

	By speed post
	STATE ENVIRONMENTAL IMPACT ASSESSMENT
	AUTHORITY (SEIAA)-DELHI
	OFFICE OF DELHI POLLUTION CONTROL COMMITTEE
	5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI 110006
	Visit us at http://dpcc.delhigovt.nic.in

F.No. DPCC/SEIAA/2017/43/ 5443-5450

Dated: 03.02.2017

MINUTES OF MEETING

Please find enclosed the minutes of meeting of 43rd meeting of the State Environmental Impact Assessment Authority (SEIAA) held on **02.02.2017** in the Conference Room of DPCC, at 5th Floor, ISBT Building, Kashmere Gate, Delhi – 110006, for information and necessary action, if any.

(Dr. S. D. Singh)
Member Secretary

To:

1. Sh. Krishna Mohan Sahni, IAS Rtd. (Chairman, SEIAA), House No.38, Pkt 2, Jasola Vihar, Behind Apollo Hospital, New Delhi-11002.
2. Dr. Kamal K Pant (Professor) (Member, SEIAA), Department of Chemical Engineering IIT Delhi, Hauz Khas, New Delhi-110016
3. Director, Mahatma Gandhi Institute of Combating Climate Change (MGICCC)(Member Secretary, SEIAA), Department of Environment, Government of National Capital Territory of Delhi, Pall-Bakthawarpur Road, Alipur, New Delhi, Delhi-110036.
4. Additional Principal Chief Conservation of Forest (C), Regional Office (Central), Ministry of environment & Forest, Regional Office, Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow-226024.
5. Dr. Mukesh Khare (Professor) (Chairman, SEAC), Department of Civil Engineering, Indian Institute of Technology, Delhi Hauz Khas, New Delhi-110016.
6. Director (Environment), (Secretary, SEAC), Department of Environment, Government of NCT of Delhi.
7. PS to Secretary (Environment) cum Chairman, DPCC- for kind information.
8. ☒ If Cell for placing the minutes on website.

(Dr. S. D. Singh)
Member Secretary

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Minutes of the 43rd meeting of State Level Environmental Impact Assessment Authority (SEIAA) held on 02.02.2017 at 11.30 am in the Conference Room of Delhi Pollution Control Committee.


The 43rd meeting of the State Level Environmental Impact Assessment Authority (SEIAA) was held on 02.02.2017 in the Conference Room of Delhi Pollution Control Committee, ISBT Building, Kashmiri Gate, Delhi-06.

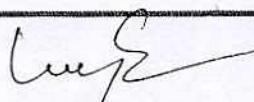
The meeting was held under the Chairmanship of Sh. Krishna Mohan Sahni. The following were present in the meeting:


- | | | | |
|----|-------------------------|---|------------------|
| 1) | Sh. Krishna Mohan Sahni | - | Chairman |
| 2) | Dr. Kamal K Pant | - | Member |
| 3) | Dr. S. D Singh | - | Member Secretary |

Member Secretary, SEIAA apprised Chairman and other members of SEIAA that he contacted Joint Secretary, MOEF & CC, GOI and discussed EC Notification dated 09.12.2016. Joint Secretary clarified that the State Government shall inform the MOEF & CC, GOI regarding adoption of new notification as such or needs certain modification. For any modification, MOEF & CC, GOI may consider suggested modifications and then issues specific orders w.r.t concerned state.

SEIAA, Delhi decided that its earlier decisions in the matter dated 15.12.2016 be communicated to the concerned Deptt. of Govt. of Delhi for intimating course of action thereon to the MOEF & CC, GOI.


(Krishna Mohan Sahni)
Chairman, SEIAA


(Dr. S D. Singh)
Member Secretary, SEIAA


(Dr. K.K Pant)
Member, SEIAA

Agenda No:01**Case No. C-314**

Name of the Project	"Environmental Clearance for Proposed Wazirabad bridge project on river Yamuna".
Project Proponent	Mr. P. K. Sharma (Executive Engineer-I) Wazirabad Bridge Project, Delhi Tourism and Transportation Development corporation Ltd., Near Petrol Pump MajnuKaTila, Outer Ring Road, Delhi-110054.
Proposal No.	SIA/DL/NCP/11050/2015
File No.	DPCC/SEIAA-III/C-314/DL/2016


Delhi Tourism & Transportation Development Corporation limited has undertaken the construction of Signature Bridge over the river Yamuna 600 m downstream of existing barrage at Wazirabad, Delhi as a deposit work of PWD, GNCT of Delhi. More than 85 % of the project has already been completed.


In compliance of NGT order dated-12.2.2015 DTTDC submitted an application of EC before SEIAA, Delhi on 27.02.2015 and the same was returned to the Project proponent vide letter dated 13.3.2015 since the tenure of erstwhile SEAC AND SEIAA expired on 04.08.2014. Project proponent submitted the application for EC in MOEF & CC on vide letter dated 27.03.2015. Further as stated by the project proponent that joint director, IA, MOEF&CC in August 2015 informed them that now cases under category "B" are being dealt by SEIAA, which has been formed and suggested to apply to SEIAA Delhi. Project proponent has submitted unsigned copy of Form-1, Form-1A and EIA report vide letter dated 14.08.2015 by post which was received in the Secretariat of SEIAA of Delhi (i.e. DPCC) on 24.08.2015 along with the EIA report conducted in October 2004.

After due deliberations, the SEAC in its 72nd meeting held on 26.09.2015 recommended the ToR for conducting Environment Impact Assessment study and information to be included in EIA/EMP report. As decided by SEAC, TOR were issued vide letter dated 26.10.2015.

SEAC in its 74th meeting held on 12.12.2015 decided to issue a letter to expedite the requisite EIA report as per ToR issued. Accordingly letter was issued on 06.01.2016. SEAC in its 75th meeting held on 16.01.2016 deferred the case for next meeting as no response received from the Project Proponent.

Project Proponent submitted fresh EIA Report including Form1 & 1A on 31.03.2016 in response to ToR issued on 26.10.2015. After due deliberations, the SEAC in its 78th meeting held on 09.04.2016 decided that in response to ToR issued on 26.10.2015 the Project

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 (Krishna Mohan Sahni)
 Chairman, SEIAA


 (Dr. S.D. Singh)
 Member Secretary, SEIAA


 (Dr. K.K. Pant)
 Member, SEIAA

Proponent should submit its Form 1 & Form 1A along with all documents/information in Online Submission & Monitoring of Environmental Clearances (OSMEC) Portal of MoEF&CC, GOI. Accordingly the Project Proponent submitted its application on OSMEC portal on 13.04.2016.

Details of the Project are as under:

Delhi Tourism and transportation Development Corporation (DTTDC) has proposed to construct a bridge at Wazirabad and its approaches. The signature bridge shall have a single bow shaped polygon eccentrically placed in the river, somewhat inclining towards the east and supporting the deck on the stay cables placed in harp format. Viewing gallery is planned at the pylon top which is nearly 165m above the river dry bed. The project will be developed in 2 phases Bridge and its approaches have been taken up in 1st Phase and Tourist Destination to be taken up in 2nd phase. The present application of Environment Clearance & EIA study is for the 1st phase development as per following details:

Total Plot Area	280211Sq.m
Cost of the Project	Rs 1569Cr. (Approach-Rs 423 Cr, Bridge-879 Cr , Others -267 Cr)
Demand & Source of Water during construction Phase	170 KLD (150 KLD- Construction, 20 KLD – Domestic Purposes) & the water will be arranged by contractor through tanker Supply of DJB.
Demand & Source of Water during Operational Phase	During operation water is required only for landscaping purposes Water Requirement: 30 KLD & source is Tankers Supply of DJB.
Total wastewater generation	Approximately 30 KLD of water will be required during operation phase which will be sourced through Tanker supplier of DJB. As the project is bridge construction, hence the only usage of water will be for watering of green areas.
Power requirement	62.5 kVA (During Construction Phase) 2X125 kVA (During operation Phase)
Land area	28.02 Ha, 13.0 Ha of deemed forest land at Garhi Mandu was

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(Krishna Mohan Sahni)
Chairman, SEIAA

(Dr. S/D. Singh)
Member Secretary, SEIAA

(Dr. K.K Pant)
Member, SEIAA

	diverted for the construction.
Built-up area	26.2 Ha in western and eastern approaches

The SEAC in its 79th meeting held on 16.04.2016 sought the information from the project proponent:

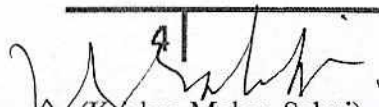
Reply received from Project Proponent on 27.05.2016 and the SEAC in its 80th meeting held on 28.05.2016 recommended to defer the case on the request of project proponent for submission of detailed revised reply with complete information. The Project Proponent submitted a copy of the letter dated 30.05.2016 addressed to Dy. Conservator of Forest confirming the payment made to forest department for compensatory plantation 3870 numbers of saplings and to maintain the same for 3 yrs. Vide aforesaid letter the project Proponent requested the forest department to provide area wise detail along with photographs of compensatory plantation.

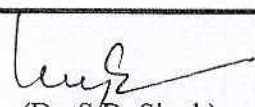
The SEAC in its 81st meeting held on 16.07.2016 considered the project proponent's letter dated 27.06.2016 received from the project proponent stating that it will take 2 months more, so they will be able to attend the meeting along with detailed reports in Sept 2016 and deferred the case.

Case was taken up in the 83rd meeting of SEAC held on 15.10.2016 and the Project Proponent gave a detailed presentation on queries raised in 79th meeting held on 16.04.2016 along with simulation study w.r.t. change in traffic flow pattern and recommended for site visit be conducted by members of SEAC. Accordingly Dr. S.K Singh (Member, SEAC) & Dr. Anil Kumar (Secretary, SEAC) could make it to site visit and took the overview on 16.12.2016 in which the Project Proponent gave the presentation on hydraulic model studies conducted for the proposed bridge, for consideration of the project in SEAC meeting.

The SEAC in its 85th meeting held on 17.12.2016, based on the information furnished, documents shown & submitted, presentation made by the project proponent and recommended the case to SEIAA for grant of Environmental clearance imposing the condition for construction phase, operation phase along with certain specific Conditions

The case was deliberated by SEIAA in its 42nd meeting held on 05.02.2017 and it was decided that the matter be taken up in the joint meeting of SEIAA & SEAC with DTTDC on 07.01.2017. Accordingly the project proponent attended the joint meeting of SEIAA & SEAC on 07.01.2017. The project proponent attended the joint meeting of SEIAA & SEAC on 07.01.2017 and after due deliberation the SEIAA decided that matter be considered in next


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Chairman, SEIAA

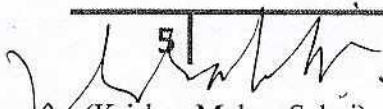

(Dr. S.D. Singh)
Member Secretary, SEIAA

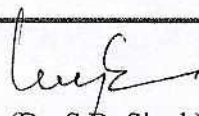

(Dr. K.K. Pant)
Member, SEIAA

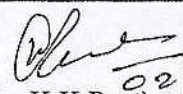
meeting of SEIAA for considering the condition to be imposed w.r.t water bodies, analysis of aquatic & terrestrial samples of soil, compensatory tree plantation done by the project proponent & impact on migratory birds.

The SEIAA approved and granted Environmental Clearance to the project with the additional conditions as follows:

1. Project Proponent shall ensure that there shall be no disposal of construction spoils/ waste into the river Yamuna and in its flood plains.
2. Project proponent shall carry out the analysis for aquatic and terrestrial samples of soil and surface as well as subsurface water for environmental parameters/ contaminants affecting ecological system. Water and soil sampling shall be carried out at two sites in the river (approximately 100m apart). One in each water body if any, and two subsurface sampling on both sides of river Yamuna 500 meters apart within the premises of Bridge width.
3. Project proponent shall assess the impact of bridge construction on migratory birds under the direction and supervision of Chief Wildlife Warden of Govt. of NCT of Delhi.
4. A monitoring cell for compliance of this Environmental Clearance shall be created consisting of Chief Engineer, DTTDC, and officers nominated by Forest Department, Irrigation and Flood Control, DDA and DJB. Chief Engineer, DTTDC shall submit the report in every 3 months to SEIAA till completion of the project. The report will be reviewed in the meeting of SEIAA quarterly


(Krishna Mohan Sahni)
Chairman, SEIAA


(Dr. S.D. Singh)
Member Secretary, SEIAA


(Dr. K.K. Pant)
Member, SEIAA

02/02/17

AGENDA NO: 02

Draft complaint received by Legal cell of DPCC

SEIAA in its 36th meeting held on 07.09.2016 deliberated on the draft complaint to be finalised by the legal cell of DPCC in accordance with the decision during erstwhile SEIAA, it was discussed that there were 7 cases in which complaints to be prepared as per decision taken previously. It was decided that the concerned legal cell of DPCC be directed to report the status of all these 7 cases to the Authority's information. The Authority was of the view that these matters be henceforth assigned to a single lawyer well versed with NGT matter.

Accordingly legal cell has forwarded the status of 7 cases stating that in 4 cases draft compliant had not been put up earlier because of NGT orders dated 07.07.2015 and its stay by the Apex court and in 1 case the compliant has been redrafted in the name of MS, SEIAA.

Out of these 7 cases 2 cases namely Hotel Ashok YatriNiwas built by India Tourism Development Corporation Ltd. & Akshardham" at NH-24, Off Nizamuddin Bridge, AkshardhamSetu, New Delhi are being considered by the SEIAA in their respective agendas.

The names of the remaining 5 cases in which the draft complaints have been received are as following:

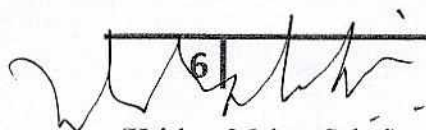
1. Hotel Project "Dusit D2" A Bird Hotel at Asset No.10, Hospitality District, IGI Airport, New Delhi.
2. "MID Market Hotel" Project at Asset-5A, Delhi Aerocity, Indira Gandhi International Airport, New Delhi.
3. New Ward Block & Diabetic Centre at G.T.B Hospital, Shahdra, Delhi.
4. Commercial Complex at Plot No. 9, JasolaDistt. Centre, New Delhi.
5. Shanti NiketanBuildwell Limited. Plot No-D-3, P-3B, Saket, New Delhi.

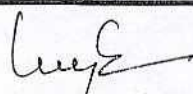
The case was considered in the 39th meeting held on 27.11.2016 and decided that all the above 5 cases be referred to the DPCC law officer looking after NGT cases for specific examination of the case for which EC has been issued after issuance of O.M. dated 12.12.2016.

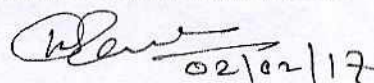
Accordingly cases were referred to the DPCC law officer.

The issue was taken up in 40th SEIAA meeting held on 15.11.2016 and 41st and 42nd meeting held on 15.12.2016 and 05.01.2017.


SEIAA deliberated the issue and decided that the case of M/S Shanti NiketanBuildwell Limited. Plot No-D-3, P-3B, Saket, New Delhi be referred to the Sh. Rally, counsel engaged by DPCC, for commenting on the opinion of legal cell of DPCC. Clarification in remaining two cases (at Sr.No. 1&4 above) be expedited from Law Officer looking

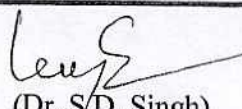

(Krishna Mohan Sahni)
Chairman, SEIAA



(Dr. S.D. Singh)
Member Secretary, SEIAA


(Dr. K.K. Pant)
Member, SEIAA

into NGT cases, specifically w.r.t the pointed queries raised by SEIAA in each case (at Sr.No. 1 to 4 above).


(Krishna Mohan Sahni)
Chairman, SEIAA


(Dr. S.D. Singh)
Member Secretary, SEIAA


(Dr. K.K. Pant) 02/02/17
Member, SEIAA

Agenda: 03

Complaint regarding allegedly Fraudulent/False Claim made in EIA Reports submitted to the EAC (MoEF)/ SEIAA & SEAC (Delhi) for Environmental Clearance

In reference to the representation of SukhDukhKeSathiSanstha, B-45, Sadhbhawna Apartments, received vide email dated 25.04.2016, the DJB was requested to provide comments to SEIAA, vide letter dated 17.05.2016 in pursuance of decision taken in 32nd meeting of SEIAA.

A letter dated 22.06.2016 received from Chief Engineer, Planning, DJB giving reference to Meeting held in chamber of Hon'ble Minister of Water, Delhi deciding that Environmental Clearance of all such project cleared without Consent of Delhi Jal Board should be reviewed again after consultation with DJB and in future same practice may be followed. In the aforesaid letter the DJB has informed that 5 projects have been approved by DJB, 3 projects are under scrutiny, 10 projects have not submitted the proposal and 2 projects pertain to NDMC.

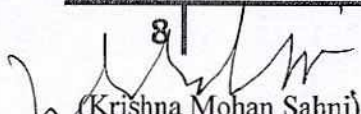
In this regard the Authority observed that the Environmental clearances are issued with certain conditions, one of them is seeking clearance from DJB also. SEIAA is already reviewing the status of compliance of these conditions by seeking the periodical compliance report to be submitted on 1st June & 1st December of calendar year as per provision of EIA Notification, 2006.

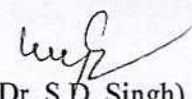
As decided in 33rd meeting of SEIAA held on 07.06.2016 and 34th meeting of SEIAA held 05.07.2016 letters to 55 projects have been issued on 17.06.2016/21.07.2016 to whom Environment Clearances were issued after 28.02.2014 by SEIAA, Delhi.

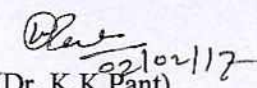
The SEAC in its 81st meeting held on 16.07.2016 recommended as follows:

The committee is of the view that appraisal of any project is related to the environmental impact of the activities being undertaken and mitigation measures to be adopted to minimise the impact by sustainable environment management. The conditions in Environment Clearance are imposed accordingly. The Environment Clearance is supposed to be issued at the conceptual stage of the project even before preparation of the land. The environment clearance is independent of other statutory permissions required to be obtained by the project proponent. In view of Delhi Jal Board letter dated 22.06.2016 the conditions decided to be imposed in Environmental Clearances being issued by SEAC/SEIAA be vetted legally keeping in view MoEF&CC Office Memorandum No. 21-270/2008-IA.III dated 19.06.2013 read with MoEF&CC Office Memorandum No. 22-154/2015-IA.III dated 10.11.2015, stating that the project will be regulated by the concerned local Civic Authorities under the relevant provisions of the MPD-2021, Building Control Regulations and Safety Regulations.

A letter dated 2.08.2016 has also been issued to Chief Engineer (Planning), DJB apprising that SEIAA is already reviewing the status of compliance of these conditions by seeking the


(Krishna Mohan Sahni)
Chairman, SEIAA


(Dr. S D. Singh)
Member Secretary, SEIAA


(Dr. K.K Pant)
Member, SEIAA

periodical compliance report to be submitted on 1st June & 1st December of calendar year as per provision of EIA Notification, 2006.

The issue was deliberated in the 35th meeting held on 19.08.2016 and it was observed that six monthly compliance are not categorical about the status of water supply permission from the concerned authority. Therefore the authority decided that the project proponent be specifically asked to furnish the status of permission/assurances obtained from DJB/NDMC or through authorized sources for meeting out the water supply requirement during the construction as well as operational phase of the project. It was also observed that there are 13 Environmental Clearances which were issued by MoEF & CC in absence of constitution of SEAC & SEIAA Delhi in year 2014-2015. Therefore the compliant may be forwarded to the MoEF & CC, GOI for taking a view in this matter and under intimation to SEIAA-Delhi on the proposal forwarded by DJB vide letter dated: 22.06.2016.

Letter to MoEF and CC has been issued on 06.09.2016 and letters to 55 Project Proponent to whom Environment Clearances were issued after 28.02.2014 by SEIAA, Delhi have been issued on 08.09.2016 to furnish the status of permission/assurances obtained from DJB/NDMC or through authorized sources for meeting out the water supply requirement during the construction as well as operational phase of the project.

No reply received from MoEF & CC, GOI. The issue was taken up in 36th SEIAA meeting held on 14.09.2016 and it was decided that the case be listed again in the next meeting of the authority with replies received if any from Project Proponent and MoEF & CC, GOI.

The issue was taken up in 38th SEIAA meeting held on 05.10.2016 and it was decided that the reply of project proponents will be reviewed in next meeting and SEIAA in its 39th meeting held on 27.10.2016 decided that reminders be issued to the project proponent who have not responded to the letter sent by SEIAA.

The issue was taken up in 40th SEIAA meeting held on 15.11.2016 and 41st meeting held on 15.12.2016 and was decided to defer the Case for next meeting.

The SEIAA in its 42nd meeting held on 05.01.2017 decided that the project falling in category 'B' of item No. 8(b) as per notification S.O.No. 3999 (E) dated 09.12.2016 may be identified and segregated for further review.

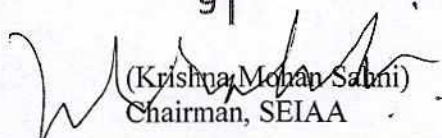
Matter be deferred.

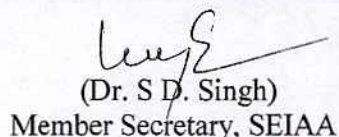
AGENDA NO: 04

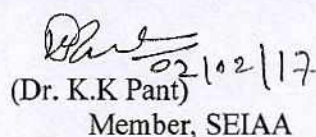
Issue related to mechanism for Compliance of EC conditions

The SEIAA decided that with immediate effect, all the clearances given till date by the SEIAA w.e.f 28.02.2014 (i.e the date of notification delegating power u/s 5 of EPA to SEIAA)

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(Krishna Mohan Sahni)
Chairman, SEIAA


(Dr. S D. Singh)
Member Secretary, SEIAA


(Dr. K.K Pant)
Member, SEIAA

will be reviewed with regard to the status of implementation of terms & conditions imposed, by Authority on each project proponent who are to submit the same twice a year, namely, 1st of June and 1st of December, as prescribed under para 10 (ii) of EIA Notification, 2006.

As decided in 33rd meeting of SEIAA held on 07.06.2016 and 34th meeting of SEIAA held on 05.07.2016 letters to 55 projects have been issued on 17.06.2016/21.07.2016 to whom Environment Clearances were issued after 28.02.2014 by SEIAA, Delhi.

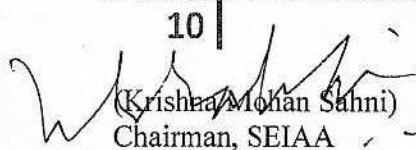
The issue was deliberated in 35th meeting held on 19.08.2016 and it was decided that six monthly report/status of projects as per Environmental Clearance granted, be obtained from all the Project Proponents to whom it has been granted in NCT of Delhi irrespective of issuing authorities (SEIAA- Delhi/ Govt. Of India). The issue was again deliberated in 36th meeting of SEIAA held on 07.09.2016 and observing that further action for implementation of the decision is under process, it was decided the letter be issued to Project Proponents for reporting the present status of six monthly compliance as on 1st June 2016, those who have already submitted may reply along with the soft copy.

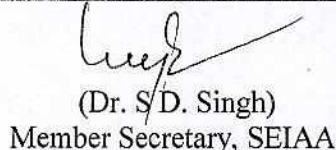
Status of 32 projects to whom letters were issued in pursuance of decision taken in 33rd meeting of SEIAA held on 07.06.2016 was reviewed individually in 37th Meeting of SEIAA held on 14.09.2016 and it was noticed that most of the Project proponents have responded to the letter issued on 17.06.2016, the Authority further decided that:

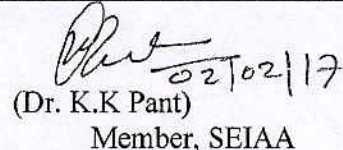
1. Reminder for submission of Six monthly report be issued to the projects who have not submitted the requisite report.
2. Letter be issued to the project proponents who have not started or which are under construction should start plantation of trees along boundary as per landscape plan submitted while obtaining Environmental Clearance in order to take care of rising air pollution and other benefits of trees growth.
3. Letter be issued to the Project Proponents which are operational or have completed the construction, to provide the status of green area, soft area & hard top area.
4. Decision in two cases i.e., EC Case No. 207 & 237 deferred as the matter are under scrutiny.
5. Status of construction be clarified from the project whose stage of construction is not clear as per Response submitted
6. All projects are required to submit the report of Ground water with respect to report on groundwater quality and level of groundwater table prior to start of construction, prior to start of operation & during operation phase.

In view of 37th meeting held on 14.09.2016 as decided above, letters to 30 project proponent have been issued vide letter dated 30.09.2016. In view of 35th meeting held on 19.08.2016 & 36th meeting held on 07.09.2016, 259 project proponents have been asked to submit the requisite compliance report vide letters dated 21.10.2016 and 36 projects are remaining for want of better particulars.

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(Krishnan Mohan Sahni)
Chairman, SEIAA


(Dr. S.D. Singh)
Member Secretary, SEIAA


(Dr. K.K. Pant)
Member, SEIAA

The issue was taken-up in 40th SEIAA meeting held on 15.11.2016 and 41st meeting held on 15.12.2016.

The SEIAA in its 42nd meeting held on 05.01.2017 decided that the project falling in category 'B' of item No. 8(b) as per notification S.O.No. 3999 (E) dated 09.12.2016 may be identified and segregated for further review.

Accordingly the cases were segregated . However, in around 110 nos. of cases the status couldn't found as no record available as most of the ECs issued from MOEF&CC.

Matter be deferred.

Agenda No-05

Case No: 205(offline) :

Name of the Project	Expansion on LaxmipatSinghanian Medical Foundation "PushpawatiSinghanian Research Institute" Press Enclave Marg, Sheikh Sarai, Phase-II, New Delhi
Project Proponent	Mr. U.K. Gupta, Owner, M/s LaxmipatSinghanian Medical Foundation, Link House (4 th Floor), 3, Bahadur Shah Zafar Marg, New Delhi-110002.
Project Consultant	M/s Grass Roots Research & Creation India (P) Ltd.
Date of Application	03.04.2014 in DPCC

The proposal was for the grant of Environmental Clearance for the "Expansion of LaxmipatSinghanian Medical Foundation's "PushpawatiSinghanian Research Institute" at Press Enclave Marg, Sheikh Sarai, Phase-II, New Delhi - 110002. The total plot area is 8,000 sq.mt. The total built-up area proposed was 24,302.12 sq.mt. (Existing: 9,048.92 sq.mt.; Proposed Expansion: 15,057.55 sq.mt.).

SEAC in its 65th meeting held on 30.04.2014 found that while presenting the proposal by the project proponent, it was found that the terms and conditions mentioned in the land allotment and perpetual lease are different from the present use of the land by the project proponent – the land was allotted to the project proponent for the establishment of a Hospital only but the project proponent established PushpawatiSinghanian Research Institute of M/s LaxmipatSinghanian Medical Foundation. The Committee, therefore, decided to defer the project till a clarification is obtained from DDA regarding the land use. It was also

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(Krishna Mohan Sahni)
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(Dr. S.D. Singh)
Member Secretary, SEIAA

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Member, SEIAA

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decided that the Member Secretary should get the clarification from the Land Department of DDA on the original land use and the present land use by the project proponent, and a three member committee make a site visit to assess the status of the Institute.

However PushpawatiSinghania Research institute's, submitted a letter dated 08.05.2014 before issuance of the minutes of 65th SEAC meeting dated 30.04.2016 wherein project proponent requested for withdrawal of Environmental Clearance application, claiming that the built-up area of the project is less than 20000 sq.mt. The said letter was examined in next 66th SEAC meeting held on 22.05.2014 and the committee suggested that built up area may be verified by the team already constituted for the purpose of inspection of this project vide 65th SEAC meeting dated 30.04.2014.

The reconstituted SEAC in its 73rd meeting dated 17.10.2015 and 74th meeting dated 12.12.2015 decided to get the inspection conducted. Project Proponent submitted a letter on 16.02.2016 again requesting to consider the request for Environmental Clearance of the proposed new project stating that, earlier it was envisaged that proposed construction would be less than 20,000 Sq. mts therefore, they had requested for the withdrawal of application dated 3rd April 2014 for environmental clearance. However, over a period of time, and with more joint consultations with clinical consultants of existing hospital proponent realized that their proposed construction will go beyond 20,000 sq. mts..

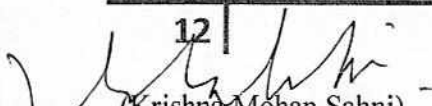
In pursuance of decisions taken by SEAC, inspection was conducted on 07.04.2016 and found that construction work going on. Details and plan w.r.t. construction was neither provided nor shown during inspection. Unit was asked to provide details in SEAC meeting scheduled to be held on 09.04.2016.

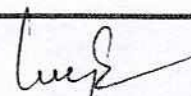
SEAC in its 78th meeting held on 09.04.2016 recommended to defer the case as the project proponent appeared before the committee and requested to defer the case.


The SEAC in its 79th meeting held on 16.04.2016 decided that a letter be issued to the Project Proponent and DDA to provide the details of FAR & Non-FAR area as per building plan sanctioned for which the construction is being under taken by M/s LaxmipatSinghania Medical Foundation for PushpawatiSinghania Research Institute at Press Enclave Marg Sheikh Sarai, Phase-II, New Delhi - 02. Project Proponent be instructed not to go ahead with construction work if the total built-up area (including FAR & Non FAR area of both existing & proposed building) exceeds 20,000 sqm.

As decided letter issued on 29.04.2016 to DDA to provide the details of FAR & Non-FAR area as per building plan sanctioned for which the construction is being under taken with a copy to project proponent with directions as decided.

The SEAC in its 80th meeting held on 28.05.2016 the PP did not turn up and SEAC recommended to issue reminder letter. Accordingly reminder letter was issued on 10.06.2016.

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In the meantime PP submitted a reply on 07.06.2016 w.r.t earlier letter issued on 29.04.2016 claiming that Environmental Clearance is not required in view of unified building bye laws for Delhi 2016 notified on 22.03.2016. It was also stated that initially their plan was to have built up area not exceeding 20,000 Sq.m and their projected building plan will now have built-up area of about 24,000 Sq.m

The Project Proponent did not come to present its case in SEAC 's 81st meeting held on 16.07.2016 however Committee deliberated on the issue and it was observed that no exemption of Environmental Clearance is applicable to the project as per extant position of law. The committee recommended that a final opportunity be provided to the project proponent to come-up with the details of the proposed built-up area and the details of the building plan sanctioned along with the present status of construction. Accordingly letter dated 04.08.2016 was issued to Project proponent.

In response to SEAC letter dated 10.06.2016 letter received from DDA on 01.08.2016 stating the area statement as per drawing submitted by M/SLaxmipatSinghania Medical Foundation for the said project and site inspection done by DDA. The said letter indicates that total built-up area of the project as 21177.08 sqm.

The Project Proponent replied on 12.08.2016 stating that they have to appoint a new consultant and requested to consider the case in mid September 2016.

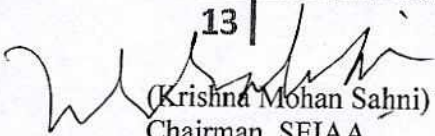
The case was considered in 82nd SEAC meeting held on 20.8.2016 and committee recommended that as evident from the reply received from DDA the project proponent has carried out the construction work beyond the threshold limit of 20,000 sqm built-up area without taking prior EC and it is a clear case of violation, and recommended the case to SEIAA for taking legal action against the Project Proponent for aforesaid violation.

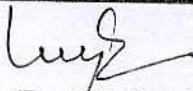
The SEIAA deliberated on the matter in view of proceedings of SEAC meetings and observed that regarding such violation cases, OM's dated 12.12.2012 and 27.06.2013 issued were earlier declared as ultra vires the provisions of the Act of 1986 and the Notification of 2006 by Hon'ble NGT in O A NO. 37 OF 2015 [S.P. Muthuraman VS Union of India and Others] and OA no. 213 of 2015 [Manoj Mishra Versus Union of India] vide order dated 07.07.2015 which was challenged in the Hon'ble Supreme Court, and Hon'ble Apex Court has stayed the order passed by the NGT.

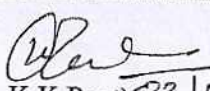
The legal position was taken into account by SEIAA and after due deliberation SEIAA in its 38th meeting held on 05.10.2016 on the matter SEIAA decided as follows:

1. The case be delisted in pursuance of OM dated 12.12.12
2. The matter relating to violation by the Project Proponent be put up to the Board of Directors/ Managing Committee of its Company/ Trust for consideration of its environment related policy/ plan of action and to submit a written commitment in the form of a formal resolution to ensure that violations will not be repeated. A time limit of 60 days be given to the Project Proponent for submission of said resolution, failing

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which it will be presumed that he is no longer interested in pursuing the project further and the file will be closed.

3. Member Secretary, SEIAA will file the prosecution u/s 19 of the EP Act, 1986 for the violations of EIA notification dated 14.09.2006 as recommended by SEAC.
4. Directions u/s 5 of EP Act, 1986 be issued by the Member Secretary, SEIAA for suspending and effective stoppage of the construction activities at the existing level which will inter alia include the directions to DJB, DISCOM & SDM& Delhi Police

Accordingly, in compliance of above decision, letters were issued on 14.10.2016 to all concerned including directions u/s 5 of EP Act, 1986 by the Member Secretary, SEIAA for suspending and effective stoppage of the construction activities at the existing level which will inter alia include the directions to DJB, DISCOM & SDM& Delhi Police. However, no compliance of directions issued from any of the agency. Files already sent to legal cell for compliance of point no. 3 also.

Representations received on 9.11.2016 & 16.11.2016 from the PP regarding resolution passed by governing body etc. The case was forwarded to legal cell of DPCC in view of notification S.O.No. 3999 (E) dated 09.12.2016.

The SEIAA decided to request DPCC to inspect the premises at its early convenience with a view to establish whether, consequent upon SEIAA's order dated 14.10.2016 further construction on the premises has since being stopped by the proponents. A reminder may also be issued to all agencies for ATR of direction issued on 14.10.2016.

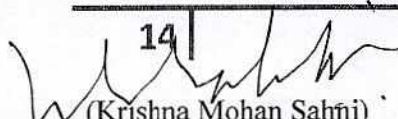
Agenda No.06

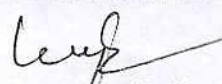
Case No. 36


Name of the Project	Business Hotel at Dwarka, Sector-21, Metro Station Complex, Dwarka, New Delhi-110075
Project Proponent	M/S Indian Hotels Company Ltd. Sector-21, Mtero Station Complex, Dwarka, new Delhi-110075
File No.	36/DPCC/SEIAA-SEAC

The brief of the project is as follows:

There is a difference in the data for which Environmental Clearance was granted vide letter dated 28.08.2009 to the project and the present site conditions as per inspection on 19.11.2015 and compliance report submitted by unit Presently unit has constructed 4 towers in place of 6 towers and total built up area for these 4 towers is reported to be approx 71,000 sq. mt. Some other differences are as under:

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 Chairman, SEIAA


 (Dr. S.D. Singh)
 Member Secretary, SEIAA


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	As per EC	As per site/ compliance report submitted
STP capacity(KLD)	500	320
No. of Rooms	400	250
FAR area (Sq.m)	43891	56471.56
Non FAR area(Sq.m)	41992	45016.35
Total Built up area(Sq.m)	85883	101487.92

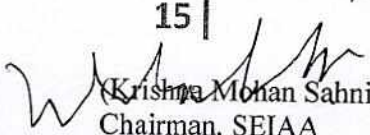
Consent Management Committee of DPCC in its meeting held on 22.08.2016 decided to refer the case to SEIAA for taking necessary action since unit has installed the STP with less capacity (320 KLD instead of 500 KLD mentioned in EC condition and built up area is also changed".

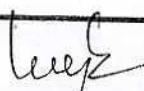
The SEIAA decided to refer the matter to SEAC for appraisal in view of changed facts and figures.

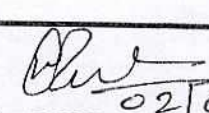
Date of next meeting: 02.03.2017 at 11:30 AM.

Meeting ended with vote of thanks to Chair.

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Chairman, SEIAA


(Dr. S D. Singh)
Member Secretary, SEIAA


(Dr. K.K Pant)
Member, SEIAA

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