandeep Kumar Gupta, Member SEAC was nominated in place of Shri Rajbir Bondwal during his leave period to carry out the site visit.

The case was taken up in 255<sup>th</sup> meeting held on 14.11.2022. The site inspection report in this case is still awaited. After detailed discussion, the committee raised following observation:

1. The PP shall submit the requisite scrutiny fee
2. The PP shall submit the credible action

The PP submitted that site visit has been conducted by the sub-committee, however, report is still awaited. Accordingly, the committee decided to defer the case and to be taken up after the receipt of site visit report of sub-committee.

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. **PP has submitted Scrutiny fee vide DD No. 008174 dated 18.11.2022 of Rs. 2,00,000/-**. The site inspection report of sub-committee has also been received. The Committee decided to circulate the report among the members as well as PP for their comments alongwith reply to the previous observations raised in 255<sup>th</sup> meeting of SEAC. The case is deferred for next meeting and shall be taken up as and when comments of PP are received.

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

**Project Proponent : Shri Shailesh Mathur**  
**Consultant : Earthvision India Associate 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 250<sup>th</sup> 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 Amlink 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 250<sup>th</sup> 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 252<sup>nd</sup> 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 compliant 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 254<sup>th</sup> meeting held on 31.10.2022. The PP submitted Basic Detail, EMP detail and Remediation and Natural & Community Resource Augmentation Plan.

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.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022.

The PP submitted that as Non-FAR area is increased they have not gone for EC expansion but later they got in knowledge that EC For expanded Non FAR area is required they applied the same under the expansion Category as there is no window available for Non Compliances. The case was considered 218<sup>th</sup> & 222<sup>nd</sup> meeting of SEAC held on 30.07.2021 & 11.10.2021 Committee recommended that constructed area is more than that sanctioned in the EC letter hence, it is, the clear case of violation of MoEF&CC notification dated 14.09.2006 and the Committee unanimously decided to recommend to SEIAA for taking action against the PP. The recommendation of SEAC was considered in the 130<sup>th</sup> Meeting of SEIAA held on 15.11.2021 and the Authority decided to issue a "Show Cause Notice" to the Project Proponent, stating why not the legal proceedings be initiated under Section 19 of EPA, 1986 for increase in built-up area beyond the specified area in accorded "EC".

The Authority decided to de-list this application submitted for grant of Environment Clearance and advised the PP to apply online as per the current guidelines issued vide letter F. No 22-37/2018-IA.III dated 19.04.2021 by MOEF & CC, GOI, under violation category as per SOP vide F.No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF& CC, GoI being a case of violation. Thereafter, this proposal No.SIA/HR/MIS/290750/2022 dated 29.08.2022 for obtaining Environmental Clearance under Category 8(a) (under violation) of EIA Notification 14.09.2006 was submitted.

### **Project Brief**

- Building plan for FAR 21010 sqm with built up area 41420 (without LGF and Service floor) was sanctioned on 26.08.2011.
- Application for EC was submitted in MOEF on 26.05 11 , which was resubmitted in SEIAA Haryana on 24.08.12

- The EC was granted by SEIAA ON 28.05.13 for built-up area 41429 sqm, having validity up to 27.05.2020
- Consent to establish from HSPCB , has been obtained and revalidated (extension) till 2020 .
- The project got extension of validity of EC under memo No. SEIAA/HR/2020/298 dated 22.07.2020 and was granted extension up to 27.05.2023 .
- Planned for revising the building plan in 2019 and new plan was sanctioned on 12.04.2019 FAR 21010+369 (3% additional FAR for MSW) = 21379 sqm
- Built-up area 45147 + 427 (2% compounding ) = 45574 sqm G+8, LGF, Service Floor And 2 Basements
- Explanation: area without compounding and MSW = 45574 – 788 = 44786 SQM
- Difference from old EC and EC Proposed = 44786 – 41429 = 3367sqm (is the area of LGF and Service floor
- Part Occupancy certificate received for built up area 41008.44 sqm dated 17.02.2021
- Part CTO granted by HSPCB dated 08.03.2022 for built-up area 41008.44 sqm valid till 30.09.2026. .
- Regular six monthly compliance has been submitted latest receiving attached i.e JAN TO JUNE 2022
- Certified compliance has been received from MOEF DTD 19.04.2021
- License from Directorate Of Town and Country Planning has been obtained for 2.968 acres area valid till 20.07.2024

The PP has submitted the Damage Assessment Plan as asked by the authority which is for Rs.6.00 lacs (Remediation of Environmental Damages, Natural Resource Augmentation and Community Resource Augmentation)

- PP submitted that the project M/s G.P. Realtors Pvt. Ltd. is not related to this project in any way as this is an individual legal case decided by NGT on NBWL issue, so it does not relate to this 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.
- PP also submitted that scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI has been followed in true spirit.
- 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]
    - ii. **Where operations have commenced without EC:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover during the period of violation. [Ex: For Rs.100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs.1 Cr + Rs. 0.25 Cr Rs. 1.25 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.”***
- Damage assessment i. e. Cost for damage assessment (Cost on Remediation of Environmental damages, Cost towards Natural Resource augmentation, Cost

towards Community Resource augmentation) and 1% penalty as per SoP 7th July 2021, Clause no 12.a(ii) is given below :

### Remediation Plan and Cost

S.No.	Environmental Component	Action Plan	Total Cost INR (lakh)	Year I Cost INR (Thousand)	Year II Cost INR (Thousand)	Year III Cost INR (Thousand)
1	Water Conservation	STP Water will be reused for Flushing, Low Water Fixtures at project site and nearby areas	-	---	---	---
2	Waste Water treatment	Installation of waste water treatment facilities (STP, soak pits, etc.)	-	---	---	---
3	Rain Water Harvesting & Ground Water Recharge	Rain Water Harvesting Structure and Storm Water Drain at project site and nearby areas	0.1	0.033	0.033	0.033
4	Top Soil Preservation & Reuse	Land reclamation of nearby areas	--	---	---	---
5	Solid Waste Management	Organic Waste Converter and disposal arrangement at project site and nearby areas	0.2	0.01	0.01	---
6	Energy Conservation	Solar Water Heater, Solar Photo Voltaic, ECBC compliance	0.2	0.01	0.01	---
7	Ambient air quality	Installation of air pollution control devices and measures at project site; tree plantation and green area maintenance in nearby areas	-	---	---	0.1
8	Noise level	Installation of acoustic DG sets, barricading at project site; tree plantation and green area maintenance in nearby areas	--	---	---	---
9	Green Cover	Landscaping & tree plantation within project site	0.5	0.2	0.2	0.1
10	Topography & Natural Drainage	Natural Drainage shall be maintained in vicinity of project site	0.5	0.2	0.2	0.1
11	Transportation Management	Traffic management within project site and in vicinity	-			
12	Environment Monitoring	Six monthly environment	0.2	0.1	0.1	---
13	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	1.3	0.1	0.1	1.0
		<b>TOTAL</b>	<b>3.00</b>	<b>0.83</b>	<b>0.83</b>	<b>1.34</b>

### Natural Resource & Community Resource Augmentation Plan & Budgetary Provision

S.No.	Component	Activity Proposed	Further Remarks	Rate	Quantity	Total Cost	Year I	Year II	Year III
1	Natural Augmentation	Providing Solar Lighting in the Islampur village	Solar Provision	₹31,000	4	₹1,24,000	₹41,333	₹41,333	₹41,333
			<b>TOTAL COST</b>			<b>₹1,24,000</b>	<b>₹41,333</b>	<b>₹41,333</b>	<b>₹41,333</b>
2	Community Welfare (Final score: 0.1) i.e. 5% of total damage	Infrastructure Development in Govt. Senior Secondary School, Jharsa village, sec-39 Gurgaon	Distribution of computers, books, digital tools etc.	₹1,34,000	1	₹1,34,000	₹44,667	₹44,667	₹44,667



TOTAL COST			₹1,34,000	₹44,667	₹44,667	₹44,667
COST OF NATURAL AUGMENTATION AND COMMUNITY			₹2,58,000	₹86,000	₹86,000	₹86,000

### Cost Summary

S.No.	ITEM	Total Cost	Year I	Year II	Year III
1	Cost on remediation plan based on damage assessment due to violation	₹300,000	₹1,00,000	₹1,00,000	₹1,00,000
2	Natural Resource	₹42,500	₹14,166	₹14,166	₹14,166
3	Community Resources Augmentation plan	₹2,58,000	₹86,000	₹86,000	₹86,000
<b>TOTAL COST TO BE SPENT</b>		<b>₹6,00,500</b>	<b>₹2,00,166</b>	<b>₹2,00,166</b>	<b>₹2,00,166</b>

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

S.No.	Particular	Cost in INR (lacs)	% of total project cost	Timeline
	Project Cost	₹6.00	100	-
1	Cost on Remediation of Environmental damages	₹3.00	0.87	In 3 years
2	Cost towards Natural Resource augmentation	0.425	0.07	In 3 years
3	Cost towards Community Resource augmentation	2.58	0.06	In 3 years
<b>Total Damage Cost Proposed- A</b>		<b>₹6.005</b>	<b>1.00</b>	
4	1 % penalty as per SOP 7th July 2021, Clause no 12.a(ii)	6.00	1.00	
<b>Total Penalty as per SOP 7th July 2021-B</b>		<b>6.00</b>	<b>-</b>	
<b>Total cost-(A+B)</b>		<b>12.005</b>		

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 PP submitted the basic details and EMP details of the project as below:

**Table 1: Basic Details**

<b>Name of the Project: EC for Expansion of VSR MALL (Retail cum Office Complex) Project under Violation at Sector 144, Bajghera Gurgaon, Haryana by M/s VSR Infratech Private Limited</b>				
Sr. No.	Particulars	As per Existing EC	Modification & Expansion	Total
1.	Online Proposal Number	SIA/HR/MIS/290750/2022		
2.	Latitude	28° 27' 36.36" N		

3.	Longitude	77° 01' 34.86" E		
4.	Total Plot Area(Sqm)	12011.05	No Change	122011.05
5.	Net Plot Area(Sqm)	12011.05	No Change	12011.05
6.	Achieved Ground Coverage(Sqm)	4764.64	No Change	4764.64
7.	Achieved FAR(Sqm)	21010	379.4420	21379.4420
8.	Non FAR Area(Sqm)	20429	3337.748	23766.748
9.	Built up area (Sqm)	41429	4145.0083	45574.00834
10.	Total Green Area (Sqm) with Percentage	2447.35 Sqm (20.37%)	No Change	2447.35 Sqm (20.37%)
11.	Rain Water Harvesting (Nos.)	3	No Change	3
12.	STP Capacity	170	No Change	170
13.	Total Parking (ECS)	428	No Change	428
14.	Organic Waste Converter (Nos.)	1	No Change	1
15.	Maximum height & number of floors (in meter)	40	No Change	40
16.	Power Requirement	3291	No Change	3291
17.	Power Backup (KVA)	2500	No Change	2500
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)	144	No Change	144
22.	Solid Waste Generated (TPD)	1.12	No Change	1.12
23.	Biodegradable Waste ( TPD)	No	No	No
24.	Number of Towers (Nos.)	2	No Change	2
25.	Main Dwelling Units (Nos.)	360	No Change	360
26.	Stories	2B + SF + LG + G +8	No Change	2B + SF + LG + G +8
27.	Total Cost of the project:	85.68	6	91.68
30.	Incremental Load in respect of:	PM10 (µg/m3)	0.357 µg/m3	
		PM2.5 (µg/m3)	0.199 µg/m3	
		SO2 (µg/m3)	1.08 µg/m3	
		NO2 (µg/m3)	5.71 µg/m3	
		CO (mg/m3)	0.00168 mg/m3	

**Table 2: EMP Details**

CAPITAL EXPENDITURE		
S. No	Description	Cost (Rs.in Lakhs)
1	Landscaping	15.00
2	STP/Waste water treatment	60.00

3	Rain Water harvesting	8.00
4	Acoustic Treatment	4.00
5	Solid Waste Management	30.00
6	Miscellaneous	6.00
	<b>Total</b>	<b>123.00</b>

**RECURING**

<b>S.No</b>	<b>Description</b>	<b>Cost ( Rs. in Lakhs/Year)</b>
1	Landscaping	8.00
2	Water Management	10.00
3	Air Management	1.00
4	Environmental Monitoring	2.90
5	Solid Waste Management	2.00
6	Misc.	5.00
	<b>Total</b>	<b>28.9</b>

**AS PER VIOLATION**

**Cost of Environment Management Plan**

**Capital Expenditure: 1.10 CR**

**Recurring Expenditure**

<b>Sr.No.</b>	<b>Description</b>	<b>Cost (Rs. In Lakhs/Year)</b>
1	Landscaping	8.00
2	Water Management	10.00
3	Air Management	1.00
4	Environmental Monitoring	2.90
5	Solid Waste Management	2.00
6	Misc.	5.00
	<b>Total</b>	<b>28.9</b>

The committee discussed on the given information and Cumulative Budget for Remediation, Natural & Community Resource Augmentation Plan submitted by PP. After detailed deliberations, the Committee decided to recommend the case to SEIAA for grant of Environmental Clearance **under violation category** of EIA Notification dated 14.09.2006 issued by the Ministry of Environment and Forest, Government of India subject to the following specific conditions in addition to all standard conditions applicable for such projects:

**A. Specific conditions:-**

1. SEAC recommended for an amount of Rs.12.005 lakhs towards Remediation Plan, Natural and Community Resource Augmentation plan, 1% penalty in addition to 0.25% of total turn over as per table given above and to be spend within a span of three years as per the details given.

2. Total budgetary provision with respect to Remediation plan and Natural & Community Resource Augmentation plan is rupees ₹6.005 lakhs. Therefore, project proponent shall be required to submit a bank guarantee of an amount of Rupees ₹6.005 lakhs towards Remediation plan and Natural and Community Resource Augmentation plan with the Haryana State Pollution Control Board prior to the grant of EC.
3. The PP will have to deposit ₹6.005 lakhs with SEIAA for 1% penalty as per SOP 7th July 2021, Clause no 12.a(ii) and 0.25 % of Total Turnover as per SOP 7th July 2021, Clause no 12.a(ii).
4. Remediation plan shall be completed in 3 years and bank guarantee will be of equivalent period. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC and approval of the regulatory authority/SEIAA.
5. The PP should submit the 6 monthly action taken report on the compliance of environmental conditions to the Regional Officer, MoEF&CC, Haryana State Pollution Control Board and Chairman, SEIAA.
6. The PP shall bear the cost of remedial plan and will be responsible to maintain and manage the same.
7. The PP shall also submit the details of status of development of Green plan, species planted, survival status along with existing trees species wise and also maintain the record date wise along with digital mapping.
8. The PP shall also maintain the record of trees/plants to be planted as per the Remediation plan and Natural and Community Resource Augmentation plan along with digital mapping, latitude, longitude details.
9. The PP shall submit the prosecution details filled by HSPCB in environment court Kurukshetra under EP act, 1986 before the meeting of SEIAA as prosecution has been sanctioned by Chairman, HSPCM vide letter dated 11.08.2021.
10. The PP shall not start construction and development works without getting EC under violation Act/provisions of notification.
11. Sewage shall be treated in the STP based on latest Technology with tertiary treatment i.e.Ultra Filtration to achieve standards ordered by NGT. The Treated effluent from STP shall be recycled /reused for flushing. DG cooling and Gardening
12. The PP shall spent Rs. 5Lakhs on various wildlife conservation activities like artificial nests on the trees, digging of ponds and construction of feeding platforms through Environment Management Plan
13. The Project Proponent would devise a monitoring plan to the satisfaction of the State Pollution Control Board so as to continuously monitor the treated waste water being used for flushing in terms of faecal coli forms and other pathogenic bacteria.
14. 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 (specially the bacterial counts), comparative bacteriological studies from toilet seats using recycled treated waters and fresh waters for flushing, and quality of water being supplied through spray faucets attached to toilet seats.
15. Separate wet and dry bins must be provided in each unit and at ground level for facilitating segregation of waste. Solid Waste shall be segregated into wet garbage and inert materials. Wet Garbage shall be composted in Organic waste convertor. Adequate area shall be provided for solid waste management within the premises which will include area for segregation, composting. The Inert waste from the project will be sent to dumping site.
16. Traffic management plan as submitted shall be implemented in letter and spirit. Apart, 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 marinated and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habilitation being carried out or purpose to be carried out by the project or other agencies in this 05kms radius of the site in different scenarios of space and time
17. The PP is required to plant 10 times trees at the project site and compensatory tree plantation will be done @1:10. No tree cutting has been proposed in the instant project. A minimum of 1 tree for every 80sqm of land should be planted and maintained. The Existing trees will be counted for this purpose. The landscape planning should include plantation of native species.

The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping. As proposed **2447.35 Sqm (20.37%)** shall be provided for green area development.

18. The PP shall not carry any construction below the 220KV HT Line passing through the project
19. 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.
20. The PP shall install the Eco Friendly Green Transformer based on ester oil to reduce the carbon footprint. The PP shall shift to gas based generator set when the gas is available. The PP shall install APCM for the DG set. The PP shall reduce the SO<sub>2</sub> load by 30% if HSD is used
21. Consent to establish/operate for the expansion project shall be obtained from the State Pollution Control Board as required under the Air (Prevention and Control of pollution) Act, 1981 and the Water (Prevention and control of pollution) Act, 1974.
22. The Approval of the Competent Authority shall be obtained for structural safety of building code due to earthquakes, adequacy of fire fighting equipments etc. as per National Building Code including protection measures from lightening etc.
23. The PP shall not carry any construction above or below the Revenue Rasta, if any
24. The PP shall not carry any construction below the HT Line passing through the project, if any.
25. The PP shall obtain the Fire NOC from the Competent Authority before taking occupation of the building.
26. The PP shall not give occupation or possession before the water supply and sewage connection permitted by the competent authority.
27. The PP shall not give occupation or possession before the electricity connection permitted by the competent Authority.
28. The PP shall obtain the permission regarding withdrawal of ground water from CGWA before the start of the project and also obtained the CTO from HSPCB after the approval from CGWA.
29. The PP shall carry out the quarterly awareness programs for the stakeholders of the commercial colony/project.
30. **03 Rain Water Harvesting pits** shall be provided for rainwater usages as per the CGWB norms.
31. The PP shall install Digital water level recorder for monitoring the water recharge and carry out quarterly maintenance and cleaning of 02 RWH pits
32. The PP shall ensure the compliance of provisions of Plastic Waste Management (Amendment) Rules, 2022 relevant for the project.
33. The PP may provide electric charging stations to facilitate electric vehicle commuters.
34. The PP shall take all preventive measures including water sprinkles to control dust during construction and operational phase.
35. The State Government/SPCB to take action against the project proponent under the provisions of the Section 15 read with Section 19 of the Environment (Protection) Act, 1986, and no OC, Consent to Operate or Consent to Establish shall be granted for violation part of the project.
36. The Project Proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant EC. The quantum shall be recommended by the SEAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC and approval of the regulatory authority.
37. Detailed SoP dated 07.07.2021 regarding grant of EC to violation cases to be considered the action on merits. The action may be initiated under Section 15 read with Section 19 of the EP Act, 1986 against all violations.
38. The PP should submit compliance report of existing building from the Competent Authority.
39. Any change in stipulations of EC will lead to Environment Clearance void-ab-initio and PP will have to seek fresh Environment Clearance.

**B. Statutory compliance:**

- [1] The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority for ground coverage, FAR and should be in accordance with zoning plan approved by Competent Authority before commencement of work. All the construction shall be done in accordance with the local building byelaws.

- [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.
- [3] The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
- [4] The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
- [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 Haryana State Pollution Control Board.
- [6] The project proponent shall obtain the necessary permission for drawl of ground water /surface water required for the project from the competent authority.
- [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.
- [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.
- [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.
- [10] The project proponent shall follow the ECBC Act/ECBC-Rules prescribed by Bureau of Energy Efficiency, Ministry of Power strictly in addition of bylaws of the State Government.

#### **I Air Quality Monitoring and Preservation**

- i. 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.
- ii. A management plan shall be drawn up and implemented to contain the current exceedance in ambient air quality at the site.
- iii. 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 PM25) covering upwind and downwind directions during the construction period.
- iv. 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 ultra low sulphur diesel. The location of the DG sets may be decided with in consultation with State Pollution Control Board
- v. 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, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.
- vi. Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.
- vii. Wet jet shall be provided for grinding and stone cutting.
- viii. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
- ix. 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 Rules 2016.
- x. The diesel generator sets to be used during construction phase shall be ultra low sulphur diesel type and shall conform to Environmental (Protection) prescribed for air and noise emission standards.
- xi. 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. Ultra low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.

- xii. For indoor air quality the ventilation provisions as per National Building Code of India.

## II Water Quality Monitoring and Preservation

- i. 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.
- ii. Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.
- iii. Total fresh water use shall not exceed the proposed requirement as provided in the project details. The per capita supply should adhere to NBC 2016 and CGWA Notification dated 12.12.2018.
- iv. 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.
- v. 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.
- vi. 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.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- xi. The local bye-law provisions on rain water harvesting should be followed. If local byelaw 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 pits shall be provided for ground water recharging as per the CGWB norms.
- xii. 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.
- xiii. All recharge should be limited to shallow aquifer.
- xiv. No ground water shall be used during construction phase of the project.
- xv. 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.
- xvi. 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.

- xvii. 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.
- xviii. No sewage or untreated effluent water would be discharged through storm water drains.
- xix. 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.
- xx. Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.
- xxi. 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.

### **III Noise Monitoring and Prevention**

- i. Ambient noise levels shall conform to residential area/commercial area 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.
- ii. 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.
- iii. 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.

### **IV Energy Conservation Measures**

- i. Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency as per ECBC Act, 2017 read with ECBC Rules, 2018 shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC also which is in no case should be less than 25% as prescribed.
- ii. Outdoor and common area lighting shall be LED.
- iii. 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 R & U-values shall be as per ECBC specifications.
- iv. 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.
- v. 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.
- vi. 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.
- vii. The PP will submit report indicating compliance of each parameter of ECBC requirement and submit quantification saving report for each component.



## **V Waste Management**

- i. 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.
- ii. Disposal of muck during construction phase shall not create any adverse effect on the neighboring 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.
- iii. 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.
- iv. Organic Waste Converter within the premises with a minimum capacity of 0.5 kg /person/day must be installed. Leaves to be put in earmarked pits for converting them into compost to be used as manure.
- v. All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
- vi. 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.
- vii. 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.
- viii. 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.
- ix. Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Rules, 2016.
- x. 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.

## **VI Green Cover**

- i. 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).
- ii. A minimum of 1 tree (5' tall) for every 80 sqm of land should be planted and maintained. The existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
- iii. 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.
- iv. 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.

## **VII Transport**

- i. 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 designed with these basic criteria.
  - i. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.
  - ii. Traffic calming measures.

- iii. Proper design of entry and exit points.
  - iv. Parking norms as per local regulation.
- ii. 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.
- iii. 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.

### **VIII Human Health Issues**

- i. 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.
- ii. For indoor air quality the ventilation provisions as per National Building Code of India.
- iii. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- iv. 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.
- v. Occupational health surveillance of the workers shall be done on a regular basis.
- vi. A First Aid Room shall be provided in the project both during construction and operations of the project.

### **IX Corporate Environment Responsibility**

- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F. No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility.
- ii. 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.
- iii. 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 to the head of the organization.
- iv. 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.

### **X Miscellaneous**

- i. 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.

- ii. The copies of the 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.
- iii. 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.
- iv. 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.
- v. 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.
- vi. 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.
- vii. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
- viii. The project proponent shall abide by all the commitments and recommendations made in the form-IA, Conceptual Plan and also that during their presentation to the Expert Appraisal Committee.
- ix. No further expansion or modifications in the plan shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC)/SEIAA, Haryana. The project proponent shall seek fresh environmental clearance under EIA notification 2006 if at any stage there is change of area of this project.
- x. Any change in planning of the approved plan will leads to Environment Clearance void-ab-initio and PP will have to seek fresh Environment Clearance
- xi. The PP should give unambiguous affidavit giving land promoters in accordance with your ownership and possession of land legal the case referred for Environment Clearance to SEIAA.
- xii. 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.
- xiii. The Ministry/SEIAA may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xiv. The Ministry/SEIAA reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xv. 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.
- xvi. 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.

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

**Project Proponent : Sh. Jitender Nagar**  
**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 197<sup>th</sup> 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 14<sup>th</sup> March, 2017 and subsequent Notification No. S.O. 1030(E) dated 08<sup>th</sup> March, 2018, OM dated 9<sup>th</sup> September 2019.
- The case was taken up 124<sup>th</sup> 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 9<sup>th</sup> septemeber2019.
- The case was taken up 202<sup>th</sup> meeting of SEAC held on 31.08.2020 and recommended to SEIAA for approval of ToR under violation category.
- The case was taken up 125<sup>th</sup> 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 228<sup>th</sup> meeting of SEAC held on 01.12.2021 and decided to defer this case
- The case was taken up 231<sup>st</sup> 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 134<sup>th</sup> 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 7<sup>th</sup> 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 234<sup>th</sup> meeting of SEAC. The PP submitted the reply raised in 134<sup>th</sup> meeting of SEIAA and committee again recommended the case to SEIAA for g ranting of EC
- The case was taken up 137<sup>th</sup> 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 243<sup>rd</sup> meeting of SEAC held and recommend the case to SEAC for grant of EC
- The case was taken up 143<sup>rd</sup> 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 147<sup>th</sup> 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 254<sup>th</sup> 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 m<sup>2</sup> (7.65 Acres) and built-up area 86802.00 m<sup>2</sup>
- 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 228<sup>th</sup> meeting of SEAC on 01.12.2021. Certain observations were raised, reply to them were submitted.
- The reply was considered in the 231<sup>st</sup> 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 134<sup>th</sup> 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 234<sup>th</sup>** meeting of SEAC on 09.03.2022 **and** SEAC recommend the case to SEIAA for EC under violation.
- The project was considered in 137<sup>th</sup> 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 243<sup>rd</sup> SEAC Meeting on 30.06.2022 and SEAC recommend the case to SEIAA for EC under violation
- The project was again listed in 143<sup>rd</sup> 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 147<sup>th</sup> SEIAA Meeting on 10.10.2022 and Authority refer back the case to SEAC
- The project was listed in 254<sup>th</sup> SEAC meeting on 31.10.2022. Thereafter, the project was considered in the 254<sup>th</sup> SEAC meeting on 31.10.2022, SEAC deferred the case stating “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” as per SOP of MoEF & CC for violation cases dated 07.07.2021 and deferred the case.

The case is taken up in 256<sup>th</sup> meeting of SEAC on 01.12.2022. The PP alongwith consultant appeared before the committee and presented their case as under:

- The PP submitted the Undertaking stating that “The Case of M/s G.P. Realtors Pvt. Ltd is a legal case. The project falls under violation of EIA Notification 2006 and also National Board for Wild life (NBWL). The same shall not be applicable to our project” and “We have revised all the calculations as per the Standard Operating Procedures (SOPs) for violation cases dated 07.07.2021 issued by MOEFCC and we undertake to abide by the same”
- **As per SOP dated 7th July 2021: Penalty provisions for Violation cases and its applicability is as given below:**

Type of project	Type	Category	Percentage	Example
<b>New projects:</b>	a.	Where operation has not commenced	1 % of the total project cost incurred up to the date of filing of application along with EIA report	Ex: Rs.1 lakh for project cost of Rs.1 Cr
	b.	Where operations have commenced without EC	1 % of the total project cost incurred up to the date of filing of application along with EIA report PLUS 0.25% of the total turnover during the period of violation	For Rs.100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs. 1 Cr + Rs. 0.25 Cr = Rs.1.25 Cr)
<b>Expansion projects</b>	a.	Where operation/production with expanded capacity has not commenced	1 % of the project cost, attributable to the expansion, incurred up to the date of filing of application along with EIA/EMP report	
	b.	Where operation/ production with expanded capacity have commenced	1% of the project cost (attributable to the expansion activity) incurred upto the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/ capacity) involved during the period of violation.	

**The Methodology of Damage Assessment is as follows:**

To assess the overall damage, two matrices have been used, Type A & Type B.

**Damage Assessment Type A:** To assess the parameters, a team is deputed to assess preliminary assessment of damage to the environment. Based on site inspection and the documentary evidence the environmental aspects vs activity has been filled.

**Damage Assessment Type B:** It assumes random damages that would have taken place due to the interaction of different environmental components, i.e. the overall end to end assessment being done in a subjective matrix manner.

Using the above mentioned Damage matrices we have given scoring to each of environmental components taken into consideration.

**The component wise Percent Contribution and scoring of Damage on Environment**

S.No.	Environmental Component/Aspect	Weightage	Rating Scoring (A)	Weighted score (A)	Rating Scoring (B)	Weighted score (B)	Final Score (A+B)	% contribution
1	Air Environment/ Emissions to Air	25%	2	0.5	3	0.75	1.25	23.15%
2	Water Environment/ Releases to Water	20%	5	1	1	0.2	1.2	22.22%
3	Waste Management and Generation	5%	4	0.2	2	0.1	0.3	5.56%

4	Land Environment and contamination/land use	5%	1	0.05	2	0.1	0.15	2.78%
5	Use of natural resources and raw materials	10%	5	0.5	3	0.3	0.8	14.81%
6	Transport Issues	5%	3	0.15	2	0.1	0.25	4.63%
7	Effects on Ecology Biodiversity	5%	1	0.05	1	0.05	0.1	1.85%
8	Noise Pollution	10%	5	0.5	3	0.3	0.8	14.81%
9	Soil Quality and Management	5%	5	0.25	2	0.1	0.35	6.48%
10	Local Issues, Community welfare & Socio-economic scenario	5%	1	0.05	1	0.05	0.1	1.85%
11	Environmental Accidents	5%	1	0.05	1	0.05	0.1	1.85%
	<b>Total</b>	<b>100%</b>		<b>3.3</b>		<b>2.1</b>	<b>5.4</b>	<b>100%</b>

### Remediation Plan and Cost

Remediation Plan and Cost									
S. No.	Environmental Component	Remediation Proposed	Further Remarks	Rate	Quantity	Total Cost	Year I	Year II	Year III
1	Air Environment	Installation of Antismog Gun consultation with local municipality for dust suppression in the on NH 8 (Delhi Gurgaon expressway) or Mehrauli Road (16 M wide)	will be used to reduce the air pollution in near by area in peak pollution time	₹300,000	4	₹12,00,000	₹600,000	₹600,000	₹0
		Installation of Sprinkler system in Saini Khera village in consultation with Panchayat	Sprinkler- 2 no. @ Rs. 1500/per pc	₹1,500	2	₹3,000	₹3,000	₹0	₹0
			<b>TOTAL COST</b>	-		<b>₹1203,000</b>	<b>₹603,000</b>	<b>₹600,000</b>	<b>₹0</b>
2	Water Environment	Procurement RO Plant & installation in Govt. Primary school sector 14 in consultation with Panchayat	RO Plant-1 no. (1000 LPH) @ 2,00,000/ per unit	₹200,000	1	₹200,000	₹0	₹200,000	₹0
			Installation of Rs. 5000/ per plant	₹5,000	1	₹5,000	₹0	₹5,000	₹0
		Adaptation of Pond near Kherki Majra UID: 01HRGGMGGM0052 KHER376	Cleaning, beautification and maintenance of the pond	₹700,000		₹700,000	₹350,000	₹350,000	₹0
			<b>TOTAL COST</b>			<b>₹905,000</b>	<b>₹350,000</b>	<b>₹555,000</b>	<b>₹0</b>
3	Soil Environment	Land reclamation of nearby area	Park Development in consideration with Municipal Corporation Gurgaon in Silokhera Village	₹300,000	1	₹300,000	₹0	₹150,000	₹150,000
			<b>TOTAL COST</b>			<b>₹300,000</b>	<b>₹0</b>	<b>₹150,000</b>	<b>₹150,000</b>
4	Waste Management	Organic Waste Converter	OWC installation of capacity 300 kg/day in consideration with Municipal Corporation Gurgaon	₹300,000	1	₹300,000	₹0	₹300,000	₹0
			<b>TOTAL COST</b>			<b>₹300,000</b>	<b>₹0</b>	<b>₹300,000</b>	<b>₹0</b>

5	Noise Environment	Awareness program for Noise in Silohera & Saini Khara village	-	100,000	-	₹100,000	₹0	₹50,000	₹50,000
		Distribution of PPE kits to nearby construction workers or labours	-	200,000	-	₹200,000	₹0	₹100,000	₹100,000
		<b>TOTAL COST</b>				₹300,000	₹0	₹150,000	₹150,000
6	Ecological Environment	Miyawaki Plantation in consultation with Municipal Corporation of Gurgaon	A dense forest patch will be developed	₹750,000	-	₹750,000	₹250,000	₹250,000	₹250,000
		<b>TOTAL COST</b>				₹750,000	₹250,000	₹250,000	₹250,000
<b>COST OF REMEDIATION</b>						<b>₹3,758,000</b>	<b>₹1,203,000</b>	<b>₹2,005,000</b>	<b>₹550,000</b>

### Natural Resource & Community Resource Augmentation Plan & Budgetary Provision

S.No	Component	Activity Proposed	Further Remarks	Rate	Quantity	Total Cost	Year I	Year II	Year III
1	Natural Augmentation	Providing Solar Lighting in the village area	Solar Provision	₹100,000	5	₹500,000	₹200,000	₹150,000	₹150,000
			<b>TOTAL COST</b>			₹500,000	₹200,000	₹150,000	₹150,000
2	Community Welfare (Final score: 0.1) i.e. 5% of total damage	Construction of sanitation facilities	2 number of toilets will be provided (in schools and road side)	₹50,000	2	₹100,000	₹50,000	₹25,000	₹25,000
			<b>TOTAL COST</b>			₹1,00,000	₹50,000	₹25,000	₹25,000
<b>COST OF NATURAL AUGMENTATION AND COMMUNITY</b>						<b>₹600,000</b>	<b>₹250,000</b>	<b>₹175,000</b>	<b>₹175,000</b>

### Cost Summary

S.No.	ITEM	Total cost (in Lakhs)	Total Cost	Year I	Year II	Year III
1	Cost on remediation plan based on damage assessment due to violation	₹37.58	₹3,758,000	₹1,203,000	₹2,005,000	₹550,000
2	Natural Resource	₹5.00	₹500,000	₹200,000	₹150,000	₹150,000
3	Community Resources Augmentation plan	₹1.00	₹100,000	₹50,000	₹25,000	₹25,000
<b>TOTAL COST TO BE SPENT</b>		<b>₹43.58</b>	<b>₹4,358,000</b>	<b>₹1,453,000</b>	<b>₹2,180,000</b>	<b>₹725,000</b>



**Total Summarised Cost on Environmental Damage, Natural resource, community augmentation (% contribution w.r.t. Project cost for violation area)**

S.No.	Particular	Cost in INR (lacs)	% of total project cost	Timeline
	Total Project Cost	19000		
	Project Cost for Violation area	2400	100.00	
1	Cost on Remediation of Environmental damages	37.58	1.57	In 3 years
2	Cost towards Natural Resource augmentation	5.00	0.21	In 3 years
3	Cost towards Community Resource augmentation	1.00	0.04	In 3 years
<b>Total Cost</b>		<b>43.58</b>	1.82	
<b>Penalty as per SOP dated 07.07.21- B</b>		<b>24.0</b>	1.00	
<b>Total Cost (A+B)</b>		<b>₹ 67.58</b>		

**Environment Management Cost**

**Capital cost:**

S No.	Description	Cost Already spent (Rs. in Lacs)	Cost To be spend (Rs. in Lacs)	Total Cost (Rs. in Lacs)
1	Landscaping	10	40	50
2	Water Management (STP)	80	20	100
3	Rainwater management	12	0	12
4	Air Management	18	2	20
5	Solid Waste Management	5	35	40
6	Miscellaneous	3	2	5
7	Social activities	-	15	15
<b>Total</b>		128	99	227

**Recurring cost:**

S No.	Description	Total Recurring Cost (Rs In Lacs/ year)
1	Landscaping	3
2	Water Management	2.5
3	Air Management	2
4	Environment Monitoring	1.75
5	Solid Waste Management	3.5
6	Miscellaneous	1
<b>Total</b>		<b>13.75</b>

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 grant Environment Clearance (**under violation category**) as recommended vide 243rd MoM of SEAC Meeting held on 30.06.2022.

**256.17 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. Arun Malhotra**  
**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 143<sup>rd</sup> 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 143<sup>rd</sup> 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 155<sup>th</sup> 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 206<sup>th</sup> and 211<sup>th</sup> meeting of SEAC and defer this case on request of PP.
- The case was taken up in 215<sup>th</sup> 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 219<sup>th</sup> meeting of SEAC and recommended to SEIAA for granting of EC.
- The case was taken up 129<sup>th</sup> meeting of SEIAA and decided to refer back this case to SEAC with some observations
- The case was taken up 225<sup>th</sup> meeting of SEAC. The PP submitted the reply of observations raised in 129<sup>th</sup> meeting of SEIAA and committee again recommended the case to SEIAA for grant of EC
- The case was taken up 131<sup>st</sup> meeting of SEIAA and decided to defer this case till the legal opinion from LR Haryana.
- The case was taken up 137<sup>th</sup> 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 241<sup>st</sup> 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 Rs.5.4 Lakh and decided to recommend this case to SEIAA for grant of EC
- The case was taken up 141<sup>st</sup> 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 143<sup>rd</sup> 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 147<sup>th</sup> 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 Remembrance, 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 254<sup>th</sup> 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.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. The PP as well as consultant appeared before the committee and submitted that:

- We have not achieved the sanctioned level of construction under the granted "EC", **"No Actual Pollution"** has occurred. The Penalty is to be imposed as per the "Principle of Proportionality" and a thorough "Resource & Community Augmentation Plan" has to be drawn.
- "Office Memorandum for SoP dated. 7<sup>th</sup> July, 2021' issued by MoEF & CC for identification and handling of violation cases.
- The basic premise of the SoP is based on the Principles of "Polluter pays" and "Proportionality", defined clearly in SoP.
- And the cases of non-compliance/violation approaching State Env. Impact Assessment Authority, the quantum of penalty would be 0.5% of the total project

cost & if the expansion is in operation then the additional penalty of 0.25% of the revenue generated through the expanded part is to be imposed.

- The proponent in the case approached the Authorities & informed Authority regarding the expiry of "EC". Therefore, a penalty of 0.5% is to be imposed for the "Expanded" part or the built-up area perceived to be built after the expiry of "EC". An undertaking regarding the penalty of Rs 5.4 lacs (0.5 % of total violation cost 10.81 Cr.) was submitted on 26/04/2022.
- We would further like to draw your kind attention towards the out-come of the case no.10 of 2021, Central Government/Union of India/MoEF v/s M/s Ansal landmark (Karnal) Township Pvt. Ltd. in the Special Environment Court, Kurukshetra.
- The Hon'ble Environment Court in the particular case, where the construction has been carried out even after the expiry of the validity of "EC" but the project has not achieved the sanctioned built-up area; we draw the inference that not applying for the "Extension in Validity" is a "**Procedural flaw/Technical Irregularity**" which even court stated as "**Technical Illegality**" and in such cases where some construction has been carried out during the period of non-existent of "EC" provided project has not achieved the quantum of built-up area as sanctioned in previously granted "EC", "**No Actual Pollution**" has occurred.
- An inference could be drawn from the above judgment that when "No Actual Pollution" has occurred, no damage assessment is needed. Therefore, in similar cases along with the prosecution or fine imposed to Proponents, the Penalty is to be imposed as per the "Principle of Proportionality" and a thorough "Resource & Community Augmentation Plan" has to be drawn. An undertaking regarding the penalty of Rs.5.4 lacs (0.5 % of total violation cost 10.81 Cr.) was submitted on 26/04/2022 has already been submitted.
- Further, we submit that we have chalked out "Remediation and Resource Augmentation Plan" and submitted to SEAC too.
- The total revised budgetary provision with respect to the Remediation plan and Natural & Community Resource Augmentation plan is rupees 23,88,300/. Breakup is provided as under:

S. No.	Particulars	Cost (in Rs. )
1	Remediation plan	2,00,000
2	Natural Resource Augmentation plan	16,88,300
3	Community Augmentation plan	5,00,000
	<b>Total</b>	<b>23,88,300</b>

- Our submission is considering the judgment of Hon'ble Environment Court in the case, where the construction has been carried out even after the expiry of validity of "EC" but project has not achieved the sanctioned built-up area; we draw the inference that not applying for the "Extension in Validity" is a "**Procedural flaw/Technical Irregularity**" which even court stated as "**Technical Illegality**" and in such cases where some construction has been carried out during the period of non-existent of "EC" provided project has not achieved the quantum of built-up area as sanctioned in previously granted "EC", "**No Actual Pollution**" has occurred.
- An inference could be drawn from the above written statement that when "**No Actual Pollution**" has occurred, no damage assessment is needed. Therefore, in similar cases along with the prosecution or fine imposed to Proponents, the Penalty is to be imposed as per the "Principle of Proportionality" and a thorough "Resource & Community Augmentation Plan" has to be drawn.

- 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 and they are agreed to follow the scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.
- The PP also submitted CA certificate

The committee discussed on the submissions as well as information given by PP. The PP has submitted that their case is different from the case M/s G.P. Realtors Pvt. Ltd. as it was an individual case in which NBWL issue was there and their project does not come within purview of order passed in M/s G. P. Realtors, however, they are agree to follow the SoP dated 07.07.2021.

After detailed discussion, the committee decided to recommend the case to SEIAA to grant Environment Clearance (**under violation category**) as recommended vide MoM of 219<sup>th</sup> meeting along with additional recommendations conveyed vide 225<sup>th</sup> and 241<sup>st</sup> MoM of SEAC.

**256.18 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. Mukesh 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 193<sup>rd</sup> meeting of SEAC and recommended for the amendment in ToR
- The amended ToR was granted dated 24.06.2020 in 123<sup>rd</sup> meeting of SEIAA
- PP submitted EIA application on 12.01.2021
- The case was recommend to SEIAA for grant of EC in 215<sup>th</sup> meeting of SEAC.
- The case was taken up 129<sup>th</sup> meeting of SEIAA and decided to refer back this case to SEAC with some observations
- The case was taken up 225<sup>th</sup> meeting of SEAC and again recommend the case to SEIAA
- The case was taken up 131<sup>st</sup> meeting of SEIAA and decided seek clarifications from MoEF&CC, Gol in regards to the aid project and defer this case
- The case was taken up 137<sup>th</sup> 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 241<sup>st</sup> 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 242<sup>nd</sup> meeting of SEAC. The PP submitted self contained note and recommend the case to SEIAA for granting EC.
- The case was taken up 143<sup>rd</sup> 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 147<sup>th</sup> 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 254<sup>th</sup> 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
<b>Total damage cost proposed-A</b>		<b>₹81.48</b>
<b>Total penalty cost required as per SOP dated 07.07.2021-B</b>		<b>₹40.5</b>
<b>Total Cost (A+B)</b>		<b>₹121.98</b>

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.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. The case is taken up in 256<sup>th</sup> meeting of SEAC on 01.12.2022. The PP alongwith consultant appeared before the committee and presented their case as under:

- The PP submitted the Undertaking stating that “The Case of M/s G.P. Realtors Pvt. Ltd is a legal case. The project falls under violation of EIA Notification 2006 and also National Board for Wild life (NBWL). The same shall not be applicable to our project” and “We have revised all the calculations as per the Standard Operating Procedures (SOPs) for violation cases dated 07.07.2021 issued by MOEFCC and we undertake to abide by the same”
- PP also submitted CA certificate mentioning therein that “The Project Cost expended till date is Rs.81 Crores (Without Depreciation) including Land and Construction cost”.
- **As per SOP dated 7th July 2021: Penalty provisions for Violation cases and its applicability is as given below:**

Type of project	Type	Category	Percentage	Example
New projects:	a.	Where operation has not commenced	1 % of the total project cost incurred up to the date of filing of application along with EIA report	Ex: Rs.1 lakh for project cost of Rs.1 Cr
	b.	Where operations have commenced without EC	1 % of the total project cost incurred up to the date of filing of application along with EIA report PLUS 0.25% of the total turnover during the period of violation	For Rs.100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs. 1 Cr + Rs. 0.25 Cr = Rs.1.25 Cr)
Expansion projects	a.	Where operation/production with expanded capacity has not commenced	1 % of the project cost, attributable to the expansion, incurred up to the date of filing of application along with EIA/EMP report	
	b.	Where operation/production with expanded capacity have commenced	1% of the project cost (attributable to the expansion activity) incurred upto the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/ capacity) involved during the period of violation.	

**The Methodology of Damage Assessment is as follows:**

To assess the overall damage, two matrices have been used, Type A & Type B.

**Damage Assessment Type A:** To assess the parameters, a team is deputed to assess preliminary assessment of damage to the environment. Based on site inspection and the documentary evidence the environmental aspects vs activity has been filled.

**Damage Assessment Type B:** It assumes random damages that would have taken place due to the interaction of different environmental components, i.e. the overall end to end assessment being done in a subjective matrix manner.

Using the above mentioned Damage matrices we have given scoring to each of environmental components taken into consideration.

**The component wise Percent Contribution and scoring of Damage on Environment:**

S.No	Environmental Component/ Aspect	Weightage	Rating Scoring (A)	Weighted score (A)	Rating Scoring (B) shown in Appendix I	Weighted score (B)	Final Score (A+B)	% contribution
1	Air Environment/ Emissions to Air	20%	5	1	3	0.6	1.6	26%
2	Water Environment/ Releases to Water	25%	5	1.25	1	0.25	1.5	25%
3	Waste Management and Generation	5%	4	0.2	2	0.1	0.3	5%
4	Land Environment and contamination/ and use	5%	1	0.05	2	0.1	0.15	2%
5	Use of natural resources and raw materials	10%	5	0.5	3	0.3	0.8	13%
6	Transport Issues	5%	4	0.2	2	0.1	0.3	5%



7	Effects on Ecology Biodiversity	5%	1	0.05	1	0.05	0.1	2%
8	Noise Pollution	10%	5	0.5	3	0.3	0.8	13%
9	Soil Quality and Management	5%	5	0.25	2	0.1	0.35	6%
10	Local Issues, Community welfare & Socio-economic scenario	5%	1	0.05	1	0.05	0.1	2%
11	Environmental Accidents	5%	1	0.05	1	0.05	0.1	2%
	<b>Total</b>	<b>100%</b>		<b>4.1</b>		<b>2</b>	<b>6.1</b>	<b>100%</b>

The Tangible Cost for Remediation Plan and Natural and Community Resource Augmentation Plan is given below:

### REMEDIATION PLAN AND COST

Remediation Plan and Cost											
S. No.	Environmental Component	Remediation Proposed	Further Remarks	Rate	Quantity	Total Cost	Year I	Year II	Year III	Year IV	Year V
1	Air Environment	Distribution of Air purifier in consultation with local municipality for dust suppression in the on sector 32 road (8 M wide) & CH Baktawar Road near Medanta hospital	Air Purifier (Wayu Purifier with Clean Air Dispersion Rate 600 m/hr)	₹60,000	1	₹60,000	₹30,000	₹30,000	₹0	₹0	₹0
		Maintenance of Air purifier	Maintenance - 4 year @ 1500/month (48 months, 1nos.)	₹1,500	48	₹72,000	₹0	₹24,000	₹24,000	₹24,000	₹0
		Plantation on Road from Bani Square Chaunk to Golf Course extension road in consultation with MCG	Plant -200 @ 2000 (including Maintenance)	₹2,000	198	₹396,000	₹100,000	₹100,000	₹100,000	₹96,000	₹0
		Installation of Anti Smog Gun on sector 32 road (8 m wide) & CH Baktawar Road near Medanta hospital (16 m wide)	will be used to reduce the air pollution in near by area in peak pollution time	₹800,000	2	₹1,600,000	₹1,600,000	₹0	₹0	₹0	₹0
		<b>TOTAL COST</b>		-		<b>₹2,128,000</b>	<b>₹1,730,000</b>	<b>₹154,000</b>	<b>₹124,000</b>	<b>₹120,000</b>	<b>₹0</b>
2	Water Environment	Pond Adoption at Sarhaul Village UID: 02HRGGMGUR0005SHUL001	Cleaning beautification and maintenance of the pond	₹1,800,000	1	₹1,800,000	₹600,000	₹300,000	₹300,000	₹300,000	₹300,000

3	Soil Environment	Land reclamation of nearby area	Park Development in consideration with Municipal Corporation Gurgaon in Tikri Village	₹500,000	1	₹500,000	₹0	₹0	₹250,000	₹250,000	₹0
4	Waste Management	Organic Waste Converter	OWC installation of capacity 300 kg/day in consideration with Municipal Corporation Gurgaon	₹800,000	1	₹800,000	₹800,000	₹0	₹0	₹0	₹0
5	Noise Environment	Distribution of Personnel protection equipments to the health department for construction workers in nearby sites	300,000	-	-	₹300,000	₹150,000	₹150,000	₹0	₹0	₹0
		Awareness program for Noise in Jharsa & Tikri village	100,000	₹3.00	-	₹300,000	₹0	₹150,000	₹150,000	₹0	₹0
		<b>TOTAL COST</b>				<b>₹600,000</b>	<b>₹150,000</b>	<b>₹300,000</b>	<b>₹150,000</b>	<b>₹0</b>	<b>₹0</b>
6	Ecological Environment	Plantation in on CH Baktawar singh Road which is 16 m wide in consultation with Municipal Corporation of Gurgaon	100 trees @ Rs. 2000/tree	₹2,000	100	₹200,000	₹50,000	₹50,000	₹50,000	₹50,000	₹0
		Development of sector 46 & radha krishan park	In consideration with Municipal Corporation	-	-	₹400,000	₹0	₹0	₹0	₹400,000	₹0
		<b>TOTAL COST</b>				<b>₹600,000</b>	<b>₹50,000</b>	<b>₹50,000</b>	<b>₹50,000</b>	<b>₹450,000</b>	<b>₹0</b>
<b>COST OF REMEDIATION</b>						<b>₹6,428,000</b>	<b>₹3,330,000</b>	<b>₹804,000</b>	<b>₹874,000</b>	<b>₹1,120,000</b>	<b>₹300,000</b>

### NATURAL RESOURCE & COMMUNITY RESOURCE AUGMENTATION PLAN & BUDGETARY PROVISION

S. No.	Component	Activity Proposed	Further Remarks	Rate	Quantity	Total Cost	Year I	Year II	Year III	Year IV	Year V
1	Natural Augmentation	Providing Solar Lighting in the jharsa village in consultation with	Solar Provision	₹100,000	10	₹1,000,000	₹200,000	₹200,000	₹200,000	₹200,000	₹200,000

		Panchayat	TOTAL COST			₹1,000,000	₹200,000	₹200,000	₹200,000	₹200,000	₹200,000
2	Community Welfare (Final score: 0.1) i.e. 5% of total damage	Construction of sanitation facilities in Govt. Senior Secondary School, Darbaripur, Gurgaon	6 number of toilets will be provided	₹70,000	6	₹420,000	₹100,000	₹100,000	₹100,000	₹100,000	₹20,000
		Providing Computers in the Govt. Senior Secondary School, Darbaripur, Gurgaon	6 computers @ Rs 50,000 per Pc	₹50,000	6	₹300,000	₹60,000	₹60,000	₹60,000	₹60,000	₹60,000
		<b>TOTAL COST</b>				<b>₹720,000</b>	<b>₹160,000</b>	<b>₹160,000</b>	<b>₹160,000</b>	<b>₹160,000</b>	<b>₹80,000</b>
<b>COST OF NATURAL AUGMENTATION AND COMMUNITY</b>						<b>₹1,720,000</b>	<b>₹360,000</b>	<b>₹360,000</b>	<b>₹360,000</b>	<b>₹360,000</b>	<b>₹280,000</b>

### COST SUMMARY WITH YEAR WISE DISTRIBUTION

S.No.	ITEM	Total Cost	Year I	Year II	Year III	Year IV	Year V
1	Cost on remediation plan based on damage assessment due to violation	<b>₹6,428,000</b>	₹3,330,000	₹804,000	₹874,000	₹1,120,000	₹300,000
2	Natural Resource	<b>₹1,000,000</b>	₹200,000	₹200,000	₹200,000	₹200,000	₹200,000
3	Community Resources Augmentation plan	<b>₹720,000</b>	₹160,000	₹160,000	₹160,000	₹160,000	₹80,000
<b>TOTAL COST TO BE SPENT</b>		<b>₹8,148,000</b>	<b>₹3,690,000</b>	<b>₹1,164,000</b>	<b>₹1,234,000</b>	<b>₹1,480,000</b>	<b>₹580,000</b>

Total Summarized Cost on Environmental Damage, Natural resource, community augmentation & Environment Management Plan:

S. No.	Particular	Cost in INR (in Rs.)	% of total project cost	Timeline
	Project Cost	810000000	100	-
	Cost on Remediation of Environmental damages	<b>₹6,428,000</b>	0.79	In 5 years
	Cost towards Natural Resource augmentation	<b>₹1,000,000</b>	0.12	In 5 years
	Cost towards Community Resource augmentation	<b>₹720,000</b>	0.09	In 5 years
	<b>Total damage cost proposed-A</b>	<b>8,148,000</b>	1.01	
	<b>Total penalty cost required as per SOP-B</b>	<b>4,050,000</b>	<b>0.5</b>	
	<b>Total Cost (A+B)</b>	<b>12,198,000</b>		

## Environment Management Cost

### Capital cost:

S. No	Description	Already Spent Cost (Rs. in Lakhs)	Proposed Cost (Rs. in Lakhs)	Total Cost (Rs. in Lakhs)
1	Landscaping/ Plantation	8	0	8
2	STP/ Waste Water Treatment	15	10	25
3	Rain Water Harvesting Pits	6	0	6
4	Stack height of DG set	2	0	2
5	Solid Waste Management	5	10	15
6	Solar Panel/Installation	100	0	100
7	Misc.	3	1	4
	<b>Total cost towards Social activities (CER)</b>	<b>0</b>	<b>16</b>	<b>16</b>
	Providing 2 Water Coolers in govt school of Islampur village in consultation with Panchayat	0	1	1
8	Providing 5 Bio-toilets in govt school of Islampur village in consultation with Panchayat	0	15	15
9	Cost of Wild life Activity Plan	0	5	5
	<b>Total</b>	<b>139</b>	<b>42</b>	<b>181</b>

### Recurring cost:

S. No	Description	Proposed Cost (Rs. in Lakhs/Year)
1	Landscaping/ Plantation	2
2	Water management	3
3	Air & Noise Management	0.5
4	Environmental Monitoring	1.5
5	Solid Waste Management	3
6	Misc.	1
	<b>Total</b>	<b>Rs 11 Lakhs/Year</b>

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. An undertaking has also been submitted by PP, in this regard. 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 are agree 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 submitted by PP. After detailed discussion, the committee decided to recommend the case to SEIAA to granted Environment Clearance (**under violation category**) as recommended vide MoM of 215<sup>th</sup> meeting alongwith additional recommendations conveyed vide 242<sup>nd</sup> MoM of SEAC.

**256.19 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 244<sup>th</sup> meeting of SEAC for grant of EC under violation.
- The case was taken up 144<sup>th</sup> meeting of SEIAA with some observations
- PP submitted reply to the observation of SEIAA in 247<sup>th</sup> meeting of SEAC and again recommended the case to SEIAA to grant EC
- Case was taken up in 146<sup>th</sup> 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 147<sup>th</sup> 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 254<sup>th</sup> 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 “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 244<sup>th</sup> 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 144<sup>th</sup> 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
<b>Total Damage Cost Proposed- A</b>		<b>₹60.14</b>
4	<b>1% penalty as per SOP 7th July 2021, Clause no 12.a(ii)</b>	60.13
	0.25 % of Total Turnover as per SOP 7th July 2021, Clause no 12.a(ii)	25.3512
<b>Total Penalty as per SOP 7th July 2021-B</b>		<b>85.49</b>
<b>Total cost-(A+B)</b>		<b>145.63</b>

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.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. The case is taken up in 256<sup>th</sup> meeting of SEAC on 01.12.2022. The PP alongwith consultant appeared before the committee and presented their case as under:

- The PP submitted the Undertaking stating that “The Case of M/s G.P. Realtors Pvt. Ltd is a legal case. The project falls under violation of EIA Notification 2006 and also National Board for Wild life (NBWL). The same shall not be applicable to our project” and “We have revised all the calculations as per the Standard Operating Procedures (SOPs) for violation cases dated 07.07.2021 issued by MOEFCC and we undertake to abide by the same”
- The PP also submitted CA certificate to the effect of expenditure of Rs.6013.47 lacs.
- **As per SOP dated 7th July 2021: Penalty provisions for Violation cases and its**

applicability is as given below:

Type of project	Type	Category	Percentage	Example
New projects:	a.	Where operation has not commenced	1 % of the total project cost incurred up to the date of filing of application along with EIA report	Ex: Rs.1 lakh for project cost of Rs.1 Cr
	b.	Where operations have commenced without EC	1 % of the total project cost incurred up to the date of filing of application along with EIA report PLUS 0.25% of the total turnover during the period of violation	For Rs.100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs. 1 Cr + Rs. 0.25 Cr = Rs.1.25 Cr)
Expansion projects	a.	Where operation/production with expanded capacity has not commenced	1 % of the project cost, attributable to the expansion, incurred up to the date of filing of application along with EIA/EMP report	
	b.	Where operation/production with expanded capacity have commenced	1% of the project cost (attributable to the expansion activity) incurred upto the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/ capacity) involved during the period of violation.	

**The Methodology of Damage Assessment is as follows:**

To assess the overall damage, two matrices have been used, Type A & Type B.

**Damage Assessment Type A:** To assess the parameters, a team is deputed to assess preliminary assessment of damage to the environment. Based on site inspection and the documentary evidence the environmental aspects vs activity has been filled.

**Damage Assessment Type B:** It assumes random damages that would have taken place due to the interaction of different environmental components, i.e. the overall end to end assessment being done in a subjective matrix manner.

Using the above mentioned Damage matrices we have given scoring to each of environmental components taken into consideration.

**The component wise Percent Contribution and scoring of Damage on Environment:**

S. No.	Environmental Component/Aspect	Weightage	Rating Scoring (A)	Weighted score (A)	Rating Scoring (B)	Weighted score (B)	Final Score (A+B)	% contribution
1	Air Environment/ Emissions to Air	20%	2	0.4	3	0.6	1	22.2%
2	Water Environment/ Releases to Water	25%	3	0.75	1	0.25	1	22.2%
3	Waste Management and Generation	5%	4	0.2	2	0.1	0.3	6.7%
4	Land Environment and contamination/land use	5%	1	0.05	2	0.1	0.15	3.3%
5	Use of natural resources and raw materials	10%	1	0.1	3	0.3	0.4	8.9%
6	Transport Issues	5%	3	0.15	2	0.1	0.25	5.6%

7	Effects on Ecology Biodiversity	5%	1	0.05	1	0.05	0.1	2.2%
8	Noise Pollution	10%	5	0.5	3	0.3	0.8	17.8%
9	Soil Quality and Management	5%	3	0.15	2	0.1	0.25	5.6%
10	Local Issues, Community welfare & Socio-economic scenario	5%	2	0.1	1	0.05	0.15	3.3%
11	Environmental Accidents	5%	1	0.05	1	0.05	0.1	2.2%
	<b>Total</b>	<b>100%</b>		<b>2.5</b>		<b>2</b>	<b>4.5</b>	<b>100.0%</b>

**The Tangible Cost for Remediation Plan and Natural and Community Resource Augmentation Plan is given below:**

### REMEDIATION PLAN AND COST

Remediation Plan and Cost									
S. No.	Environmental Component	Remediation Proposed	Further Remarks	Rate	Quantity	Total Cost	Year I	Year II	Year III
1	Air Environment	Distribution of Air purifier in consultation with local municipality for dust suppression in the on Delhi - Jaipur Expressway(72 M wide) & CH Baktawar Road near Medanta hospital	Air Purifier (Wayu Purifier with Clean Air Dispersion Rate 600 m/hr) along with Maintenance cost - 5 year @ 2000/month	₹180,000	1	₹180,000	₹60,000	₹60,000	₹60,000
		Installation of 3 Sprinkler system in Islampurvillage(1 km)and 3 in Jharsa villagein consultation with Panchayat	Sprinkler- 5 no. @ Rs. 1000/per pc (velocity :4.6 m/sec Flow rate:3.11 GPM )	₹1,000	5	₹5,000	₹5,000	₹0	₹0
			Twin Filtration system - @ Rs. 15000/pc	₹15,000	3	₹45,000	₹45,000	₹0	₹0
			Pump -@ Rs. 15000/pc	₹15,000	2	₹30,000	₹30,000	₹0	₹0
			Water Distributing Pipeline - 500 m@ Rs 220/m	₹220	500	₹110,000	₹110,000	₹0	₹0
		Health Check-up	Health Check-up camp in jharsa and Islampur village	₹200,000	1	₹200,000	₹66,667	₹66,667	₹66,667
		Plantation in Nearby on sector 32 road (8 M wide) in consultation with MCG	Plant -100 @ 2000 (including Maintenance)	₹2,000	100	₹200,000	₹66,667	₹66,667	₹66,667



		Installation of Anti Smog Gun on Delhi - Jaipur Expressway (72 m wide) & CH Baktawar Road near Medanta hospital (32 m wide)	will be used to reduce the air pollution in near by area in peak pollution time	₹800,000	1	₹800,000	₹800,000	₹0	₹0
			<b>TOTAL COST</b>	-		<b>₹1,570,000</b>	<b>₹1,183,333</b>	<b>₹193,333</b>	<b>₹193,333</b>
2	Water Environment	Adoption of Pond at Village Behrampur UID: 02HRGGMGUR002 5BEHR001	Cleaning, beautification and maintenance of the pond	₹1,300,000	1	₹1,300,000	₹650,000	₹0	₹650,000
3	Soil Environment	Land reclamation of nearby area	Park Development in consideration with Municipal Corporation Gurgaon in Islampur Village	₹350,000	1	₹350,000	₹150,000	₹100,000	₹100,000
4	Waste Management	Organic Waste Converter	1 OWC installation of capacity 300 kg/day in consideration with Municipal Corporation Gurgaon	₹800,000	1	₹800,000	₹800,000	₹0	₹0
5	Noise Environment	Distribution of Personnel protection equipments to the health department for construction workers in nearby sites	500,000	-	-	₹500,000	₹250,000	₹250,000	₹0
		Awareness program for Noise in Jharsa & Islampur village	200,000	-	-	₹200,000	₹0	₹100,000	₹100,000
		<b>TOTAL COST</b>				<b>₹700,000</b>	<b>₹250,000</b>	<b>₹350,000</b>	<b>₹100,000</b>
6	Ecological Environment	Plantation in on CH Baktawar singh Road which is 32 m wide and Delhi - Jaipur Expressway which is 72 m wide in consultation with Municipal Corporation of Gurgaon	106 trees @ Rs. 2000/tree	₹2,000	106	₹212,000	₹70,667	₹70,667	₹70,667
		Development of sector 39 public park	In consideration with Municipal Corporation of Gurgaon.	-	-	₹300,000	₹300,000	₹0	₹0

			<b>TOTAL COST</b>			₹512,000	₹370,667	₹70,667	₹70,667
<b>COST OF REMEDIATION</b>						₹5,232,000	₹3,404,000	₹714,000	₹1,114,000

### NATURAL RESOURCE & COMMUNITY RESOURCE AUGMENTATION PLAN & BUDGETARY PROVISION

S.No.	Component	Activity Proposed	Further Remarks	Rate	Quantity	Total Cost	Year I	Year II	Year III
1	Natural Augmentation	Providing Solar Lighting in the Islampur village	Solar Provision	₹105,000	4	₹420,000	₹140,000	₹140,000	₹140,000
			<b>TOTAL COST</b>			<b>₹420,000</b>	<b>₹140,000</b>	<b>₹140,000</b>	<b>₹140,000</b>
2	Community Welfare (Final score: 0.1) i.e. 5% of total damage	Infrastructure Development in Govt. Senior Secondary School, Jharsa village, sec-39 Gurgaon	Distribution of computers, books, digital tools etc.	₹362,000	1	₹362,000	₹120,667	₹120,667	₹120,667
<b>TOTAL COST</b>						<b>₹362,000</b>	<b>₹120,667</b>	<b>₹120,667</b>	<b>₹120,667</b>
<b>COST OF NATURAL AUGMENTATION AND COMMUNITY</b>						<b>₹782,000</b>	<b>₹260,667</b>	<b>₹260,667</b>	<b>₹260,667</b>

### COST SUMMARY WITH YEAR WISE DISTRIBUTION

Total Cost Summary					
S.No.	ITEM	Total Cost	Year I	Year II	Year III
1	Cost on remediation plan based on damage assessment due to violation	₹5,232,000	₹3,404,000	₹714,000	₹1,114,000
2	Natural Resource	₹420,000	₹140,000	₹140,000	₹140,000
3	Community Resources Augmentation plan	₹362,000	₹120,667	₹120,667	₹120,667
<b>TOTAL COST TO BE SPENT</b>		<b>₹6,014,000</b>	<b>₹3,664,667</b>	<b>₹974,667</b>	<b>₹1,374,667</b>

### Total Summarized Cost on Environmental Damage, Natural resource, community augmentation & Environment Management Plan:

S.No.	Particular	Cost in INR (lacs)	% of total project cost	Timeline
	Total Project Cost	6,013.4		
1	<b>Capital Cost on EMP</b>	<b>124.00</b>	2.06	Yearly
2	Recurring expenditure on EMP	<b>14.70</b>		-
3	Cost on Remediation of Environmental damages	52.32	0.87	In 3 years
4	Cost towards Natural Resource augmentation	4.20	0.07	In 3 years
5	Cost towards Community Resource augmentation	3.62	0.06	In 3 years
6	<b>Total Damage Cost Proposed</b>	<b>60.14</b>	1.00	
7	<b>1% penalty as per SOP 7th July 2021</b>	<b>60.13</b>	1.00	
8	0.25 % of Total Turnover	25.3512		
9	<b>Total Penalty as per SOP 7th July 2021</b>	<b>85.49</b>		
	<b>Total cost</b>	<b>145.63</b>		

### Environment Management Cost

#### Capital Cost:

Sr No	Description	Already Spent Cost (Rs. in Lakhs)	Proposed Cost (Rs. in Lakhs)	Total Cost (Rs. in Lakhs)
1	Landscaping	10	-	10
2	Sewage Treatment Plant	40	-	40
3	DG Stack & Acoustic Treatment	15	-	15
4	Solid Waste Management	02	16	18
5	RWH	4	-	4
6	Solar	20	-	20
7	Miscellaneous	2	-	2
8	Social Activities	-	10	10
9	Wildlife activity Plan	-	5	5
	<b>Total</b>	<b>93</b>	<b>31</b>	<b>124</b>

#### Recurring Cost:

S No.	Description	Total Recurring Cost (Rs In Lakhs/ year)
1	Landscaping	3
2	Water Management	4
3	Air Management	1.2
4	Environment Monitoring	2
5	Solid Waste Management	2.5
6	Solar Power	0.5
7	Miscellaneous	1.5
	<b>Total</b>	<b>14.7</b>

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 are agree 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 grant Environment Clearance (**under violation category**) as recommended vide 244<sup>th</sup> and 247<sup>th</sup>MoM of SEAC Meeting.

**256.20 EC for the project “Auria” Group Housing Colony measuring land area of 11.925 Acres at Sector 88, Faridabad, Haryana by M/s RPS Infrastructure Ltd**

**Project Proponent : Sh. R.P. Niralas**  
**Consultant : Perfact Enviro Solutions Pvt. Ltd.**

The case was previously taken up in the 137<sup>th</sup> meeting of SEIAA held on 26.03.2022 and the Authority decided to carry out the spot inspection to get the current status of project by constituting a team comprising of Dr. Rajbir Singh Bondwal, IFS (Retd.) Member SEAC, Prof R. Baskar, FGS (Ind), (IGNOU), Member, SEIAA & Sh. Vinay Gautam (JD Tech., SEIAA) and concerned RO, HSPCB (who will assist members of SEIAA/SEAC) to be nominated by Member Secretary, HSPCB and the team will submit report at the earliest. Accordingly, the case was deferred till the receipt of the report. The site inspection report of sub-committee has been received and as per the report construction of 6 towers, commercial market, swimming pool, boundary works, foundation works, excavation works, brickworks, etc., in 818 days does not seem to be feasible and from the field evidences it was apparent that the work had been continuing even till date.

Thereafter, the case was again taken up in the 143<sup>rd</sup> meeting of SEIAA held on 14.07.2022 and observed that the validity of EC granted vide letter dated 04.05.2009 to the Project Proponent expired on 04.05.2016. Later, project proponent applied for fresh EC on 16.08.2021 after a gap of 5 years of the expiry of validity of earlier EC for (Plot Area 48250.89 sqm) at the same site.

In view of above, the Authority decided to refer the case back to SEAC for clarifications/comments on the points listed below:

- 1- Whether any construction was carried out between 2016 to 2021 (No EC Period) after expiry of EC dated 04.05.2016-till 2021).
- 2- Water calculation needs clarifications i.e. 616 KLD Vs 427 KLD.
- 3- Being a Group Housing project, the sewer connection is necessary for such a huge quantum of effluent likely to be generated project does not provide any detail regarding sewer connection and this aspect may be relooked by SEAC.
- 4- Expert committee may examine the report of Sub-Committee with special focus on the satellite images of the year 2016 and 2022 further examine the content of email received on 13.07.2022 at 11.34 pm.
- 5- SEAC needs to relook into the compliance of the conditions as stipulated in the earlier Environment Clearance granted on 04.05.2009.
- 6- Whether any Court proceedings relating to the Project are pending?

The case was taken up in 246<sup>th</sup> meeting of SEAC, Haryana held on 22.08.2022. The consultant appeared before the committee and submitted a letter dated 21.08.2022 vide which PP has requested to defer the case as the technical experts related to the project was not available on the date of meeting. The committee accepted the request of PP and meanwhile report of Sub Committee constituted by SEIAA be circulated to all Members and PP.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. The PP alongwith consultant appeared before the committee for presenting their case.

In this case, the sub-committee visited the site on dated 14.05.2022, the copy of the report was circulated to all members as well as to the PP/consultants for scrutiny and comments. Instead of that, the PP has made an application to Chairman, SEIAA. Copy of the same is circulated to

all the members as well as consultant for scrutiny and comments. The PP has submitted that when EC was expired on 03.05.2016 and not extended, some construction was done between 2016-2019. The PP has worked out the quantum of work done/construction during non compliance period of EC.

The consultant should also work out the quantum of work done/construction in non compliance period of EC based on satellite imagery and sub-committee already visited the site **will also work out the quantum of work done/construction.**

The case is deferred and shall be taken up as and when comments of all the members as well as consultant are received.

**256.21 EC for proposed Expansion of Plotted Colony on 23.2999 acres land under DDJAY Scheme at Village Behrampur & Ullawas, Sector-61, Gurugram, Haryana by M/s Commander Realtors Private Limited and others**

**Project Proponent : Sh. Satya Pal Singh**  
**Consultant : Ind Tech House Consult**

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/NCP/57972/2020 on 07.06.2022 for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited Scrutiny fees of Rs.2,00,000/- vide DD No. 701380 dated 06.01.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021) on the cost of the Project i.e. Rs. 466 Crore (as disclosed by the PP).

Earlier, the said case was listed/ taken up in 251<sup>st</sup> meeting of SEAC held on 10.10.2022 and SEAC recommended the Project to SEIAA for Grant of Expansion in existing EC (Environment Clearance) dated 11.05.2021.

The recommendations of SEAC were taken up in the 149<sup>th</sup> meeting of SEIAA held on 08.11.2022.

After having gone through the details & record placed on the file and upon considering the recommendations of SEAC, the Authority observed that RoW (Right of Way) in regard to the Revenue Rasta passing through the Project area is without NOC/ **RoW Permission** from the Competent Authority. The request of Project Proponent regarding laying of separate utility services across the Revenue Rasta can't be considered at this stage without having permission from the Competent Authority (as the ownership of the land of revenue rasta vest in Govt. Departments). Further, in view of the Govt. Notification No. 08/04/2021-ICI dated 01.06.2021 issued by Department of Urban Local Bodies, Haryana and subsequently Notification No. 391-ARIC-I-2021/6273 dated 25.11.2021 issued by Revenue & Disaster Management Department, Haryana; RoW is required to be obtained by the PP from the Competent Authority for use of the same in the Project.

Accordingly, the case is referred back to SEAC with the advice that in future, SEAC will bear reference and relevance of the Notifications mentioned above with regard to issue (revenue rasta) of RoW, invariably, in making recommendations to the Authority.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. PP alongwith consultant appeared before the committee and presented their case. PP submitted the reply of observations raised by SEIAA vide letter dated 25.11.2022 as below:

Sr.No.	Query	Reply
	The Authority observed that RoW (Right of Way) in regard to the Revenue Rasta passing through the Project area is without NOC/ <b>RoW Permission</b> from the Competent Authority. The request of Project Proponent regarding laying of separate utility services across the Revenue Rasta can't be considered at this stage without having permission from the Competent Authority (as the ownership of the land of revenue rasta vest in Govt. Departments). Further, in view of the Govt. Notification No. 08/04/2021-ICI dated 01.06.2021 issued by Department of Urban Local Bodies, Haryana and subsequently Notification No. 391-ARIC-I-2021/6273 dated 25.11.2021 issued by Revenue & Disaster Management Department, Haryana; RoW is required to be obtained by the PP from the Competent Authority for use of the same in the Project	PP has applied ROW permission from competent authority on 15.11.2022. Copy of the receipt is attached herewith for your reference. We will submit ROW permission in your esteemed office in next six monthly compliance report.

The committee discussed the reply in detail. The PP has submitted a copy of letter dated 15.11.2022 vide which they have requested to competent authority for granting permission of construction of 10 mt. wide culverts along with services A & B (2 Nos.) crossing through the MCG land and 10 mtrs wide culverts alongwith services C & D (2 Nos.) and 10 mtrs. wide culverts alongwith services F (1 No.) crossing through the MCG land and services E (1 no.) crossing over the revenue rasta falling in Sector 61 in the revenue estate of Village Ullawas, Tehsil Sohna, District Gurgram.

After detailed deliberation, the committee found the reply of PP in order and reiterated the previous recommendation conveyed to SEIAA vide MoM of 244<sup>th</sup> alongwith additional recommendations conveyed vide 247<sup>th</sup> and 251<sup>st</sup> SEAC meeting for granting EC (Environment Clearance) to the project.

**256.22 EC for Expansion of Residential plotted colony at Village Kabri, Faridpur, Ratipur and Mehmampur, Sector 36-39, Panipat, Haryana by M/s TDI Infratech Limited**

**Project Proponent : Sh. Subulle Saxena**  
**Consultant : Perfact Enviro Solutions Pvt. Ltd.**

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/80813/2021 dated 16.07.2021 for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited Scrutiny fees of Rs.2,00,000/- bearing No. 980763 dated 27.05.2022 (in compliance of Haryana Government, Environment & Climate

Change Department Notification No. DE&CCH/3060 dated 14.10.2021) on the cost of the Project i.e. Rs. 152.00 Crore (as disclosed by the PP).

The brief of the case are as under:

- The project has already been granted the Environmental Clearance vide letter no. 21-577/2007-IA.III for a plot area of 16,10,646.30 m<sup>2</sup> (398 Acres) on 07/01/2008 by MoEF&CC. However, for an existing land area of 896123.39 m<sup>2</sup> (221.446 Acre) development work of infrastructure facilities have already been done on licence no. 63-87 and 89-105 of 2006 dated 11-02-2007 & obtained part completion certificate for an area 221.446 acres dated 10.02.2014.
- The proposed Residential Plotted Colony will be developed by M/s TDI Infratech Limited (earlier known as M/s Taneja Developers & Infrastructure Ltd.) which is a Limited Company duly incorporated under the Companies Act 1956, & is involved in Real estate activities with own or leased property. Now, the name has changed from M/s Taneja Developers & Infrastructure Ltd. to M/s TDI Infratech limited vide letter No. 55-102277
- The project was granted Terms of Reference from SEIAA (Haryana) vide letter no. SEIAA(129)/HR/2021/971 dated 26.10.2021
- The Certified Compliance Report was issued by MOEF on 04.07.2022 and Action Taken Report for the query letter was submitted on 05.07.2022.
- The case was enlisted in 246th SEAC Haryana meeting held on 23.08.2022 in which case was recommended to SEIAA.
- Thereafter the case was enlisted in 145th SEIAA Haryana Meeting held on 09.09.2022 in which case was referred back to the SEAC.
- The said case was listed in 251<sup>st</sup> meeting of SEAC held on 10.10.2022 and SEAC recommended the Project to SEIAA for Grant of Revision and Expansion in existing EC (Environment Clearance).
- The recommendations of SEAC were taken up in the 149<sup>th</sup> meeting of SEIAA held on 08.11.2022.
- After having gone through the details & record placed on the file and upon considering the recommendations of SEAC, the Authority gathered that the PP has reduced total plot area from the existing plot area i.e. 16,10,646.30 sqm to 11,80,696.387 sqm (- 4,29,949.913 sqm); whereas not clear cut status/details have been provided for reducing the same. Further, it is also observed that the status of the Licenses been granted in favour of Project Proponent by DTCP is also not clear (with regard to its validity); whereas, the PP has merely submitted applied copy for renewal of Licenses.
- The Authority deemed it appropriate that without clear cut status on the aforesaid issues, it is not possible to proceed further in the matter, hence, this case was referred back to the Appraisal Committee to re-look into all the aspects including Certified Compliance Report (CCR).

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. The PP as well as consultant appeared before the committee and presented their case and further submitted reply of as under. The project was considered in the 256th SEAC meeting on 01.12.2022 and the reply submitted by PP was discussed in detail. The points discussed are mentioned below:

**1. The land area details and reason for deduction in total land area was discussed and the PP submitted the following details w.r.t. the land area deduction.**

The reduction in area is due to the license available/granted by DTCP Haryana to the Company.

S. No	License no.	Area (acres)	Remarks if any
1	EC granted on 398 Acres	398.0	In January 2008, based on concept planning Environmental clearance was granted by MOEF. (as layout plan was not approved at the time, although we were holding the possession of land as per the proposal of EC).
2	License no- 63-87 & 89-105 of 2007 dated 11.02.2007	221.446	Completion received vide Memo no LC-805-JE(BR)-2014/3114 dated 10.02.2014
3	License no-121 of 2012 dated 13.12.2012	27.918	Earlier with this area (221.446 + 27.918 = 249.364 acre) PP applied for Expansion
4	License no-05 of 2017 dated 07.02.2017	42.415	Now, the proposed project is for Expansion of area (249.364+42.415 = 291.77 acres )
	<b>Total area in acres</b>	<b>291.77</b>	

**2. The status and validity of license granted to the project was discussed in detail and the details are mentioned below:**

EC was granted to the project for 398 Acres on Concept planning (as layout plan was not approved at the time, although we were holding the possession of land as per the proposal of EC) on 07.01.2008 by MoEF&CC.

- The license no. 63-87 and 89-105 of 2007 dated 11.02.2007 for 221.44 Acres has been obtained and Part Completion Certificate has also been obtained vide Memo No. LC-805-JE-(BR)-2014/3114 dated 10.02.2014. License no-121 of 2012 dated 13.12.2012 for 27.918 acres and License no-05 of 2017 dated 07.02.2017 for 42.415 acres was granted.

S.No.	License No.	Dated	Land area granted in License (Acres)	Total area under license (Acres)
<b>A. Details of status of License under part Completion</b>				
i	63 of 2007	11.02.2007	6.494	<b>221.45</b>
ii	64 of 2007	11.02.2007	5.031	
iii	65 of 2007	11.02.2007	6.475	
iv	66 of 2007	11.02.2007	2.243	
v	67 of 2007	11.02.2007	0.838	
vi	68 of 2007	11.02.2007	2.00	
vii	69 of 2007	11.02.2007	1.737	
viii	70 of 2007	11.02.2007	3.75	
ix	71 of 2007	11.02.2007	1.888	
x	72 of 2007	11.02.2007	1.4	
xi	73 of 2007	11.02.2007	1.00	
xii	74 of 2007	11.02.2007	4.937	
xiii	75 of 2007	11.02.2007	2.694	
xiv	76 of 2007	11.02.2007	2.056	



xv	77 of 2007	11.02.2007	1.475	
xvi	78 of 2007	11.02.2007	2.206	
xvii	79 of 2007	11.02.2007	0.537	
xviii	80 of 2007	11.02.2007	3.9	
xix	81 of 2007	11.02.2007	1.606	
xx	82 of 2007	11.02.2007	0.543	
xxi	83 of 2007	11.02.2007	0.54	
xxii	84 of 2007	11.02.2007	4.512	
xxiii	85 of 2007	11.02.2007	5.562	
xxiv	86 of 2007	11.02.2007	5.325	
xxv	87 of 2007	11.02.2007	3.388	
xxvi	89 of 2007	11.02.2007	5.494	
xxvii	90 of 2007	11.02.2007	10.212	
xxviii	91 of 2007	11.02.2007	16.375	
xxix	92 of 2007	11.02.2007	5.05	
xxx	93 of 2007	11.02.2007	2.169	
xxxi	94 of 2007	11.02.2007	1.919	
xxxii	95 of 2007	11.02.2007	4.388	
xxxiii	96 of 2007	11.02.2007	6.356	
xxxiv	97 of 2007	11.02.2007	8.588	
xxxv	98 of 2007	11.02.2007	30.494	
xxxvi	99 of 2007	11.02.2007	2.975	
xxxvii	100 of 2007	11.02.2007	2.306	
xxxviii	101 of 2007	11.02.2007	20.106	
xxxix	102 of 2007	11.02.2007	15.925	
xxxx	103 of 2007	11.02.2007	4.181	
xxxxi	104 of 2007	11.02.2007	1.831	
xxxii	105 of 2007	11.02.2007	10.94	
<b>B. Details of status of License for which development work is still under process</b>				
i	121 of 2012	13.12.2012	27.918	<b>27.918</b>
ii	05 of 2017	07.02.2017	42.4125	<b>42.4125</b>
	<b>Total Area</b>	<b>A+B</b>	<b>221.45+27.918+42.4125</b>	<b>291.77 Acres</b>

The license no. 63-87 and 89-105 of 2007 dated 11.02.2007 for 221.44 Acres- Completion has been obtained. Hence renewal for the same is not required.

- The Renewal for License no-121 of 2012 dated 13.12.2012 for 27.918 acres has been applied on 31.11.2022 and fees have also been submitted. Renewal for License no-05 of 2017 dated 07.02.2017 for 42.415 acres has been already applied dated on 30.05.2022 and fees have been submitted.

**3. The Non Complied point and Action Taken Report w.r.t. the Certified Compliance Report were discussed and the details are given below:**

- a) The status of NOC for drawl of groundwater from HWRA was discussed and PP submitted that they have NOC from Central Ground Water Authority dated 17.10.2016 for 9 tubewells. Now after the formation of The Haryana Water Resources (Conservation, Regulation and Management) Authority(HWRA), we have applied for renewal of ground Water permission from HWRA vide application No. HWRA/INF/N/2022/237 dated 24.06.2022.
- b) The soil quality of test results were submitted by PP and Further, the particulate Matter PM10 concentration is higher due to high background concentration of particulate matter at the project location and also Faridpur road is passing adjacent to our project location due to which heavy vehicular movement is also going on.
- c) No Construction work has been going at site by project proponent. Construction activity is being undertaken by individual plot owners for which every individual has to take their own PUC.
- d) An agreement for collection of garbage/Solid waste has been done with M/s Mohit Contractors. The same has been submitted by PP. The Hazardous waste, i.e. Used Oil generated from the DG sets will be given to authorized recycler. Agreement for Used Oil has been done with M/s Pal Automobile.
- e) The PP also conveyed that they are regularly submitting a six-monthly compliance report and they will continue to do the same in future.
- f) Discussion was also done on STP and adequacy report, the PP conveyed that At present a module of 550 KLD STP has been installed out of 4200 KLD. Adequacy report of STP will be done, once STP of full capacity will be installed and the same shall be submitted with compliance report. The STP outlet test report was submitted by PP and the same was found in order.
- g) Total no. of 115 No. of pits are proposed at the said project, out of which 85 pits are already constructed and 30 pits are yet to be installed. Fund earmarked for RWH pit maintenance is Rs. 14.2 lakhs/year.
- h) Environmental Clearance was granted via EC letter No. 21-577/2007-IA-III dated 07.01.2008. For area development projects (township) the validity of EC is till development activities (like road, sewer, electricity) which was valid upto 07.01.2018 and We have applied for EC extension cum expansion on 10.05.2017 due to Additional license has been granted in addition to the area granted in EC. We are in the process of getting the Environmental Clearance for expansion of the project. TOR for expansion of EC has been granted vide letter no. SEIAA(129)/HR/2021/971 dated 26.10.2021. Consent to operate will be obtained after EC is obtained. The earlier EC was granted in the year of 2008. The newspaper advertisements of EC of the earlier EC are not traceable. The Newspaper Advertisement will be done once the new EC will be granted to us.

A detailed discussion was held on the point wise reply and information submitted by the PP. After due deliberation, the committee was of the unanimous view that the project shall be sent to SEIAA for granting EC to the project and further reiterated the recommendations conveyed to SEIAA vide MoM of 246<sup>th</sup> meeting of SEAC.

**256.23 EC for Expansion of Proposed Group Housing Project at Sector 36A, Gurgaon, Manesar Urban Complex, Haryana by M/s Krisumi Corporation Private Limited**

**Project Proponent : Lipika Jain**  
**Consultant : Ind Tech House Consult**

The Project was submitted to the SEIAA, Haryana vide online Proposal No. SIA/HR/INFRA2/402959/2022 dated 12.10.2022 for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited Scrutiny fees of

Rs.2,00,000/- vide DD No. 907042 dated 26.05.2022(in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021) on the cost of the Project i.e. Rs. 275.24 Crore (as disclosed by the PP).

The said case was taken up in 253<sup>rd</sup> meeting of SEAC held on 21.10.2022 and SEAC recommended the Project to SEIAA for Grant of Expansion in existing EC (Environment Clearance) dated 30.01.2018.

The recommendations of SEAC were taken up in the 149<sup>th</sup> meeting of SEIAA held on 08.11.2022.

After having gone through the details & record placed on the file and upon considering the recommendations of SEAC, the Authority decided to refer back this case to Appraisal Committee with the following observations:

1. Status of Sewerage Permission from the Competent Authority
2. Status of Storm drainage Permission from the Competent Authority
3. Clarity with regard to **Height** of building before the Expansion and post Expansion Proposal at Page No. 9 (Column No. 7).
4. Appraisal Committee's Comments on the RO's report and Action Taken Report by the PP.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022

PP along with consultant appeared before the committee and presented their case.

The PP submitted the reply dated 18.11.2022 to the observations raised by SEIAA as following:

S. No.	Observations	Reply
1	Status of Sewerage Permission from the Competent Authority.	Sewer assurance has been obtained vide letter no. GMDA/SEW/2022/1282 dated 16/11/2022. Copy of the same is attached as <b>Annexure 1</b> .
2	Status of Storm drainage Permission from the Competent Authority.	In operation phase entire rain water runoff from the project will be recharged through RWH pits. The project has considered 90 mm peak hour rain fall and storage volume for 20 minutes. However as per direction of SEIAA, Haryana, Storm water drainage permission from GMDA has been obtained vide memo no. GMDA/Drainage/2022/782 dated 16/11/2022. Copy of the same is attached as <b>Annexure 2</b> .
3	Clarity with regard to <b>Height</b> of building before the Expansion and post Expansion Proposal at Page No. 9 (Column No. 7).	In phase 1 maximum height of the tallest tower is 119.1m with G+34 which is same as per previous EC granted. In phase 2 the maximum height of the proposed tallest tower would be 117.45m with G+35, as the height has been decreased in comparison with phase I tower due to decrease in floor wise height although height of each floor is within the norms of Haryana building bye laws. However we have NOC from AAI vide NOC ID no.PALM/NORTH/B/032017/202234 dated 22/03/2017 for 121.8 m. AAI NOC and section of tallest tower in phase 1 and phase 2 are attached as <b>Annexure 3</b> and <b>Annexure 4</b>
4	Appraisal Committee's Comments on the RO's report and Action Taken Report by the PP.	Copy of certified compliance report has been submitted by the PP and the observations has also been complied with by the PP vide letter dated 23.07.2022 alongwith documents and affidavit with seems to be in order.

The committee discussed the reply in detail and after deliberation, the committee decided to recommend the case to SEIAA and reiterated the previous recommendation conveyed to SEIAA vide MoM of 253<sup>rd</sup> SEAC meeting for granting EC (Environment Clearance) to the project.

**256.24 Addendum to Environment Impact Assessment Report for Modification and Expansion of Group Housing Project “Atharva at Sector 109, Village Pawala Khusrupur, Gurugram, Haryana by M/s Raheja Developers Limited**

**Project Proponent : Not present**  
**Consultant : Ind Tech House Consult**

The case was taken up for appraisal in the 170<sup>th</sup> meeting of the SEAC held on 07.06.2018 for approval of Terms of Reference under violation Notification dated 14.03.2017 and 08.03.2018 respectively.

The Term of References were approved by SEIAA in its 115<sup>th</sup> Meeting, conveyed vide letter dated 07.08.2018. The Project Proponent submitted the EIA Report on 04.04.2019 and the case was taken up in 180<sup>th</sup> meeting in SEAC and PP presented his project but unable to produce any evidence about the prosecution launched by any competent authority as recommended by the SEAC in its earlier 170<sup>th</sup> meeting.

Thereafter, the SEAC decided that the PP shall produce the evidence of prosecution launched by the competent authority before appraisal and file was sent back to SEIAA for taking the action as per the minutes of 170<sup>th</sup> meeting.

Thereafter, the case was taken up in 118<sup>th</sup> meeting of SEIAA, Haryana held on 12.06.2019 and Public consultation was exempted.

Thereafter, the case was taken up in 202<sup>nd</sup> meeting of the SEAC held on 30.08.2020 and recommended to SEIAA for grant of EC under Violation Category with an amount of Rs.26,70,400/- towards Remediation plan and Natural and Community Resource Augmentation plan to be spend within a span of three years.

The recommendation of SEAC was considered in 125<sup>th</sup> meeting of SEIAA held on 07.10.2020 and It was observed that the budgetary amount of Rs.26,70,400/- seems to be very less & certain activities mentioned under the Plan is on the periphery or inside the project which is not allowed as per guidelines. PP is under statutory obligation to provide the Budget of Augmentation and Remediation Plan outside area of Project to preserve Environment. The Budget for the Remediation Plan & Resource Augmentation Plan of the Project is to be as per the guidelines of “CPCB” given in this regard.

Further, the project proponent should submit a bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan with the State Pollution Control Board and the quantification finalized by Regulatory Authority and the bank guarantee shall be deposited prior to the grant of environmental clearance and will be released after successful implementation of the remediation plan and Natural and Community Resource

Augmentation Plan, and after the recommendation by regional office of the Ministry, State Expert Appraisal Committee and approval of the Authority.

After detailed discussions; the Authority decided to approve in principle on the submission of Re-calculated Budget for the "Remediation Plan, Natural & Community Resource Augmentation Plan.

The Case was again taken up in the 129<sup>th</sup> meeting of SEIAA held on 12.10.2021; the Authority decided to issue a Show-Cause Notice to the PP to submit bank guarantee within next 15 days failing which action under the various provisions of Environment (Protection) Act, 1986 would be taken.

The matter was again considered in the 135<sup>th</sup> meeting of SEIAA held on 25.01.2022 and the Authority observed that PP has not submitted the reply to "Show cause notice" nor submitted any bank-guarantee.

After detailed deliberations; the Authority decided to send the case to SEAC to recalculate the "Damage Assessment" & "Penalty" as per the provisions of SOP dated 07.07.2021 issued by MoEF& CC in regard to violation cases.

The case was taken up in 235<sup>th</sup> meeting, the PP requested vide letter dated 28.03.2022 for deferment which is considered and acceded by SEAC after discussion.

Now, the case was again taken up in 242<sup>nd</sup> Meeting of SEAC held on 24.06.2022. The reply of the Show Cause notice still not submitted by the PP nor submitted any Bank Guarantee. Further, neither PP nor consultant has appeared before the Committee and it has been decided that the case be deferred for submission of reply by PP and be taken up in next meeting.

The case taken up in 251<sup>st</sup> meeting of SEAC, Haryana held on 11.10.2022. During scrutiny of documents, it was observed that the prescribed scrutiny fee has not been deposited by the PP in this case. During the meeting, consultant appeared before the committee but PP has not attended. The committee after deliberation decided to send the case to SEIAA for directing project proponent to deposit prescribed scrutiny fees and reply of the Show Cause Notice issued by the SEIAA for submission of Bank Guarantee.

The recommendations of SEAC were taken up in the 149<sup>th</sup> meeting of SEIAA held on 08.11.2022.

The Authority after examination relevant record and due deliberations; observed that the **PP has not submitted required Scrutiny fee** in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021, besides this, PP has also not complied with the directions made in regard to submission of Bank Guarantee in the earlier sequence of proceedings in this case. The Authority unanimously feels that PP has not only shown scant concern, but utter defiance to the ongoing proceedings, despite adequate opportunity in this case. Therefore, the Authority decided to refer this case back to calculate the violations and damage caused to Environment by working out the remedial compensation and penalties within norms & scope of SoPs dated 07.07.2021 in the manner and methodology as employed in the case of M/s G.P.

Realtors Pvt. Ltd in OA No. 976 of 2019, besides other relevant action as may be applicable and due in this case.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. PP has not come present before the committee. The committee took it seriously and directed PP through their consultant to submit the reply of observations raised by SEIAA in 149<sup>th</sup> meeting. The PP shall also submit **scrutiny fee** as prescribed in Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021. The PP is directed to submit reply within 15 days, thereafter, the case shall be taken as and when reply of PP is received.

**256.25      Extension of EC validity for Mining of Boulder, Gravel and Sand Minor Mineral at Mandewala Block/ YNR B-38" Village Mandewala, Tehsil Chhachhrauli, District Yamunanagar, Haryana over an area 15.00 Ha with total production capacity of 2,40,000 TPA by M/s Saharanpur Mines Management Services Pvt. Ltd.**

**Project Proponent    : Sh. Veer Bhan**  
**Consultant             : Vardan EnviroNet**

The Project Proponent submitted the case to the SEIAA vide online Proposal No. SIA/HR/MIS/217849/2021 on 16.08.2021 for obtaining Extension in EC under category 1(a) EIA Notification dated 14.09.2006.

The case was considered in 222<sup>nd</sup> meeting of SEAC held on 12.10.2021 and it was intimated in the meeting that a complaint regarding the project has been received in the office with the copy marked to the ACS Environment & Climate Change Department and copy endorsed to Chairman HSPCB, Chairman SEIAA, Member Secretary SEIAA, and Chairman SEAC. The complaint was discussed in the Committee wherein issues raised that mining is not being carried out as per approved mining plan and Hydral Channel Tazewal is approximately 150 meters and regarding replenishment study.

After discussion on the complaint, it was decided that the case along with complaint dated 04.10.2021 be sent back to SEIAA to seek the comments from DG Mining, Irrigation and concerned departments.

The recommendation of SEAC was considered in the 130<sup>th</sup> Meeting of SEIAA held on 15.11.2021 and the Authority decided to seek the comments from DG Mining, Irrigation, Forest and concerned Departments.

The case was taken up in the 137<sup>th</sup> meeting of SEIAA held on 26.03.2022 after due deliberations, Authority decided to issue reminder letters to the concerned departments and further, Authority decided to refer back this case to SEAC for recommendations based on the comments received from concerned departments.

The case was taken up in 243<sup>rd</sup> meeting of SEAC but was deferred on request of PP.

Thereafter, the case was taken up in 245<sup>th</sup> meeting of SEAC, Haryana held on 25.07.2022. The PP and Consultant appeared before the committee but requested vide letter dated

22.07.2022 to defer the case on the ground that status report in the case, as sought by the SEIAA in its 137<sup>th</sup> meeting not received and request to take up the case after receipt of the status report.

The case taken up in 251<sup>st</sup> meeting of SEAC, Haryana held on 11.10.2022. During scrutiny of documents, it was observed that the prescribed scrutiny fee has not been deposited by the PP in this case. The consultant requested through email vide letter dated 08.10.2022 to defer the case due to some unavoidable circumstances. The committee after deliberation decided to send the case to SEIAA for directing project proponent to deposit prescribed scrutiny fees.

The recommendations of SEAC were taken up in the 149<sup>th</sup> meeting of SEIAA held on 08.11.2022.

The Authority after due deliberations; gathered that the Project Proponent **has submitted required Scrutiny fee** of Rs 1,50,000/- vide DD No. 000542 dated 27.10.2022.

Therefore, the Authority decided to refer back this case to the SEAC for further appraisal on the relevant issues involved in this case.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. PP alongwith consultant appeared before the committee and presented the case and provided followings information about the project during the presentation:

- The scrutiny fee deposited by PP vide DD no.000542 dated 27.10.2022 amounting to Rs.1,50,000/-.
- The mining lease has been granted by Director, Mines and Geology Department, Chandigarh, Haryana, Memo No. DMG/Hy /Cont/MandewalaBlock/YNR B 38/2015/3937 dated 19.06.2015.
- Environment Clearance for the project has been granted by SEIAA Haryana vide letter no SEIAA/HR/2016/500 dated 27.06.2016 for mining of boulder, gravel & sand.
- District Survey report of Yamuna Nagar District was prepared and approved by DC Yamuna nagar on 10.08.2017. Our case of "Mandewala YNR B-38" with production capacity of 22.80MTPA has been mentioned at point no. 7, page no.28 of DSR Report.
- Mining Plan along with the Progressive Mine Closure Plan is approved by the DMG Haryana on dated 10.03.2016 vide letter No.DMG/HY/YNR-38/2015/1533, with production capacity of 2,40,000Tons/Annum and as per the DMG letter issued vide memo no.DMG/HY/Mplan/Mandewala Block/YNR B-38/2015/7097 dated 30.11.2022, mining plan is valid till 18.06.2024.
- Addition of minor mineral not applicable as LOI already has been granted for boulder, gravel & sand.
- Replenishment study is not applicable as it non-riverbed mining.
- Report on Status of EC Compliance not applicable as mine activity is not started yet.
- Complaint regarding the project was filed on 04.10.2021 and outcome of the complaint is submitted.
- A case in NGT is pending vide case no OA 306/2022 dated 30.05.2022 regarding the "high water level at project site" and next hearing is scheduled on 01.12.2022.

A detailed discussion was held on the documents, affidavit regarding status of court case as well as details submitted by the PP and after discussion, the committee found the details given as well as documents submitted by the PP, in order and decided to recommend the case to SEIAA for granting extension in EC issued to PP till the validity of mining plan i. e. 18.06.2024 for mining of Boulder, Gravel and Sand Minor Mineral at Mandewala Block/ YNR B-38" Village Mandewala, Tehsil Chhachhrauli, District Yamunanagar, Haryana over an area 15.00 Ha with total production capacity of 2,40,000 TPA by M/s Saharanpur Mines Management Services Pvt. Ltd.

**256.26 Approval of District Survey Report (Musnota Mines) for EC of Proposed Mine ML Area 79.32 ha at Satish Kumar Garg and company Village Musnota.**

**Project Proponent : Not present**  
**Consultant : Not present**

The file was received offline from SEIAA for approval of District Survey Report. The file was taken up in 256<sup>th</sup> meeting held on 01.12.2022 and discussed. The file be sent separately to SEIAA with comments of the Committee.

**256.27 Corrigendum in EC of Proposed Residential Plotted Colony over an area measuring of 34.229 Acres in village Bhagwanpur, Sector-3, Pinjore Kalka Urban Complex, Panchkula, Haryana by M/s DLF Homes Panchkula Pvt. Ltd.**

**Project Proponent : Sh.R. C. Bakshi**  
**Consultant : Vardan Environet**

The Project Proponent submitted the case to SEIAA vide online Proposal SIA/HR/MIS/293395/2022 dated 31.10.2022 for obtaining Corrigendum in Environmental Clearance under category 8(b) of EIA Notification dated 14.09.2006. The PP submitted the scrutiny fee vide DD No. 520619 dated 19.4.2022 of Rs.2,00,000/-

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. The PP alongwith consultant appeared before the committee and presented their case. During presentation PP submitted the chronology of the project as following:

- We have applied for Terms of Reference (ToR) through proposal no.SIA/HR/MIS/77517/2022 on dated 31.05.2022 for the Proposed Residential Plotted Colony over land measuring **34.229 acres** in the Revenue Estate of Village Bhagwanpur, Sector3, Pinjore Kalka Urban Complex, District Panchkula, Haryana by M/sDLF Homes Panchkula Pvt. Ltd. 31.05.2022 **(Attached as Annexure– I)** In the acknowledgement of TOR application, the area mentioned for the project is **34.229 acres**.
- ToR has been granted by SEIAA, Haryana vide Memo no: SEIAA/HR/2022/194 on dated 06.06.2022 area is mentioned in **34.229 acres** 06.06.2022 **(Attached as Annexure– II)**
- Accordingly, we have submitted EIA and, area mentioned in the acknowledgement vide application no. SIA/HR/MIS/77517/2022 dated 09.07.2022 is **34.229 acres** 09.07.2022 **(Attached as Annexure– III)**



- EIA report and presentation circulated during appraisal of the project held on 06.09.2022. We have mentioned area as **34.229 acres**. 06.09.2022 (**Attached as Annexure– IV**)
- In the 248<sup>th</sup> MoM of SEAC dated 06.09.2022 area mentioned is **34.229 acres** 06.09.2022 (**Attached as Annexure– V**)
- But, as per granted EC letter vide letter no. EC-22-B-039-HR-139137 dated 19.09.202 at page no.1, S.No.6 in Name of project it is mentioned that “Proposed Residential Plotted Colony” over an area measuring **34.0104 acres** in the revenue estate of Village-Bhagwanpur, Sector-3, Pinjore Kalka Urban Complex, District Panchkula Haryana is being developed by M/s DLF Homes Panchkula Pvt. Ltd.” and in the same EC letter at page no.2, Area of **34.229 Acres** is mentioned 19.09.2022 (**Attached as Annexure– VI**)

A detailed discussion was held on the submission as well as information provided by PP during the presentation. The EC letter no. EC-22-B-039-HR-139137 dated 19.09.202 has also been discussed. At page no.1, S.No.6 in Name of project it is mentioned that “Proposed Residential Plotted Colony” over an area measuring **34.0104 acres** in the revenue estate of Village-Bhagwanpur, Sector-3, Pinjore Kalka Urban Complex, District Panchkula Haryana is being developed by M/s DLF Homes Panchkula Pvt. Ltd.” However, at page no.2 of EC in the title of the project, area of **34.229 Acres** is mentioned. In the table of details at Sr. No.4 the plot area is mentioned as 1,38,519.8 m<sup>2</sup> /34.229 Acres. The PP also relied upon the copy of zoning plan dated 04.07.2022 wherein also the plot area is mentioned as 34.229 acres. Thus, the committee found the documents produced by PP in their contention, in order and after due deliberation, the committee decided to recommend the case to SEIAA for issuing **Corrigendum in EC of Proposed Residential Plotted Colony over an area measuring of 34.229 Acres.**

**256.28            EC for Commercial Colony Project Revenue Estate of Village Anaugpur, Sector 27D, District Faridabad, Haryana by M/s Kajaria Ceramics Limited**

**Project Proponent     : Rajesh Sethi**  
**Consultant                : Vardan Environet**

The Project Proponent submitted the case to SEIAA vide online Proposal SIA/HR/INFRA2 /403099/2022 dated 15.10.2022 for obtaining Environmental Clearance under 8(a)category (B) of EIA Notification dated 14.09.2006. The PP submitted the scrutiny fee vide DD No.836918 dated 22.09.2022 of Rs.2,00,000 /-

The case was taken up in 256<sup>th</sup> meeting held on 30.11.2022. The PP and consultant presented the case before the committee. The brief of the project as submitted by the PP during presentation is as under:

- The total plot area of the project is 11,761.16 sqm (2.90625 acres) having built-up 21,672.57sqm. The net plot area of the project is 10,366.21 m<sup>2</sup> since an area of 1,394.95 m<sup>2</sup> from the total plot will be a part of 30 m wide green belt.
- The Land License has been issued by DTCP, Haryana for an area measuring 2.90625 acres in favour of M/s Kajaria Ceramics Ltd. vide License no. 1 of 2022 dated 06.01.2022
- The development of a corporate office is proposed and project consists of two Blocks; Block 1 and Block 2 interconnected with each other via bridge and will achieve built-up area of

21,672.57sq.m.

- A factory was present at the said land parcel under the ownership of M/s Super Seals India Limited. A dilapidated structure with built-up area of approx. 6,038.70 sq. m existed at the site which was demolished by the seller before the grant of land license.
- At present, the site consists of a temporary site office (Portable cabin) and old structures of the previous factory that is unoccupied labour hutments.
- The previous electrical connection of the factory as obtained from DHBVN is transferred to M/s Kajaria Ceramics Ltd.
- Asola Bhati Wildlife Sanctuary and Okhla Bird Sanctuary lie at about 3.5 Km (WWN) and 6.8 Km (NNE) distance respectively. A budget under wildlife protection has been allocated for each of the Sanctuaries.

The discussion was held on the rainwater harvesting pits, wildlife protection activities, energy savings, water requirement, EMP, approvals and others. After detailed deliberations, the committee raised following observations:

1. PP shall submit the status of all the statutory NOC's and approvals of the project as obtained from the concerned departments and authorities.
2. PP shall increase the number of RWH pits considering 1 pit per acre of plot area.
3. PP shall submit revised storm water plan.
4. PP shall propose an area of about 500 sqm for development of Miyawaki plantation at project site within the proposed green area of project (area of 2073.24 sq. m that is 20 % of net plot area).
5. PP shall meet 87 KW i.e. 5% of total power requirement through solar power. Also, PP will achieve 20% of energy saving through the ECBC compliance.
6. PP shall submit the revised tangible wildlife protection plan.
7. PP shall submit Forest NoC from competent authority.
8. PP shall achieve zero liquid discharge during summer season while in rainy and winter season excess treated water will be discharged in the sewerage line after taking the necessary approvals; assurance for the same has been obtained from the competent authority and is submitted to SEAC/SEIAA, Haryana.

The PP shall submit reply to the above mentioned observations within 15 days. The case is deferred and shall be taken up as and when reply to the above mentioned observations is received.

**256.29 EC for Project 1197 acres "Township Development Project" at village Banmola, Ladpur, Munimpur, Nimana, Pelpa and Sondhi, District Jhajjar, Haryana by M/s Model Economic Township Limited Formerly Known as Reliance Haryana Sez Limited**

**Project Proponent : Sh. Preeti Saxena**  
**Consultant : EQMS India Pvt. Ltd.**

The project was submitted to the SEIAA, Haryana vide online application/proposal no. **SIA/HR/MIS/76470/2022** dated 03.05.2022 for seeking ToR under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is covered under Category 8(b) of the schedule of EIA Notification, 2006. The scrutiny fee has been deposited vide DD No. 840112 of Rs.2,00,000/- dated 11.05.2022 at the time of filing application for approval of ToR. The ToR granted by SEIAA, Haryana vide letter dated 24.05.2022.

Now, the EIA report has been submitted for granting Environment Clearance (EC) to the project vide online application/proposal no. **SIA/HR/MIS/81379/2022** dated 10.08.2022

The case was taken up in 248<sup>th</sup> meeting of SEAC held on 06.09.2022. The PP along with consultant appeared before the Committee and presented the case.

The PP has submitted copy of valid license dated 10.08.2022 issued by Director, Town and Country Planning Department, Haryana for 92.54375 acres out of total area of 1197 acres. The PP has stated that they have not applied for licence of the balance area to the Director, Town and Country Planning Department, Haryana, therefore, PP will submit revised documents and revised Form-1, Form 1A for license area 92.54375 acres for which ADS be generated.

The committee discussed at length the documents submitted by PP. In addition to this, following observations were also conveyed:-

1. That separate environmental clearance shall be obtained by individual plot owner if built up area of any plotting development exceeded above 20,000 sqms within the project site facility
2. That, individual industries or other development area will take prior CTE/CTO from SPCB, wherever applicable.
3. That PP shall give an affidavit to the effect that ETP/STP water shall not be discharged in to drain no. 8.
4. That PP shall install modular STPs/ETPs till tertiary level to achieve norms of HSPCB/MoEF&CC/CPCB.
5. That individual industry shall discharge their effluent within the prescribed inlet limit of METL.
6. That PP shall plant hydrophilic trees/shrubs/plants in the area as water level is high at the project site.
7. The PP shall submit breakup/detail of green area and time line
8. That PP shall provide 15% of organized green as per Miyawaki method in consultation with competent authority.
9. That PP shall install MBBR/tertiary treatment for STPs/ETPs.
10. That PP shall obtain NOC from AAI
11. That PP shall separate the ETP and STP.
12. The PP shall enhance solar power capacity upto 3% of total power demand.
13. That PP shall submit tangible EMP and also define the activities with names of related department.
14. That PP shall submit time line of the completion of construction of RWH, ETP and STP

The case was deferred on request of PP and ADS was also generated in the present case to enable PP to submit revised Form I and Form IA etc. through PARIVESH portal. ADS was generated which was closed by PP after submitting revised details in Form I, Form IA etc. through PARIVESH portal. PP also submitted the reply of above mentioned observations alongwith an Affidavit mentioning therein:

1. That, if area of any plotting development exceeded above 20,000 sqm, separate environment clearance shall be obtained by individual plot owner.
2. That, we shall plant hydrophilic trees/shrubs/plants in the area, as feasible to the project
3. That, if any individual industry is not meeting inlet parameter of modular ETPs/STPs defined by METL, then individual industry will install appropriate treatment schemes.
4. That, we shall discharge STPs/ETPs treated water or rainwater to drain no.8 only after getting prior approval from concern authorities.
5. That, they shall do Miyawaki plantation for at least 15% of organized green area.

6. That, water table in the area is high, therefore retention pond and trenches are proposed within the proposed area.
7. That, industries, or other development area will take prior CTE/CTO from SPCB, wherever applicable.

PP also submitted an undertaking mentioning therein:

1. Modular STPs/ETPs with MBBR/tertiary level treatment technique will be installed to achieve norms of HSPCB/MoEF&CC/CPCB
2. The proposed development is 27 km from IGI Airport and proposed height of industrial units' may not exceed 30 mt. Hence NOC from the Airport Authority of India (AAI) is not applicable/ required as per Notification no. GSR 751 € Dt: 30.09.2015

Thereafter, the case was taken up in 249<sup>th</sup> meeting of SEAC, Haryana. The PP presented the detailed reply of observations during the meeting. The committee after discussion raised the following observations:

1. The PP shall submit the salient features of the project as per Performa
2. The PP shall submit the tangible EMP detail
3. The PP shall submit the affidavit regarding separate services of ETP and STP
4. The PP shall submit the complete list of species of plants
5. The PP shall submit the CA certificate regarding actual cost of project
6. The PP shall bifurcate the roadside green area percentage of all categories of plots
7. The PP shall comply the amended guidelines of HAREDA norms regarding solar power
8. The PP shall develop a nearby pond and furnish the details thereof in EMP
9. The PP shall submit the proper water balance details.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. The PP submitted the reply of observations raised in 249<sup>th</sup> SEAC meeting. During the presentation the PP was asked to submit an affidavit. PP submitted therein as under:

1. That we Model Economic Township Limited are proposing an Industrial Township of approximately 92.54 Acres at village Banmola, Ladpur, Munimpur, Nimana Pelpa and Sondhi - Distt. Jhajjar, Haryana.
2. That as per the prevailing norms, out of 92.54 acres, 55.295 acres are under Industrial development, 1.935 acres under Public utilities, 6.748 acres under UD and 6.785 acres under organised green.
3. That industrial plots ranges from 0.10 Ha to 1.23 Ha and as per URDPFI guidelines, 2015 the proposed industrial population is calculated @ 120 pph (person per hectare) i.e. 2670 nos. approximately and maximum domestic wastewater from individual industrial unit is envisaged upto 5.3 KLD.
4. That total water requirement for domestic purpose is 120 KLD @ 45 litre per person and wastewater generation is envisaged upto 97 KLD.
5. That, the industrial units will dispose their domestic wastewater in their own soak pit/septic tank for the domestic wastewater generation  $\leq$  5 KLD and STP for  $>$  5KLD wastewater generation as per the prevailing norms and only the overflow with industrial process wastewater will be discharged into the proposed disposal line of METL. Hence the domestic wastewater will not directly mix with the industrial process wastewater.
6. That the total water requirement (industrial process) for the proposed industrial area is calculated as per the standard practice of 15 KLD/acre i.e., 1268 KLD.
7. That estimated wastewater generation from industrial process 633 KLD.
8. That to treat the generated wastewater proposed CETPs of total capacity of 800 KLD (modular CETPs 200KLD x 04nos.) will be installed in phase wise manner. We

have proposed the CETPs of total capacity 800 KLD to cater the above load in worst case scenario taking the domestic sewage into account as an act of dilution for the effluent generated from the industrial process.

9. That, no category A or Category B industries as per EIA notification 2006 and amended till date shall be setup within the project area.
10. That, If any A or B category industries shall come in later stages, they shall obtain their individual regulatory clearances (including public hearing) as per prevailing norms
11. That, If any individual industrial plot exceeds the BUA of 20,000 Sq.m, individual industrial unit shall obtain the Environmental Clearance under EIA notification 2006.
12. That, every industry shall obtain their own Consent to Establish and Consent to Operate from Haryana State Pollution Control Board as applicable as per the prevailing norms.
13. That, every industry shall meet the CETP inlet design parameters before discharging the effluent in the proposed disposal line of METL. In case not meeting CETP inlet parameters the individual Industries shall provide their own treatment system to achieve the inlet parameters of CETP.
14. That, the prescribed inlet parameter for individual units will be:

S.No.	Parameter	Unit	Prescribed effluentParameters
1.	pH	-	8.5
2.	BOD	ppm	250-350
3.	COD	ppm	500-700
4.	TSS	ppm	200
6.	Oil and Grease	ppm	50

15. That the Inlet and outlet parameters for which the proposed modular CETPs will be designed:

S.No.	Parameter	Unit	RaweffluentParameters	TreatedEffluentParameters with Ultra Filtration
1.	pH	-	8.5	6.5-9.0
2.	BOD	ppm	450-500	<10
3.	COD	ppm	900-1100	<50
4.	TSS	ppm	200	<10
6.	Oil and Grease	ppm	50	<10

16. The proposed CETPs is based on the MBBR technique with additional treatment provisions in case of any eventualities like:
  - Online monitoring system to check the inlet & outlet parameters of proposed CETPs.
  - The provision of **Flocculation** and **Coagulation** during the Physico Chemical Treatment and Primary Clarification will take care the removal of industrial heavy metal/domestic impurities in case of any bypass from the industrial unit discharge without pretreatment.
  - Provision of **Ozonator** will help in the removal of hazardous residual chemicals remaining in the wastewater effluent. Ozone has a higher oxidation potential than chlorine. Ozone is more effective at disinfecting both bacteria and viruses from the wastewater.

- **Ultrafiltration (UF)** will remove essentially all colloidal particles (0.01 to 1.0 microns) from water and some of the largest dissolved contaminants and the received resultant treated water will be perfectly used for the Flushing, landscaping and other non-portable purpose.
  - By using the above additional features, the proposed CETPs of total capacity 0.8 MLD will efficiently treat the mixed waste water load.
  - It will also reduce the water demand requirement as the treated water can be conveniently use for Flushing, landscaping and other non-portable purpose.
17. That the generated treated water will be reused and recycle for flushing, Landscaping and other miscellaneous non portable purpose. The excess treated water will be discharged in to Drain no.8 in case of emergency overflow and during the monsoon season with due permission of concern authorities.

The PP submitted basic detail and EMP details as following:

**Table 1 – Basic Details**

<b>Name of the Project: 37.45116 Ha (92.54375 Acres) “Industrial Township Development Project” at Village –Sondhi, Distt. Jhajjar, Haryana by M/s Model Economic Township Ltd (METL)</b>		
<b>Sr. No.</b>	<b>Particulars</b>	<b>Licensed area of 92.54 Acres</b>
1.	Plot Area	374511.3 Sq.mt (92.54375 Acres)
2.	Net Plot Area	374511.3 Sq.mt (92.54375 Acres)
3.	Proposed Ground Coverage	132793.3 Sq.mt
4.	Proposed FAR	276652.8 Sq.mt
5.	Non FAR Area	27665.3 Sqmt.
6.	Total Built Up area	335480.2 Sqmt
7.	Total Green Area with Percentage	104803.42 (28%)
8.	Rainwater Harvesting Pits	RWH trenches / Retention Ponds
9.	Total CETPs Capacity	800 KLD (Modular)
10.	Total Parking	1014 Nos
11.	Power Requirement	6.75 MVA
12.	Power Backup	250 KVA x 1 Nos
13.	Total Water Requirement	1965 KLD
14.	Domestic Water Requirement	1388 KLD
15.	Fresh Water Requirement	1335 KLD
16.	Treated Water	657 KLD
17.	Waste Water Generated	730 KLD
18.	Solid Waste Generated	807 kg/day
19.	Biodegradable Waste	326 kg/day
20.	Basement	1
21.	No. of Plots	52
22.	Total Cost of the project:	138.81 Crores
23.	Total EMP (Capital Cost + Recurring)	695 lacs

**Table 2: EMP Budget**

Sr. No	Activities	Capital Cost	Regular Cost
		Rs. In Lakhs	Rs in Lakh
1	STP & Sewerage Network	116	23
2	Landscaping & planting trees	40	5
3	Solid waste Management	20	2
4	Environmental Monitoring*	4	2
5	CER Cost	98	385
<b>Total</b>		<b>278</b>	<b>417</b>

**CER Activities**

For betterment of society, METL has planned to carry out the activities for welfare of society in accordance to the applicable rules. The activities are given below

- Pond shall be adopted in the nearby village in consultation with local villagers and gram panchayat.
- Skill Development by organizing training courses through it is and development of ITI's in consultation with local villagers and gram panchayat.
- Infrastructure improvement of government schools and library in consultation with nearby villages.
- Improvement of drinking water infrastructure in government schools and PHC in consultation with nearby villages.
- Landscaping development and improvement in the roadside and, government schools, Health Centre in consultation with local villagers and gram panchayats.
- Preparation of Retention ponds in nearby village for recharging Ground water in consultation with concern local body.
- Provision of solar streetlights on roads outside the project sites and in Government schools, parks and library in consultation with gram panchayats.

A detailed discussion was held on the submission as well as presentation made by the PP before the committee. After discussion, the committee considered the submission of PP and rated this project with “**Gold Rating**” and was of the unanimous view that this case should be recommended to the SEIAA for granting Environmental Clearance under EIA Notification dated 14.9.2006 issued by the Ministry of Environment and Forest, Government of India alongwith the following specific and general stipulations:

**A. Specific conditions:-**

1. Sewage shall be treated in the STP based on latest Technology with tertiary treatment i.e. Ultra Filtration to achieve standards ordered by NGT. The treated effluent from STP shall be recycled /reused for flushing. DG cooling and Gardening. The dimension of each component of STP should be properly designed as per Norms.
2. The Project Proponent would devise a monitoring plan to the satisfaction of the State Pollution Control Board so as to continuously monitor the treated waste water being used for flushing in terms of faecal coli forms and other pathogenic bacteria.
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 (specially the bacterial counts), comparative bacteriological studies from toilet seats using recycled treated waters and fresh waters for flushing, and quality of water being supplied through spray faucets attached to toilet seats.
4. Separate wet and dry bins must be provided in each unit and at ground level for facilitating segregation of waste. Solid Waste shall be segregated into wet garbage and inert materials.

Wet Garbage shall be composted in Organic waste convertor. Adequate area shall be provided for solid waste management within the premises which will include area for segregation, composting. The Inert waste from the project will be sent to dumping site.

5. Traffic management plan as submitted shall be implemented in letter and spirit. Apart, 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 marinated and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habilitation being carried out or purpose to be carried out by the project or other agencies in this 05kms radius of the site in different scenarios of space and time
6. The PP is required to plant 10 times trees at the project site and compensatory tree plantation will be done @1:10. No tree cutting has been proposed in the instant project. A minimum of 1 tree for every 80 sqm of land should be planted and maintained. The Existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping. As proposed **104803.42 (28%)** area shall be provided for green area development.
7. 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.
8. The PP shall install the Eco Friendly Green Transformer based on ester oil to reduce the carbon foot print. The PP shall shift to gas based generator set when the gas is available. The PP shall install APCM for the DG set. The PP shall reduce the SO<sub>2</sub> load by 30% if HSD is used
9. Consent to establish/operate for the expansion project shall be obtained from the State Pollution Control Board as required under the Air (Prevention and Control of pollution) Act, 1981 and the Water (Prevention and control of pollution) Act, 1974.
10. The Approval of the Competent Authority shall be obtained for structural safety of building code due to earthquakes, adequacy of fire fighting equipments etc. as per National Building Code including protection measures from lightening etc.
11. The PP shall not carry any construction above or below the Revenue Rasta, if any
12. The PP shall not carry any construction below the HT Line passing through the project, if any.
13. The PP shall obtain the Fire NOC from the Competent Authority before taking occupation of the building.
14. The PP shall not give occupation or possession before the water supply and sewage connection permitted by the competent authority.
15. The PP shall not give occupation or possession before the electricity connection permitted by the competent Authority.
16. The PP shall obtain the permission regarding withdrawal of ground water from CGWA before the start of the project and also obtained the CTO from HSPCB after the approval from CGWA.
17. The PP shall carry out the quarterly awareness programs for the stakeholders of the commercial colony/project.
18. The PP shall ensure the compliance of provisions of Plastic Waste Management (Amendment) Rules, 2022 relevant for the project.
19. The PP may provide electric charging stations to facilitate electric vehicle commuters.
20. The PP shall submit the time schedule of Green Area Development, plantation, STP, OWC, RWH.
21. The PP shall install Digital water level recorder for monitoring the water recharge and carry out quarterly maintenance and cleaning of RWH pits.
22. The PP shall take all preventive measures including water sprinkles to control dust during construction and operational phase.
23. Any change in stipulations of EC will lead to Environment Clearance void-ab-initio and PP will have to seek fresh Environment Clearance.

**B. Statutory Compliance:**

- [1] The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority for ground coverage, FAR and should be in



- accordance with zoning plan approved by Competent Authority before commencement of work. All the construction shall be done in accordance with the local building byelaws.
- [2] The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of fire fighting equipment etc as per National Building Code including protection measures from lightening etc.
  - [3] The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
  - [4] The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
  - [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 Haryana State Pollution Control Board.
  - [6] The project proponent shall obtain the necessary permission for drawl of ground water /surface water required for the project from the competent authority.
  - [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.
  - [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.
  - [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.
  - [10] The project proponent shall follow the ECBC Act/ECBC-Rules prescribed by Bureau of Energy Efficiency, Ministry of Power strictly in addition of bylaws of the State Government.

#### **I Air Quality Monitoring and Preservation**

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. A management plan shall be drawn up and implemented to contain the current exceedance in ambient air quality at the site.
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 PM25) covering upwind and downwind directions during the construction period.
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 ultra low sulphur diesel. The location of the DG sets may be decided with in consultation with State Pollution Control Board
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, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.
6. Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.
7. Wet jet shall be provided for grinding and stone cutting.
8. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
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 Rules 2016.
10. The diesel generator sets to be used during construction phase shall be ultra low

sulphur diesel type and shall conform to Environmental (Protection) prescribed for air and noise emission standards.

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. Ultra low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.
12. For indoor air quality the ventilation provisions as per National Building Code of India.

## **II Water Quality Monitoring and Preservation**

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.
2. Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.
3. Total fresh water use shall not exceed the proposed requirement as provided in the project details. The per capita supply should adhere to NBC 2016 and CGWA Notification dated 12.12.2018.
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.
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.
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.
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.
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.
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.
10. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
11. The local bye-law provisions on rain water harvesting should be followed. If local byelaw 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 pits shall be provided for ground water recharging as per the CGWB norms.
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.
13. All recharge should be limited to shallow aquifer.
14. No ground water shall be used during construction phase of the project.
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.

16. 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.
17. 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.
18. No sewage or untreated effluent water would be discharged through storm water drains.
19. 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.
20. Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.
21. 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.

### **III Noise Monitoring and Prevention**

1. Ambient noise levels shall conform to residential area/commercial area 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.
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.
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.

### **IV Energy Conservation Measures**

1. Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency as per ECBC Act, 2017 read with ECBC Rules, 2018 shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC also which is in no case should be less than 25% as prescribed.
2. Outdoor and common area lighting shall be LED.
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 R & U-values shall be as per ECBC specifications.
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. 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.
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.

7. The PP will submit report indicating compliance of each parameter of ECBC requirement and submit quantification saving report for each component.

## **V Waste Management**

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.
2. Disposal of muck during construction phase shall not create any adverse effect on the neighboring 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.
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.
4. Organic Waste Converter within the premises with a minimum capacity of 0.5 kg /person/day must be installed. Leaves to be put in earmarked pits for converting them into compost to be used as manure.
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. 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.
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.
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.
9. Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Rules, 2016.
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.

## **VI Green Cover**

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).
2. A minimum of 1 tree (5' tall) for every 80 sqm of land should be planted and maintained. The existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
3. 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.
4. 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.

## **VII Transport**

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 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.
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.
3. 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.

## **VIII Human Health Issues**

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.
2. For indoor air quality the ventilation provisions as per National Building Code of India.
3. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
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.
5. Occupational health surveillance of the workers shall be done on a regular basis.
6. A First Aid Room shall be provided in the project both during construction and operations of the project.

## **IX Corporate Environment Responsibility**

1. The project proponent shall comply with the provisions as applicable, regarding Corporate Environment Responsibility.
2. 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.
3. 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 to the head of the organization.
4. 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.

**X Miscellaneous:**

1. The PP has submitted concept planning as such PP will have to obtain fresh environment clearance in case there is change in the planning.
2. 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.
3. The copies of the 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
9. The project proponent shall abide by all the commitments and recommendations made in the Form-IA, Conceptual Plan and also that during their presentation to the Expert Appraisal Committee.
10. No further expansion or modifications in the plan shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC)/SEIAA, Haryana. The project proponent shall seek fresh environmental clearance under EIA notification 2006 if at any stage there is change of area of this project.
11. Any change in planning of the approved plan will leads to Environment Clearance void-ab-initio and PP will have to seek fresh Environment Clearance
12. The PP should give unambiguous affidavit giving land promoters in accordance with your ownership and possession of land legal the case referred for Environment Clearance to SEIAA.
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.
14. The Ministry/SEIAA may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
15. The Ministry/SEIAA reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
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.
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

**256.30 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 : Sh. Rashmi Jha**  
**Consultant : Ind Tech House Consult**

**BACKGROUND:**

1. This is a Category, 8(b) project
2. Type of project- EC under Violation Notification dated 14.03.2017 for Expansion of Group Housing Project
3. The requisite fee is deposited vide DD No.12914 dated 11.01.2022 Rs.2,00,000/-
4. The case was taken up 169<sup>th</sup> meeting of SEAC and recommended to SEIAA grant of ToR under violation category.
5. ToR under violation category granted on 07.08.2018

The Project was applied under violation category within the violation window and approved the Terms of Reference. Thereafter, the PP submitted EIA/EMP report through PARIVESH web Portal but did not submit hard copy of the same. Expert Appraisal Committee sent this case back through PARIVESH web Portal to SEIAA with the comments that hard copy of the case has not been received. Now, the project proponent has submitted hard copy of the documents,

*The case was taken up in the 139<sup>th</sup> meeting of SEIAA held on 19.04.2022 and after due deliberations; Authority decided referred back this case to SEAC through PARIVESH portal for appraisal of the project 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 case is taken up in 243<sup>rd</sup> Meeting of SEAC. The PP not present, however, consultant appeared before the committee. A request to defer the case has been made by consultant. The Committee acceded with the request and decided to defer the case. The case be taken up in next meeting. However, 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/land scape 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.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. The PP submitted the reply of above mentioned observations raised in 243<sup>rd</sup> meeting of SEAC vide letter dated 29.10.2022.

During meeting 254<sup>th</sup> meeting Dr.Sandeep Gupta, Member, SEAC raised some observations to which PP has submitted point wise reply as below:

S. No.	Query	Reply
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.)	At the time of EC appraisal water calculation was done on 135 lpcd on that basis capacity of STP was 500 KLD. We have considered water reduction strategies in our project and reduced the water requirement to 86 lpcd due to which required capacity of STP is less than 500 kld. However at present our project is not fully occupied and entire waste water generated from the project is being treated on site STP of 400 KLD and no waste water is discharge outside of the project. However 100 kld additional STP will be installed as and when full project will be under operations.
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.	Total Area of 27.765 acre as: Part 1: 23.815 acre (EC granted) Part 2: 3.95 acre (EC under violation)  Yes, collaboration agreement between Puri Construction Ltd. and Parsvnath Developers Ltd. is in place which was submitted earlier and also enclosed along with reply as Annexure 1.
iii.	The 1st EC granted on 05.12.2006 for a plot area of 96375 sqm and built up area 168377.91 sqm which already got expired.	1st EC for phase 1 was obtained for plot area of 96375 sqm and built up area 168377.91 sqm and construction of the project was completed within validity period and OC was obtained. Copy of OC is submitted with reply letter as Annexure 2 and same is shown in next slide. CTO for trial run obtained from HSPCB on 3.01.2012 and thereafter we received CTO Renewal. Copy of the same submitted with reply letter as Annexure 3 and same is shown in next slide. For phase 2 revised building plan was approved on 10.04.2009 for a plot area of 112335.77 sqm (additional 3.944 acres land (15960.77 sqm) for which we have applied for environment clearance under violation.
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	Details are covered in point 3.
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.	Environment Clearance for expansion part under violation category as the construction was done without EC as far as building plans are concerned, the DTCP approved the building plans. The project Chronology under phase 2 is as follows: <ul style="list-style-type: none"> <li>• 17.01.2012- EC applied to MoEF.</li> <li>• By the time the project was to be appraised by MoEF, SEAC/SEIAA, Haryana got formed and case was being transferred to SEAC, Haryana.</li> <li>• 26.06.2012: SEAC Letter received to submit Forest NOC, Aravali NOC &amp; License</li> <li>• 16.10.2012: Replied to SEAC requesting time to submit the above documents.</li> <li>• 21.01.2013 : SEAC letter received for first Presentation scheduled on 11.02.2013</li> <li>• 04.02.2013: SEAC was requested to defer the project for next meeting as License not renewed and in the non-availability of other documents.</li> <li>• 03.06.2013: SEAC final notice to submit the documents.</li> <li>• 28.11.2013: SEAC recommended to SEIAA to delist the case.</li> <li>• 04.01.2014: SEIAA delisted the project with a request to SEAC for site visit.</li> </ul>



		<ul style="list-style-type: none"> <li>• 13.10.2014: On the basis of site inspection report, SEIAA ordered legal action to be initiated.</li> <li>• 07.11.2014: SEIAA wrote to Principal Secretary to prosecute PDL</li> <li>• 19.03.2015 : Letter received from RO,HSPCB for prosecution against violation.</li> <li>• 21.09.2015: Request letter sent to HSPCB to drop legal action.</li> <li>• In Compliant to MoEF&amp;CC notification dated 14th March, 2017 for taking up the cases of violation, case was uploaded on the website of MoEF&amp;CC for approval of TOR.</li> <li>• TOR has been obtained vide Memo No. SEIAA/HR/2018/855 dated 07.08.2018.</li> <li>• After submission of EIA report the case was taken up in 221<sup>st</sup>, 243<sup>rd</sup>, 245<sup>th</sup> , 251<sup>st</sup> and 255<sup>th</sup> SEAC Haryana.</li> </ul>
vi.	The NOC for Aravali and Forest is submitted only for extension part which is dated 05.05.2015 and 10.02.2015 respectively.	We have applied for environment clearance (under violation) for expansion part only for which Aravali and forest NOC have been submitted. Other part of the project phase 1 is in operation phase CTO and OC copy is attached as <b>Annexure 2 and 3</b> .

The PP also submitted the following background note:

- Proposed group housing project “Parsvnath Exotica (Phase-II)” at village Wazirabad, Sector-53, Gurgaon of 3.944 acre is an Expansion project of 23.8 acre of project area.
- Earlier, Environment clearance has been obtained vide No. 21-186/2006-IA.III dated 05.12.2006 for total plot area 96,375 sqm, builtup area 1,68,377.91 sqm& DU’s were 783 Nos.
- Revised building plan approval 112335.77 Sqm plot area (additional 3.944 acres land (15960.77 sqm)) was sanctioned on 10.04.2009.
- Environmental Clearance was applied to MoEF on 17.01.2012.
- By the time the project was to be appraised by MoEF; SEAC/SEIAA, Haryana got formed and case was being transferred to SEAC, Haryana.
- The only non-compliance is continuing the construction assuming that the deemed EC has been granted
- In Compliance to MoEF&CC notification dated 14<sup>th</sup> March, 2017 for taking up the cases of violation, case was uploaded on the website of MoEF&CC before EAC for approval of ToR.
- TOR has been obtained vide Memo No. SEIAA/HR/2018/855 dated 07.08.2018.
- Cost of project is Rs. 154.27 Crores (including 22 Cr. Expansion)
- Certified Compliance Report has been obtained vide F. No. 4-231/2006-IROENV-II dated 24.08.2022 and ATR was submitted on 24.08.2022.

#### Summary of Penalty and Damage Assessment Cost:

As per SOP 07.07.2021 section No. 12.2 *the percentage rates, as above, shall be halved if the project proponent suo-moto reports such via/at/ans without such violations coming to the knowledge of the Government either on Inquiry or complaint."*

Penalty= 0.5 % of Rs.22 cr (Cost of Construction of towers under Violation) = Rs.11 Lacs

Cost of Damage Assessment= Rs.42.08 Lacs i.e. 1.9% of Rs.22 Cr. (inclusive of Rs.11 lacs penalty)

Section 12 a. ii of SOP dated 07.07.2021 is not applicable as the towers are not under operation.

We have devised following method to calculate the “Damage incurred” while carrying out the construction or due to the construction. There is no set rule for calculating the same, therefore, we presumed that the amount proponent had to spent to control the fugitive

emissions/for treating the effluent/might have caused noise pollution etc., equivalent to that amount would be the “Budget under Damage Assessment”.

Secondly, for “Sustainable Development” a responsible entrepreneur has to take certain measures to “Sustain the Environment”, the cost of that measures has been presumed to be the budget under “Damage Assessment”.

The following table depicts to sustain a particular “Environment Attribute” what activity should have been carried out, for how long and how many times a day along with the cost of that activity. The cumulative cost of all these activities helps us in determining, in “Monetary Terms” the cost of the “Damage to the Environment”.

**Damage Assessment:** Considering 84 Months i.e. 7 years. Please also note that Environment clearance for built-up area 168377.91 sqm has already been granted and same mitigation measures and Environmental management plan had already been followed in the expansion project also.

#### Revised Damage Assessment Calculation

Environment Attributes	Activities	Measures	Unit Rate	Nos.	Cost
<b>Air Environment</b>	Dust Suppression / Sprinkling	Sprinkling two times a day through tanker	Rs. 200 per tanker	5040 tanker	10,08,000
	Wind breakers / barricades in the periphery of project site	Barricading around the villa, group housing block & club	Rs 300 per sq m	-	7,00,000
		Green Netting	Rs 50 per sq m	15,960sq m	7,98,000
	Ambient air quality monitoring in sensitive areas	1 Location for duration of construction	5,000	14	70,000
	Antismog Gun as per HSPCB Directives	Sprinkling to minimize concentration of PM10 and PM2.5	6,50,000	1	6,50,000
	<b>Total Air Environment</b>				<b>25,76,000</b>
	Green Area Development	2395 sq.m. of green area and 200 nos. trees will be planted in the expansion area of the project	Lumpsum	-	3,00,000
	<b>Total Ecological Environment</b>				<b>3,00,000</b>
<b>Water Environment</b>	Water Quality	Water sampling and monitoring	4000	14	56,000
	Sanitation	Portable toilet at site (1 for male and 1 for female).	-	-	50,000
		Wastewater Management	Lumpsum	-	50,000

		Frequent cleaning of the vicinity of site before monsoon	10,000	(6 existing + 3 RWH proposed)	90,000
	<b>Total Water Environment</b>				<b>1,96,000</b>
<b>Land Environment</b>	Erosion Control	Creating barriers to avoid erosion and to maintain its integrity so as to use it further for landscaping			20,000
	Top Soil Conservation	Topsoil Loss / Soil Quality (20 cm)	Rs 250 per cum	3192.154	7,98,039
	Excavation	Basement	Rs 500 per cum		Has been complied
		Solid Waste Bins (Blue and Green)	3000	10	30,000
	Solid Waste	Secured intermediate leachate proof facility for storage of material and waste	Lumpsum		5,00,000
	<b>Total Land Environment</b>				<b>13,48,039</b>
<b>Noise Environment</b>	<b>Total Noise Environment</b>	Providing Personnel Protective equipment's (PPE)	2,500	20	<b>50,000</b>
<b>Socio-economic Environment</b>	Health	Providing first aid kits to the construction sites	5000	20	1,00,000
	Labour Welfare	Health Care to Labour	Rs 2000 per labour	20	40,000
	<b>Total Socio-Economic</b>				<b>1,40,000</b>
<b>GRAND TOTAL (A)</b>					<b>46,10,039</b>

#### Revised Remediation Plan

S. No	Activities	Total Budgeted	1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year
1	Tree Plantation under miyawaki	2 Lacs	0.75 Lacs	0.75 Lacs	0.5 Lacs
	<b>Total</b>	<b>2 Lacs</b>	<b>0.75 Lacs</b>	<b>0.75 Lacs</b>	<b>0.5 Lacs</b>

\*As the construction of the project has already been completed so we will provide tree Plantation under miyawaki Method as remediation plan.

#### Revised Community Resource Augmentation Plan

S. No	Activities	Total Budgeted	1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year
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1	Air Environment: Installation of Anti Smog guns in Wazirabad Area	6.5 Lacs	6.5 Lacs		
2	Water Environment Adaptation of Pond in Ullawas Village (Pond ID No. 02HRGGMSHN0083ULHA388)	27 Lacs	-	27 Lacs	-
3	Socio Environment: Arrangement of Drinking water and Toilet facilities in Primary school of Wazirabad	2 Lacs	0.75 Lacs	0.75 Lacs	0.5 Lacs
	<b>Total</b>	<b>35.5 Lacs</b>	<b>7.25 Lacs</b>	<b>27.75 Lacs</b>	<b>0.5 Lacs</b>

#### NATURAL RESOURCE AUGMENTATION PLAN

S. No	Activities	Total Budgeted	1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year
1	Remediation measures on Noise Environment: Tree plantation will be done in Sector 53, Gurugram	3 Lacs	1 Lacs	1 Lacs	1 Lacs
2	Solar PV plant installation in Samaspur Area	6 Lacs	2 Lacs	2 Lacs	2 Lacs
	<b>Total</b>	<b>9 Lacs</b>	<b>3 Lacs</b>	<b>3 Lacs</b>	<b>3 Lacs</b>

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 are agree to follow the scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The PP further submitted basic details of the project as well as EMP budget (operation phase) as under:

Name of the Project:Expansion of Group Housing Project "Parsvnath Exotica Phase-II" at village Wazirabad, Sector-53, Gurugram by M/s Parsvnath Developers Ltd.		
Sr. No.	Particulars	
1.	Online Proposal Number	SIA/HR/MIS/212482/2021
2.	Latitude	28 <sup>o</sup> 26'36.45"N
3.	Longitude	77 <sup>o</sup> 05' 55.84"E
4.	Plot Area	15960.77 Sqm
5.	Proposed Built Up Area	28193 sqm
6.	Cost of Project	22 Cr.
7.	Total Green Area	2395sqm
8.	Rain Water Harvesting Pits (with size)	3 Nos.
9.	STP Capacity	55 KLD
10.	Total Parking	110ECS
11.	Organic Waste Converter	0.19 TPD
12.	Power Requirement	600 KW
13.	Power Backup	1250 KVA (2x625)
14.	Total Water Requirement	68 KLD
15.	Fresh Water Requirement	39 KLD
16.	Treated Water	29 KLD

17.	Waste Water Generated	45KLD
18.	Solid Waste Generated	0.31 TPD
19.	Biodegradable Waste	0.19 TPD
20.	EMP Budget	i) Capital Cost
		ii) Recurring Cost
		1.09 Cr Capital Cost
		0.10 Cr Recurring Cost

Environment Budget (Operation Phase)		
COMPONENT	CAPITAL COST (Rs in Lacs)	RECURRING COST (Rs in Lacs)/Annum
SEWAGE TREATMENT PLANT ( 55 KLD)	11	2.97
RAIN WATER HARVESTING SYSTEM (03 Nos)	10.5	1.58
SOLID WASTE STORAGE BINS & COMPOSTER (Organic Waste Converter 0.31 tpd)	5.27	3.48
HORTICULTURE DEVELOPMENT (TREE PLANTATION & LANDSCAPING)	2.79	0.70
ROOF TOP SPV PLANT (100 KWp)	80	0.00
ENVIRONMENT MONITORING & 6 MONTHLY COMPLIANCES OF ENVIRONMENT CLEARANCE CONDITIONS		2.00
<b>TOTAL</b>	<b>109.56</b>	<b>10.72</b>

The committee discussed on the given information and Cumulative Budget for Remediation, Natural & Community Resource Augmentation Plan submitted by PP. After detailed deliberations, the Committee decided to recommend the case to SEIAA for grant of Environmental Clearance **under violation category** of EIA Notification dated 14.09.2006 issued by the Ministry of Environment and Forest, Government of India subject to the following specific conditions in addition to all standard conditions applicable for such projects:

**A. Specific conditions:-**

1. SEAC recommended for an amount of Rs.**46,10,039/-** towards Remediation plan and Natural and Community Resource Augmentation plan to be spend within a span of three years.
2. The PP shall deposit **Rs.22 lakhs** with SEIAA for 1% penalty as per SOP 7th July 2021, Clause no 12.a(i).
3. Total budgetary provision with respect to Remediation plan and Natural & Community Resource Augmentation plan is rupees **46,10,039/-**-Therefore, project proponent shall be required to submit a bank guarantee of an amount of Rupees **₹46,10,039/-** towards Remediation plan and Natural and Community Resource Augmentation plan with the Haryana State Pollution Control Board prior to the grant of EC.
4. Remediation plan shall be completed in 3 years whereas bank guarantee shall be for 5 years. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC and approval of the regulatory authority/SEIAA.
5. Approval/permission of the CGWA/SGWA shall be obtained, if applicable before drawing ground water for the project activities. State Pollution Control Board (SPCB) concerned shall not issue Consent to Operate (CTO) till the project proponent obtains such permission.
6. The PP shall also submit the details of status of development of Green plan, species planted, survival status along with existing trees species wise and also maintain the record date wise along with digital mapping.
7. The PP shall also maintain the record of trees/plants to be planted as per the Remediation plan and Natural and Community Resource Augmentation plan along with digital mapping, latitude, longitude details.
8. The PP shall not start construction/ development works without getting EC under violation Act/provisions of notification.

9. Sewage shall be treated in the STP based on latest Technology with tertiary treatment i.e. Ultra Filtration to achieve standards ordered by NGT. The Treated effluent from STP shall be recycled /reused for flushing. DG cooling and Gardening.
10. The Project Proponent would devise a monitoring plan to the satisfaction of the State Pollution Control Board so as to continuously monitor the treated waste water being used for flushing in terms of faecal coli forms and other pathogenic bacteria.
11. 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 (specially the bacterial counts), comparative bacteriological studies from toilet seats using recycled treated waters and fresh waters for flushing, and quality of water being supplied through spray faucets attached to toilet seats.
12. Separate wet and dry bins must be provided in each unit and at ground level for facilitating segregation of waste. Solid Waste shall be segregated into wet garbage and inert materials. Wet Garbage shall be composted in Organic waste convertor. Adequate area shall be provided for solid waste management within the premises which will include area for segregation, composting. The Inert waste from the project will be sent to dumping site.
13. Traffic management plan as submitted shall be implemented in letter and spirit. Apart, 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 marinated and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habilitation being carried out or purpose to be carried out by the project or other agencies in this 05kms radius of the site in different scenarios of space and time
14. The PP is required to plant 10 times trees at the project site and compensatory tree plantation will be done @1:10. No tree cutting has been proposed in the instant project. A minimum of 1 tree for every 80sqm of land should be planted and maintained. The Existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping. As proposed **2395 (15 % the plot area)** shall be provided for green area development.
15. 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.
16. The PP shall install the Eco Friendly Green Transformer based on ester oil to reduce the carbon footprint. The PP shall shift to gas based generator set when the gas is available. The PP shall install APCM for the DG set. The PP shall reduce the SO<sub>2</sub> load by 30% if HSD is used
17. Consent to establish/operate for the expansion project shall be obtained from the State Pollution Control Board as required under the Air (Prevention and Control of pollution) Act, 1981 and the Water (Prevention and control of pollution) Act, 1974.
18. The Approval of the Competent Authority shall be obtained for structural safety of building code due to earthquakes, adequacy of fire fighting equipments etc. as per National Building Code including protection measures from lightning etc.
19. The PP shall not carry any construction above or below the Revenue Rasta, if any
20. The PP shall not carry any construction below the HT Line passing through the project, if any.
21. The PP shall obtain the Fire NOC from the Competent Authority before taking occupation of the building.
22. The PP shall not give occupation or possession before the water supply and sewage connection permitted by the competent authority.
23. The PP shall not give occupation or possession before the electricity connection permitted by the competent Authority.
24. The PP shall obtain the permission regarding withdrawal of ground water from CGWA before the start of the project and also obtained the CTO from HSPCB after the approval from CGWA.
25. The PP shall carry out the quarterly awareness programs for the stakeholders of the commercial colony/project.
26. **03 Rain Water Harvesting pits** shall be provided for rainwater usages as per the CGWB norms.
27. The PP shall install Digital water level recorder for monitoring the water recharge and carry out quarterly maintenance and cleaning of RWH pits

28. The PP shall ensure the compliance of provisions of Plastic Waste Management (Amendment) Rules, 2022 relevant for the project.
29. The PP may provide electric charging stations to facilitate electric vehicle commuters.
30. The PP shall take all preventive measures including water sprinkles to control dust during construction and operational phase.
31. The State Government/SPCB to take action against the project proponent under the provisions of the Section 15 read with Section 19 of the Environment (Protection) Act, 1986, and no OC, Consent to Operate or Consent to Establish shall be granted for violation part of the project.
32. The Project Proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant EC. The quantum shall be recommended by the SEAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC and approval of the regulatory authority.
33. Detailed SoP dated 07.07.2021 regarding grant of EC to violation cases to be considered the action on merits. The action may be initiated under Section 15 read with Section 19 of the EP Act, 1986 against all violations.
34. The PP should submit compliance report of existing building from the Competent Authority.
35. Any change in stipulations of EC will lead to Environment Clearance void-ab-initio and PP will have to seek fresh Environment Clearance.

**B. Statutory compliance:**

- [1] The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority for ground coverage, FAR and should be in accordance with zoning plan approved by Competent Authority before commencement of work. All the construction shall be done in accordance with the local building byelaws.
- [2] The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of fire fighting equipment etc as per National Building Code including protection measures from lightening etc.
- [3] The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
- [4] The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
- [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 Haryana State Pollution Control Board.
- [6] The project proponent shall obtain the necessary permission for drawl of ground water /surface water required for the project from the competent authority.
- [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.
- [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.
- [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.
- [10] The project proponent shall follow the ECBC Act/ECBC-Rules prescribed by Bureau of Energy Efficiency, Ministry of Power strictly in addition of bylaws of the State Government.

**I Air Quality Monitoring and Preservation**

- i. 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.
- ii. A management plan shall be drawn up and implemented to contain the current exceedance in ambient air quality at the site.
- iii. 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

- PM25) covering upwind and downwind directions during the construction period.
- iv. 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 ultra low sulphur diesel. The location of the DG sets may be decided with in consultation with State Pollution Control Board
  - v. 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, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.
  - vi. Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.
  - vii. Wet jet shall be provided for grinding and stone cutting.
  - viii. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
  - ix. 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 Rules 2016.
  - x. The diesel generator sets to be used during construction phase shall be ultra low sulphur diesel type and shall conform to Environmental (Protection) prescribed for air and noise emission standards.
  - xi. 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. Ultra low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.
  - xii. For indoor air quality the ventilation provisions as per National Building Code of India.

## **II Water Quality Monitoring and Preservation**

- i. 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.
- ii. Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.
- iii. Total fresh water use shall not exceed the proposed requirement as provided in the project details. The per capita supply should adhere to NBC 2016 and CGWA Notification dated 12.12.2018.
- iv. 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.
- v. 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.
- vi. 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.
- vii. 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.
- viii. 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.
- ix. 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.
  - x. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
  - xi. The local bye-law provisions on rain water harvesting should be followed. If local byelaw 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 pits shall be provided for ground water recharging as per the CGWB norms.
  - xii. 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.
  - xiii. All recharge should be limited to shallow aquifer.
  - xiv. No ground water shall be used during construction phase of the project.
  - xv. 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.
  - xvi. 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.
  - xvii. 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.
  - xviii. No sewage or untreated effluent water would be discharged through storm water drains.
  - xix. 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.
  - xx. Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.
  - xxi. 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.

### **III Noise Monitoring and Prevention**

- i. Ambient noise levels shall conform to residential area/commercial area 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.
- ii. 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.
- iii. 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.

#### **IV Energy Conservation Measures**

- i. Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency as per ECBC Act, 2017 read with ECBC Rules, 2018 shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC also which is in no case should be less than 25% as prescribed.
- ii. Outdoor and common area lighting shall be LED.
- iii. 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 R & U-values shall be as per ECBC specifications.
- iv. 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.
- v. Solar, wind or other Renewable Energy shall be provided as per HAREDA Norms.
- vi. 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.
- vii. The PP will submit report indicating compliance of each parameter of ECBC requirement and submit quantification saving report for each component.

#### **V Waste Management**

- i. 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.
- ii. Disposal of muck during construction phase shall not create any adverse effect on the neighboring 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.
- iii. 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.
- iv. Organic Waste Converter within the premises with a minimum capacity of 0.5 kg /person/day must be installed. Leaves to be put in earmarked pits for converting them into compost to be used as manure.
- v. All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
- vi. 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.
- vii. 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.
- viii. 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.
- ix. Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Rules, 2016.
- x. 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.

#### **VI Green Cover**

- i. 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).

- ii. A minimum of 1 tree (5' tall) for every 80 sqm of land should be planted and maintained. The existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
- iii. 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.
- iv. 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.

## **VII Transport**

- i. 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 designed with these basic criteria.
  - i. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.
  - ii. Traffic calming measures.
  - iii. Proper design of entry and exit points.
  - iv. Parking norms as per local regulation.
- ii. 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.
- iii. 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.

## **VIII Human Health Issues**

- i. 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.
- ii. For indoor air quality the ventilation provisions as per National Building Code of India.
- iii. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- iv. 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.
- v. Occupational health surveillance of the workers shall be done on a regular basis.
- vi. A First Aid Room shall be provided in the project both during construction and operations of the project.

## **IX Corporate Environment Responsibility**

- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F. No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate

- Environment Responsibility.
- ii. 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.
  - iii. 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 to the head of the organization.
  - iv. 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.

## **X Miscellaneous**

- i. 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.
- ii. The copies of the 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.
- iii. 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.
- iv. 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.
- v. 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.
- vi. 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.
- vii. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
- viii. The project proponent shall abide by all the commitments and recommendations made in the form-IA, Conceptual Plan and also that during their presentation to the Expert Appraisal Committee.
- ix. No further expansion or modifications in the plan shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC)/SEIAA, Haryana. The project proponent shall seek fresh environmental clearance under EIA notification 2006 if at any stage there is change of area of this project.
- x. Any change in planning of the approved plan will leads to Environment Clearance void-ab-initio and PP will have to seek fresh Environment Clearance
- xi. The PP should give unambiguous affidavit giving land promoters in accordance with your ownership and possession of land legal the case referred for Environment Clearance to SEIAA.
- xii. 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.
- xiii. The Ministry/SEIAA may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
  - xiv. The Ministry/SEIAA reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
  - xv. 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.
  - xvi. 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.

**256.31 Modification of EC for expansion of warehouse for storage of non agro produce (Logistic) project Revenue Estate of Village Jamuvas, Tehsil Taoru, Mewat, Haryana by Sh.Mahipal Singh and Others**

**Project Proponent : Not present**  
**Consultant : Ind Tech House Consult**

The Project was submitted to the SEIAA, Haryana vide online Proposal No. SIA/HR/MIS/275628/2022 dated 30.05.2022 for obtaining Modification in the existing Environmental Clearance granted vide letter No. SEIAA/HR/2019/422 dated 06.11.2019, under Category 8(a) of EIA Notification 14.09.2006. On the disclosed cost of the Project i.e. Rs.36 Crore, Project Proponent has deposited Scrutiny fees of Rs.1,50,000/- vide DD No. 500398 dated 30.05.2022 in compliance of Haryana Govt. Notification dated 14.10.2021.

The said case was taken up in 249<sup>th</sup> meeting of SEAC held on 22.09.2022 and SEAC recommended the Project to SEIAA for grant of Modification in existing EC (Environment Clearance).

The recommendations of SEAC were taken up in the 148<sup>th</sup> meeting of SEIAA held on 27.10.2022. After examining/perusal of the relevant records, the Authority observed that recommendations made by SEAC do not reflect comments and views on the following:

1. Aravali NOC, which was required to be submitted at the time of grant of EC to the Project Proponent is still not visible/available.
2. No comments/views have been expressed by the SEAC on the report of Regional Officer, MOEF & CC, GOI and action taken report submitted by the Project Proponent, where compliance with regard to certain issues has been left un-attended i.e. issues like setting up and operation of STP, Green Belt etc.

SEAC, being an Expert and August Body is expected to give a detailed/comprehensive appraisal and inputs in respect of each case and to further assist SEIAA in quick and timely disposal of case(s).

Under these circumstances, the Authority decided to refer back the said case to the Appraisal Committee (SEAC) to re-look into the omissions and violations made by the Project Proponent in the existing EC.

The case was taken up in 255th meeting held on 14.11.2022. However, PP requested vide letter dated 14.11.2022 to defer the case due to unavoidable circumstances. The committee acceded with the request of PP and deferred the case.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. PP submitted the reply of observation raised by SEIAA vide letter dated 24.11.2022 as below:

Sr. No.	Query	Reply
1	Aravali NOC, which was required to be submitted at the time of grant of EC to the Project Proponent, is still not visible/available.	Aravali NOC has already been obtained vide letter no. 1061 dated 18.09.2019 and Copy of the NOC is attached as <b>Annexure 1</b> .
2	No comments/views have been expressed by the SEAC on the report of Regional Officer, MOEF & CC, GOI and action taken report submitted by the Project Proponent, where compliance with regard to certain issues has been left un-attended i.e. issues like setting up and operation of STP, Green Belt etc.	We request to Hon'ble SEAC to address the same issue however during the appraisal the same was discussed in detail and time schedule for completion of remaining environmental features was submitted on the same day. ATR copy is attached as <b>Annexure 2</b> .

The PP further submitted that they have already obtained "EC"SEIAA/HR/2019/422 dated 06/11/2019, present proposal was for amendment due to increase in population. As per the O.M dated. 04/10/2022, Clarification regarding Gazette Notification No.S.O.3252(E) dated 22/12/2014 clause 6 & 7, the Industrial shed mentioned in Notification S.O. 3252 (E) dated 22/12/2014 implies buildings/warehouses/ sheds (whether RCC or otherwise), need not to have prior-EC provided the built-up area is less than 1,50,000 mt<sup>2</sup>.The PP further stated that the area being built-up in our project is only 23,480.943 mt<sup>2</sup>, therefore as per Notification S.O. 3252 (E) dated 22/12/2014 and subsequent clarification in form of O.M dated 04/10/2022, our project does not need to have "Environmental Clearance".

Considering above mentioned facts, PP has requested to exempt them from submitting the compliances under the EC taken vide letter no. SEIAA/HR/2019/422 dated 06/11/2019.

The committee after deliberation unanimously decided to recommend the case to SEIAA for exemption and delisting.

**256.32 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 : Vardan EnviroNet**

**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 granted 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 147<sup>th</sup> 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 254<sup>th</sup> meeting held on 31.10.2022 however PP requested vide letter dated 31.10.2022 to defer the case.

The case was taken up in 256<sup>th</sup> meeting held on 01.12.2022. The PP alongwith consultant appeared before the Committee and presented their case.

It is submitted by PP that after submission of Augmentation & Remedial Plan of Rs.3.80 Crores with SEAC in 197<sup>th</sup> and 202<sup>nd</sup> meeting, the authority (SEIAA) approved the environmental clearance in principle subject to submission of Bank Guarantee of required amount with Haryana State Pollution Control Board. The PP was asked to submit Bank Guarantee vide letter dated 24.12.2020. The PP further submitted that due to COVID period of almost two years, and slowdown in Real Estate Sector, could not arrange the huge amount of Rs.3.80 Crores. The PP has submitted that the Bank Guarantee dated 09.02.2022 of required amount has been submitted with HSPCB. The PP also enclosed receipt dated of depositing the Bank Guarantee.

The PP further submitted that they came to know vide 143<sup>rd</sup> meeting of SEIAA that their case was forwarded to LR for opinion which were received on 04.10.2022.

The PP also submitted that their case is different from G. P. Realtors and also in this case the final remediation budget has already been decided by SEIAA in the month of October 2020 much before the SoP dated 07.07.2021 issued by MoEF&CC and EC has also been approved in principle subject to submission of Bank Guarantee of Rs.3.80 Crore which has also been deposited with HSPCB.

The Committee held a discussion on the submission made by the PP. After due deliberation, it was decided that since required Bank Guarantee has been deposited by PP in this case, therefore, the case shall be sent to SEIAA for further consideration to grant EC under violation category.

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