

Proceedings of 162nd meeting of State Environment Impact Assessment Authority (SEIAA) held on 19.03.2020 at 10:30 AM in the Conference Hall, PSCST, MGSIPA Complex, Sector-26, Chandigarh.

The following were present:

- 1) Sh. Kuldip Singh, IFS (Retd.),
Chairman, SEIAA
- 2) Sh. Charandeep Singh, PCS
Member Secretary, SEIAA

At the outset, the Member Secretary, SEIAA welcomed the Chairman of the State Environment Impact Assessment Authority (SEIAA) in its 162nd meeting.

Item No. 162.01: Confirmation of the minutes of 161st meeting SEIAA held on 27.02.2020.

SEIAA was apprised that proceedings of 161st meetings of SEIAA held on 27.02.2020 were circulated vide letter no 1499-1500 dated 19.03.2020. No observation was received from any member of SEIAA. SEIAA noted the same and confirmed the said proceedings.

Item No. 160.02: Action taken on the proceedings of 158th meeting, 159th meeting & 160th and 161st meeting of SEIAA held on 23.12.2019, 08.01.2020, 30.01.2020 & 27.02.2020 respectively.

SEIAA noted that action on the proceedings of 158th meeting and 159th meeting of SEIAA held on 23.12.2019 and 08.01.2020, have been taken. However, some of the items are required to be followed up regularly and to be placed in its every meeting. The details of the followed-up items are placed at **Annexure-A**.

SEIAA was further apprised that action on the proceedings of 160th & 161st meeting of SEIAA held on 30.01.2020 & 27.02.2020, would be completed at the earliest and action taken report be placed in the next meeting.

To a query of SEIAA regarding delay in the action taken and huge pendency (61 cases) at Scrutiny Level, it was apprised that there is shortage of staff in the SEIAA/SEAC branch and most of the cases are related to the mining of minor minerals. New Staff is being recruited very shortly for the SEIAA/SEAC.

After detailed deliberations, SEIAA decided that concern of SEIAA regarding huge pendency of cases due to shortage of dedicated staff of SEIAA/SEAC be brought to the notice of Govt.

Also Principal Secretary, Department of Science, Technology and Environment be requested to get the new staff recruited at the earliest and to also ensure that new Staff as and when recruited be dedicated fully to the SEIAA/SEAC branch only so that new projects are not held up for want of grant of EC by SEIAA in the state.

Annexure-A**Followed up items: -**

Sr No.	Item	Decision taken by SEIAA	Action Taken
154.01	Regarding status of prosecution & status of construction in the violation cases	<p>1) SEIAA decided that concerned Regional Office, PPCB be asked to intimate as to whether the prosecution against the project proponents of M/s Omega Infra Estates Pvt. Ltd. has been launched or not, in compliance to the PPCB letter no. 7595 dated 29/08/2019.</p> <p>2) Member Secretary, PPCB be asked to send the action taken report in similar cases as requested earlier vide D.O No 545 dated 18.07.2019.</p>	<p>Environmental Engineer, Regional Office, Mohali has been requested vide letter no 1447 dated 03.02.2020 to intimate as to whether the prosecution against the project proponents of M/s Omega Infra Estates Pvt. Ltd. has been launched or not, in compliance to the PPCB letter no. 7595 dated 29/08/2019</p> <p>2) Member Secretary, PPCB has been requested vide letter no 1446 dated 03.02.2020 to send the action taken report in similar cases as requested earlier vide D.O No 545 dated 18.07.2019</p>
154.04	Regarding request made by Sh. Surjit Singh Jossan, R/o- Village Kotli Kamboj, Shahkot, District Jalandhar, Punjab for granting permission for using the new route for transportation for the Kaimwala mining site "River Bed Sand Mining" Project at Khasara No – 38/11, 12,38/12, 13, 38/10, 38/18, 19, Hadbast	After deliberations, SEIAA decided to defer the matter and same shall be placed before SEIAA after the final order is passed by the Hon'ble Punjab & Haryana High court, Chandigarh in the matter of CWP no. 6777 of 2019	<p>CWP no. 6777 of 2019 lastly listed 16.03.2020. Next date of hearing is not available.</p> <p>However, the web site of Hon'ble court is being followed.</p>

	No. 338, Village-Kaimwala, Tehsil Nakodar, District- Jalandhar, Punjab (Leased Area: 2.42Ha)		
155.04	Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to General Manager-cum-Mining Officer, District Industries Centre, Jalandhar for mining of minor minerals in the revenue estate of Village Chak Budala, Tehsil Shahkot, District Jalandhar in the name of M/s Mahadev Enclave Private Limited, B-37, Ayodhya Marg, Hanuman Nagar, Jaipur (Rajasthan).	SEIAA accepted the request of the contractor and decided to defer the case and place the case in the meeting only after the discrepancies are attended to by the contractor/Mining department.	Observation has been conveyed to the applicant vide letter no 1442 dated 03.02.2020. However, no reply has been received so far.
155.08	Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to General Manager-cum-Mining Officer, District Industries Centre, Ludhiana for mining of minor minerals in the revenue estate of Village Bhukhri Khurd, Tehsil Ludhiana (E), District Ludhiana in the name of M/s Mahadev Enclave Private Limited, B-37, Ayodhya Marg, Hanuman Nagar, Jaipur (Rajasthan).	SEIAA accepted the request of the contractor and decided to defer the case and place the case in the meeting only after the discrepancies are attended to by the contractor/Mining department.	Observation has been conveyed vide letter no 1456 dated 03.02.2020. However, no reply has been received so far
155.27	Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to General Manager-cum-Mining Officer, District	SEIAA accepted the request of the contractor and decided to defer the case and place the case in the meeting only after the discrepancies are attended to by the	Observation has been conveyed vide letter no 1448 dated 03.02.2020. However, no reply has been received so far

	Industries Centre, Ferozepur for mining of minor minerals in the revenue estate of Village Beri Qadrabad, Tehsil Zira, District Ferozepur in the name of M/s Prime Vision Industries Private Limited, 312, 3 rd Floor, Vishal Chamber, P-1, Sector-18, Noida – 201301, Distt. Gautam Budh Nagar, Uttar Pradesh.	contractor/Mining department.	
155.29	Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to General Manager-cum-Mining Officer, District Industries Centre, Ferozepur for mining of minor minerals in the revenue estate of Village Pir Ismail Khan, Tehsil & District Ferozepur in the name of M/s Prime Vision Industries Private Limited, 312, 3 rd Floor, Vishal Chamber, P-1, Sector-18, Noida – 201301, Distt. Gautam Budh Nagar, Uttar Pradesh.	SEIAA accepted the request of the contractor and decided to defer the case and place the case in the meeting only after the discrepancies are attended to by the contractor/Mining department.	Observation has been conveyed to the applicant vide letter no 1444 dated 03.02.2020. However, no reply has been received so far

157.02	Regarding Monitoring of conditions of environment clearance	After detailed deliberations, it was decided that a copy of the NGT order be sent to the Chairman, PPCB, with a request to direct all the Regional Offices to monitor the EC projects as per the direction given by NGT order and send the compliance report of conditions of Environmental Clearances to the SEIAA at the earliest.	Chairman, PPCB, has been requested vide letter no 1441 dated 03.02.2020 to direct all the Regional Offices to monitor the EC projects as per the direction given by NGT order and send the compliance report of conditions of Environmental Clearances to the SEIAA at the earliest
158.16	Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to The Director, Department of Industries & Commerce, Govt. of Punjab for mining of minor minerals in the revenue estate of Village Nangram, Tehsil Nangal, District Rupnagar in the name of Rakesh Kumar Chaudhary, Krishna Complex, Sector-3 Extn, Trikuta Nagar, Jammu.	SEIAA accepted the request of the contractor and decided to defer the case and place the case in the meeting only after the discrepancies are attended to by the contractor/Mining department.	Observation has been conveyed to the project proponent vide letter no 1452 dated 03.02.2020. However, no reply has been received so far
158.25	Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to The Director, Department of Industries & Commerce, Govt. of Punjab for mining	SEIAA accepted the request of the contractor and decided to defer the case and place the case in the meeting only after reply to the observation submitted by the contractor.	Observation conveyed to the project proponent vide letter no 1327 dated 16.01.2020 However, no reply has been received so far

	of minor minerals in the revenue estate of Village Chak Hari Rai, Tehsil & District Pathankot in the name of M/s Sainik Industries Private Limited (Earlier known as Sainik Foods Private Limited), Flat No. 201 & 202, Vikas Plaza Building No.2, Local Shopping Centre, Kalkaji, New Delhi – 110019.		
158.30	Application for issuance of TORs for obtaining environmental clearance under EIA notification dated 14.09.2006 for the development of commercial project namely “Judicial Court Complex and District Administrative Complex”, District Tarn Taran, Punjab by Executive Engineer, Construction Division no. 1, PWD (B& R), Court Road, Amritsar. (Old Proposal No. SIA/PB/NCP /52903 /2016 for EC, New Proposal No. SIA/PB/NCP/25479/2018 for TORs)	SEIAA decided to defer the case and ask the Punjab Pollution Control Board to send the latest status report of the credible action taken against the project proponents so as further action in the matter can be taken	Punjab Pollution Control Board has been requested vide letter no 1454-55 dated 03.02.2020 to send the latest status report of the credible action taken against the project proponents so as further action in the matter can be taken.
158.31	Regarding status of various Court Cases pending before the Hon’ble Court.	SEIAA decided as under: - i) Standing counsel may be asked a day before to appear in their respective case as per the listed date before the	It was noted for the compliance.

		<p>respective Court.</p> <p>ii) Updated status of court cases pending before various Hon'ble Courts shall be placed in every meeting of SEIAA.</p>	
159.03	Review petition in the matter related to CWP no 25119 of 2019 titled as M/s Surya Land Developers S/s Union of Indian & Ors.	The SEIAA decided that Member Secretary, SEIAA shall file the Review Petition on behalf of SEIAA, Punjab in the Hon'ble Punjab & Haryana High Court, Chandigarh.	<p>Review Petition on behalf of SEIAA, Punjab has been filed in the Hon'ble Punjab & Haryana High Court, Chandigarh on 17.01.2020.</p> <p>SEIAA directed that necessary follow-up be made for getting MoEF&CC reply submitted in the Hon'ble Court.</p>
Table Item no. 1:	Construction of 100 ft wide road to PR-4 at Mullanpur (New Chandigarh), Punjab, in the matter of OA No. 980/2019 titled as Harminder Singh & Others Vs Union of India & Others before the National Green Tribunal, New Delhi.	SEIAA observed that since the matter relates to the Hon'ble NGT, the reply submitted by the project proponent vide letter no ONCDPL/DM/2019-19 dated 04.12.2019 to GMADA, be obtained from GMADA, so that further action in the matter can be taken	The decision of SEIAA has been conveyed to GMADA vide letter no. 1466 dated 03.03.2020. However, no reply has been received so far
Table Item no. 3:	Monitoring report of the project named as Environment Clearance under establishment of group housing project namely "Rajgarh Estates Phase -II" in the revenue estate of village Birmi,	SEIAA went through the observations as reported by the Regional Office, MoEF. After deliberations, SEIAA decided that the project proponent be asked to send the action taken report on the	The decision of SEIAA has been conveyed to the project proponent vide letter no. 1468 dated 03.03.2020. However, no reply has been received so far

	Sidhwan Canal, Ludhiana, Punjab by M/s Dev Arjuna Promoters and Developers (P) Ltd- reg	observations as reported by the MoEF, within one month time, before proceeding further in the matter	
Table Item no. 4:	Monitoring report of the project named as Environment Clearance for construction of Residential Apartment Complex namely "Jalandhar Heights – Phase-3" in the revenue estate of villages Pholriwal and Alipur, Tehsil & District Jalandhar by M/s AGI Infra Ltd. Birmi, Sidhwan (SEIAA/MS/66 dt. 07.01.2015)- reg.	SEIAA went through the observations as reported by the Regional Office, MoEF. After deliberations, SEIAA decided that the project proponent be asked to send the action taken report on the observations as reported by the MoEF, within one month time, before proceeding further in the matter	The decision of SEIAA has been conveyed to the project proponent vide letter no. 1471 dated 03.03.2020. However, no reply has been received so far
Table Item no. 5:	Monitoring report of the project named as Environment Clearance for construction of Residential Apartment Complex namely "AGI Palace" in the revenue estate of villages Pholriwal, Jalandhar, Punjab by M/s AGI Infra Ltd. C/o Jalandhar Heights 66' Road, village Pholriwal, Jalandhar (SEIAA/2018/241 dt. 26/02/2018)- reg	SEIAA went through the observations as reported by the Regional Office, MoEF. After deliberations, SEIAA decided that the project proponent be asked to send the action taken report on the observations as reported by the MoEF, within one-month time, before proceeding further in the matter	The decision of SEIAA has been conveyed to the project proponent vide letter no. 1470 dated 03.03.2020. However, no reply has been received so far
Table Item no. 6:	Environmental Clearance for the Establishment of Indian Institute of Science Education and Research at Sector- 81, SAS Nagar, Mohali, Punjab by M/s Indian Institute of Science Education and Research – Monitoring reg.	SEIAA went through the observations as reported by the Regional Office, MoEF. After deliberations, SEIAA decided that the project proponent be asked to send the action taken report on the observations as reported by the MoEF, within one month time, before proceeding further in the matter	The decision of SEIAA has been conveyed to the project proponent vide letter no. 1469 dated 03.03.2020. However, no reply has been received so far

Item No.162.03: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from the bed of river Ravi in the revenue estate of village Kot Rajda, Tehsil Ajnala, District Amritsar, Punjab filed by Sh. Premdeep Singh Shergill S/o Amarjit Singh (Proposal No. SIA/PB/MIN/75585/2018)

SEIAA observed that

Contractor namely Sh. Premdeep Singh Shergill S/o Amarjit Singh vide online application bearing proposal no. SIA/PB/MIN/75585/2018 has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from the bed of river Ravi in the revenue estate of village Kot Rajda, Tehsil Ajnala, District Amritsar. The project is covered under category 1 (a) of the Schedule appended to the said notification.

Accordingly, after scrutinizing the application, EDS was raised online to which the contractor replied as under: -

Sr. No.	Observations	Reply
1.	The legal entity of the earlier case submitted by the GMDIC may be submitted through the respective applicant with documentary proof?	Documentary proof i.e. Undertaking and NOC from GMDIC, Amritsar is enclosed as Annexure-30(a) & 30(b) respectively. Approved Mining Plan is submitted.
2.	Whether the aforesaid raised observations by SEAC in its 160th meeting have been attended by the contractor in the proposal no.SIA/PB/MIN/75585/2018?	All the observations raised during the 160 th meeting of the project held on 22.12.2017 have been attended by the project proponents.
3.	The project proponent is required to submit the consent of the land owner as per the requirement of Sustainable Sand Mining Guidelines, 2016 framed by the MoEF&CC.	Allotment letter is obtained vide memo no. GLG/G1/1085/2018/2/465-B dated 20/02/2018 enclosed. Latest Undertaking and NOC from GMDIC, Amritsar is also submitted.
4.	The project proponent is required to submit the contour plan showing river bed level, water level and present surface levels at various cross sections etc.	The Contour Plan is submitted along with Approved Mine Plan. Copy of the Contour Plan is submitted.
5.	The project proponent is required to	The project proponent has submitted the

	submit the traffic management plan citing complete details of route plan to be followed by trucks transporting minor minerals with traffic volume data etc. so that there is hassle free movement and villagers should not face any problem.	traffic Management plan citing complete details of route plan to be followed by trucks transporting minor minerals with traffic volume data etc.so that there is hassle free movement and villagers should not face any problem.
6.	The manpower to be deployed at the project seems to be on lower side. Thus, the project proponent is required to submit the justification of man power requirement for mining of minor minerals / loading of materials.	The manpower to be deployed at the project has been revised for mining through semi-mechanized means. Thus, the project proponent has submitted revised justification of man power requirement for mining of minor minerals / loading of materials.
7.	The project proponent told during meeting that District Survey Report of District Amritsar has been finalized as per notification dated 15.01.2016 issued by MoEF. However, he failed to submit any documentary evidence for the same. Thus, the SEAC asked the project proponent to submit the same before the next meeting.	DSR has been submitted with the application. Additionally, undertaking regarding DSR has also been obtained from GMDIC, Amritsar & is submitted.
8.	The project proponent is required to submit the site specific CSR plan.	The project proponent has submitted the site specific CSR plan in chapter 9 of the PFR.

Further, the details of the cases based upon the submissions made by the project proponent are as under: -

a) Site Details

i.	Khasra No. from where mining has to be carried out	40//21,22,23,24,25,43//1,2,3,4,5/1, 5/2,6/1,6/2,7,8,15,44//1,/1/2,10/1, 10/2,11	
ii.	Hadbast No.	59	
iii.	Village	Kot Razada	
iv.	Tehsil	Ajnala	
v.	District	Amritsar	
vi.	State	Punjab	
vii.	Latitude /Longitude	Latitude	Longitude
		31° 56'40.94"N	74°48'27.92"E

		31° 56'38.87"N	75°48'33.91"E
		31° 56'33.14"N	74°48'24.51"E
		31° 56'30.37"N	74°48'26.80"E
		31° 56'26.35"N	74°48'18.30"E
		31° 56'20.11"N	74°48'30.24"E
		31° 56'36.86"N	74°48'26.76"E
		31° 56'28.38"N	74°48'38.32"E
viii	Nearest Railway Station	The nearest Railway Station is Ram Das at a distance of approx. 10.80 km in NE from mine site.	
ix.	Nearest Airport	Shri Guru Ram Das Jee International Airport, Amritsar: approx. 26.17 km (aerial distance) towards the South from the mining site.	
x.	Nearest Highway /Road	There is a state highway SH-25 approx. 2.75 km aerial distance towards the east from the mining site.	
xi.	Production	As per E-Auction contract production per year is 2,66,158 and Geological Reserve is 3,03,946 Tonnes as per Approved Mine Plan although there is a good quality of sand beneath the proved category of mineral due to restriction imposed for quarrying by the state government for upto 3-meter depth, probable category of reserve has not been estimated.	
xii.	Geological Reserve	3,03,946tonnes	
xiii	Mineable Reserve	Geological Reservex Recovery(@90%)=273551.175 tonnes	
xiv	Cost of project	Rs. 48,90,000/-	
xv	Water requirement	Total water requirement 5 KLD, which includes 3.70 KLD for dust suppression purpose and 1.3 for domestic purpose.	
xvi	Production	Sand (2,66,158 TPA) as per E- Auction.	
xvii	Mining lease area	6.085 ha or 15.03 acre	

b) Mining process

i) Sand Mining

For the optimum utilization of the mineral available in the auctioned mining area, mine working has been planned in a scientific and systematic manner as per the approved mining plan. The proposed project is open-cast, semi-mechanized. The mining shall be performed using semi-mechanized method. This shall make use of excavators, dumpers, tipper sand few workers to accomplish the process. The main tools and equipment required for soil mining shall be excavator's dumpers and tippers for semi mechanized mining operations including loading and transportation. The mining will be conducted as per the E-Auction notice issued vide Notice No. GLG/Pb/G-1/Auction/1085/2018/163-B dated 15/01/2018 from, Directorate of Mining, Department of Industries & Commerce, Govt. of Punjab and demarcation report.

c) Mining Conditions

It is a case of flood plain Mining, sand mineral is replenish-able during rains and high flood conditions. Mining conditions as per rules regulations and auction notice are as under: -

- (i) Extraction of sand is to be carried out from downstream side of sand bars at river beds. Retain up-stream one to 2/3rd of bar and riparian vegetation.
- (ii) It is a case of low embankment (appx. 2 m) i.e. less than 6 m height, borrow area should not be selected within 25 m from toe/heel of embankment.
- (iii) To obviate development of flow to embankment cross bars of width 8 times the depth of borrow pits spaced 50-60 m center to center should be left in borrow pits.
- (iv) Demarcation of mining area should be done with concrete pillars and coordinates obtained.
- (v) Temporary Bench Mark (TBM) with respect to mean sea level should be essential.
- (vi) To establish an Absolute Elevation (Red Line) below which no mining to occur.
- (vii) Consent of land owners in case of mining in private land. No river bed mining will be permitted during rainy season.
- (viii) River bed mining to be carried out during dry season only. Excavation will not be carried out without making bench under Regulation 106 of Metalliferous Mines Regulation, 1961.
- (ix) Depth of mining in river bed shall not exceed 1.0 m or water level whichever is less.
- (x) Ultimate working depth shall be upto 3.0 m depth from river bed level and not less than 1.0 m from water level of channel whichever is achieved earlier.
- (xi) Mining shall be done in layers of 1.0 m depth.
- (xii) No mining is permitted in reserved/protected forest area.

d) Proposed Method of Mining

Proposed method of mining will be open cast river bed mining. Bench will be made upto 1.00 m depth during excavation. Open cast mining shall be done by semi mechanized means only. No drilling/blasting operations would be performed for the excavation of mineral.

- (i) Mining will be starting from center of the quarry/river bed area and advance towards bank across the river uniformly. In order to maintain safety and stability of river banks, a distance of 50 m from the river bank will be left. The mineral extraction will be done for a period of maximum 250 days in a year.
- (ii) The quarry area gets the sediments deposit due to river flow which remains undisturbed. The extraction process may slow or stop but aggradation process keeps on going as per channel's capacity and its flow.
- (iii) Guidelines of Ministry of Environment and Forests as also of Geological Survey of India shall be followed.
- (iv) Dry Pit Mining will be followed which means mining at all times will be above flowing river bed water level and no mining when water is above bed level.

- (v) Sand will be excavated in slices of one meter thickness up to a depth of 3 m or above the ground water level, whichever comes first (Maximum depth as per model guide lines of Geological Survey of India and Ministry of Environment and Forests).
- (vi) Stream will not be diverted to form inactive channel.
- (vii) Mining at the concave side of the river channel will be avoided to prevent bank erosion.
- (viii) Area of mining will be demarcated prior to mining and concrete pillars shall be erected on ground which will enable systematic mining.
- (ix) No mining operations shall be carried out in proximity of any bridge and or embankment.

e) Need for Semi-Mechanization

The requirement of mining equipment is calculated at its maximum production capacity as below:

- The maximum level of annual production planned
= 266158 TPA.
- Daily production required assuming 250 working days
= $266158/250=1065$ TPD
- No. of tippers required for transportation of 1065 TPD of Sand is
= 53 Tippers of capacity 20 Tonnes
- Excavator Bucket Capacity = 0.9 m³ i.e. 1.62 tonnes
- 1 cycle (5 min) will transport 1.62 tonnes
- 1 hour (60min/5min) = 12 cycles so excavator will fill 20 tonnes (1.62*12) in 1 hour
- Thus, no. of working hours = 10 hrs
- 1 excavator will fill 200 tonnes in 10 hrs whereas 5 excavators will fill 1000 tonnes in 10 hours (which is still less than 1065 TPD production)
- No. of workers required = 35 workers

Requirement of Labor & time for Manual Method of Mining

- The requirement of mining equipment is calculated at its maximum production capacity as below:

The maximum level of annual production planned = 266158 TPA

Daily production required assuming 250 working days

$$=266158/250 =1065 \text{ TPD}$$

- No. of tippers required for transportation of 1065 TPD of Sand is
= 53 Tippers of capacity 20 Tonnes
- No. of workers required to fill 1 tipper of capacity 20 tonnes
= 10 workers approx.
- No. of workers required to fill 53 tipper of capacity 20 tonnes
= 530 workers approx.

Time required to fill 1 tipper of capacity 20 tonnes = 2 hours approx.

Time required to fill 53 tipper of capacity 20 tonnes = 106 hours approx.

As per auction notification condition no. 42 there are fixed no. of hours for mining activity as per the excerpt given below.

"The time for excavation during summer (1st April to 30th September) shall be from morning 6 O' clock to evening 7 O'clock and in winter (1st October to 31st March) shall from morning 7 'O clock to evening 5 O'clock."

Thus, considering the requirement of mining of designated material 1065 TPD from mining site, completely manual method is not economically feasible and causes environment impacts for prolonged duration with significant impacts for the adjoining villages. If completely manual method is adopted, it is not feasible to extract the given quantum of material in the allotted time for mining. As it will require 530 no. of workers and 106 hours of operation in a day, which will again result in increased stress on the ecosystem of the project site, with consequent increased generation of sewage and solid waste from the laborers. Further, prolonged duration of the project will cause nuisance to the inhabitants in the adjoining villages, and unaesthetic view at the project site.

However, if semi mechanized method, involving minimal use of machinery and optimal no. of workers is allowed it can provide following benefits:

1. Reduced duration of exposure to negative impacts of mining
2. Reduced production of sewage and solid waste at the project site to be treated
3. Reduced nuisance to the villagers
4. Feasible to extract the required quantity and supply raw material to market to curb black marketing and support development.
5. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation.

f) Safety Zones for River Banks

No quarry operations or workings shall be carried on or permitted to be carried on by a mineral concession holder to ensure safety of river beds, river embankments, roads, railways, bridges, structures and adjoining areas as follows;

- (i) within a distance of 500 meters upstream/downstream of any high level bridge and 250 meters upstream/downstream of other bridges.
- (ii) Within a distance of 100 meters inside/outside any flood protection embankment (Bundh).
- (iii) 75 meters from any railway line (except with the previous permission in writing of the Railway Administration concerned);
- (iv) 60 meters from any bridge or national highway;

- (v) 50 m from any reservoir, tank, canal or other public works such as public roads and buildings or inhabited sites (except with the previous permission in writing of the Government or such other authorised officer, by it in his behalf) otherwise than in accordance with such instructions, restrictions and conditions either general or special which may be attached to such permission;
- (vi) In the case of village roads, no mining shall be carried on within a distance of 10 meters except with the previous permission in writing of the Government or any authorised officer, by it in this behalf;
- (vii) No quarrying operations or mining shall be carried on or permitted to be carried on by a Mineral Concession holder up to any point within 7.5 meters from the outer periphery of adjoining private/Government land;
- (viii) The depth of mining in the river bed shall not exceed 3 meters or water level whichever is less, measured from the un-mined bed level at any point in time with proper bench formation;
- (ix) Ultimate working depth shall be up to 3.0 m from Riverbed level and not less than one meter from the water level of the River channel whichever is reached earlier.
- (x) In River flood plain mining a buffer of 3 meter to be left from the River bank for mining
- (xi) In mining from agricultural field a buffer of 3 meter to be left from the adjacent field.
- (xii) The depth of mining in plain areas shall not exceed 3 meters or water level whichever is less, measured from the un-mined adjoining ground level.
- (xiii) Benches are formed in accordance with regulation 106 of Metalliferrous Mine Regulations, 1961.
- (xiv) The contractors will abide by various provisions laid down under Mines Act, 1952, Mines & Minerals (Regulation and Development) Act, 1957, Forest (Conservation) Act, 1980, MMR, 1961.
- (xv) The contractor will also abide by the provisions of Interstate Migrant Workman Act. The contractor with the satisfaction of competent authority will provide drinking water, rest shelter, first aid box, welfare facilities as per Central and State Govt, labor laws.
- (xvi) To maintain safety and stability of Riverbanks i.e. 3 meter or 10% of the width of the River whichever is more will be left intact as no mining zone.

g) Details of Mining Machinery Proposed

The mining shall be performed using semi-mechanized method. For mining operation excavators, dumpers and tippers has been considered. The Machinery considered for sand mining has been presented below.

Extent of Mechanization

Name of the Equipment	Capacity	No. required (per day)
Excavator	1.1 m3	5
Dumpers / Tippers	20 Tonne	53
Water Tanker	As required	
Ambulance	As required	

h) Manpower Requirement:

The manpower requirement for the proposed project will be around 29 nos.

Sr. No.	Category	Numbers
1.	Supervisor	1
2.	JCB Operator & Drivers	8
3.	Unskilled/Skilled	20
	Total	29

It is assumed that working days will be 250 days in a year. As per information collected through local villagers who have already worked in the past, the above mentioned staff can handle 1065 tonnes of sand in a day.

i) Environmental Management Plan Implementation

It includes the following: -

- (i) Collection of air and water samples at strategic locations with frequency suggested and by analyzing thereof. If the parameters exceed the permissible tolerance limits, corrective regulation measure will be taken.
- (ii) Collection of soil samples at strategic locations once in every year and analysis thereof with regard to deleterious constituents, if any.
- (iii) Measurement of water level fluctuations in the nearby ponds, dug wells and bore wells.
- (iv) Regular visual examination will be carried out to look for erosion of river banks. Any abnormal condition, if observed will be taken care of.
- (v) Measurement of noise levels at mine site, stationary and mobile sources, and adjacent villages will be done twice a year for the first two years and thereafter once a year.
- (vi) Plantation/afforestation as should be done as per program i.e. along the road sides and near civic amenities, which will be allotted by Government bodies as it is not feasible to plant trees near the mine lease area. Post plantation, the area will be regularly monitored in every season for evaluation of success rate. For selection of plant species local people should also be involved.

j) Environment Management Cell (EMC)

The Environment Management Cell shall include:

Sr .No.	Instruction

1.	Representative of Management (Prop. Premdeep Singh Shergill S/o Sh Amarjit Singh)
2.	Project In-charge
3.	Representative of Environment Consultants
4.	Representative of Local Area as Sarpanch of the Village

EMC will also look into the following: -

- Identification of any environmental problems that are occurring in the area.
- Initiating or providing solution to those problems through designed channels and verification of the implementation status.
- Controlling activities inside the project, until the environmental problem has been corrected.
- Suitably responding to emergency situations.

k) Cost of EMP

Sr.No	Description	Cost to be incurred (in lakhs/annum)
1	Air Quality a) Monitoring in the vicinity of the mine b) Monitoring in the vicinity of the transportation network c) Cost of dust suppression	0.15
2	Water Quality Water quality of surface and ground water around the site	0.15
3	Ambient Noise Level	0.05
4	Soil Quality	0.05
6	Inventory of Flora (tree plantation, survival etc) & Fauna	0.5
7	Man power cost for environmental cell	0.5
TOTAL		1.40

l) Benefits of Mining

- Controlling river channel.
- Protecting banks.
- Reducing submergence of adjoining agricultural lands.
- Reducing aggradations of river level.
- Generating usefull economic resource for construction.
- Generating employment.
- Improvement in socioeconomic conditions of the people of the study area.

m) Corporate Social Responsibility (CSR)

The project proponent will set out, to do the following CSR activities in and around project site by giving importance to their corporate philosophy in order to achieve the objective to improve the quality of life and socio-economic scenario with special attention to the people residing in the study area:

- (i) Providing Furniture in the Gurudwara Sahib, Chaharpur, Tehsil Ajnala.
- (ii) Providing books to the Govt. primary school children of Kot Razada.

The case was lastly considered by the SEAC in its 173rd meeting held on 29.11.2018 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Amritpal Singh, Authorized representative of the promoter company.
- (ii) Sh. Sandeep Garg, CEO, M/s ECO laboratories & Consultants Pvt. Ltd., Environment consultant of the promoter company.

Before allowing the detailed presentation of the project, SEAC queried to project proponent to clarify the ownership issue of land in question where mining is proposed to be done. In reply to this query, the project proponent has shown consent of some owners of mining land. SEAC observed that the project proponent has not yet submitted the consent of the land owner for all the Khasra numbers of mining land as per the requirement of Sustainable Sand Mining Guidelines, 2016 framed by the MoEF&CC, New Delhi. Further, the documents related to ownership of the land in question of the land owners could not be produced. To these observations of SEAC, project proponent has sought some time to submit the same.

To another query of SEAC regarding no objection certificate from the GMDIC, Amritsar for environmental clearance to be granted for the mining site in the name of contractor, the project proponent has shown request letter addressed to GMDIC Amritsar on which he has given his consent under his signature and stamp. SEAC observed that said NOC issued by the GMDIC, Amritsar is not proper and ask the project proponent to submit the proper NOC issued by the GMDIC, Amritsar for environmental clearance to be granted for the mining site.

No further presentation w.r.t. the project for obtaining environment clearance was taken up. The SEAC decided to accept the request of the project proponent and deferred the case till the project proponent submits reply to the aforesaid observations.

The project proponent thereafter, submitted the reply, which was annexed as annexure with the agenda.

The case was considered by the SEAC in its 174th meeting held on 28.12.2018 and the same was attended by the following on behalf of the project proponent: -

- (i) Sh. Premdeep Singh S/o Sh. Amarjit Singh, Proprietor of the promoter company.
- (ii) Dr. Sandeep Garg, EIA coordinator, M/s ECO laboratories & Consultants Pvt. Ltd.,

Environment consultant of the promoter company.

During the meeting, the project proponent again failed to produce the requisite documents and submitted that due to the non-availability of certain documents & non-collection of additional information w.r.t. their application, they are not able to present the case before the SEAC. He made a request to SEAC to defer the case and also submitted a request letter dated 28.12.2018 in the matter, which was taken on record by the SEAC.

The case was considered by the SEAC in its 175th meeting held on 22.01.2019 and the same was attended by the following on behalf of the project proponent: -

- (i) Sh. Premdeep Singh Shergill, Proprietor (contractor).
- (ii) Dr. Sandeep Garg, EIA coordinator, M/s ECO laboratories & Consultants Pvt. Ltd., Environment consultant of the promoter company.

The project proponent apprised the SEAC that the Executive Engineer-cum-Mining Officer, Mining Division, Amritsar vide letter No. 564 dated 16.01.2019 has informed that earlier they had applied for obtaining environmental clearance vide Proposal No. SIA/PB/MIN/70513/2017. He further informed that the project site has already been transferred to Sh. Premdeep Singh Shergill and the project proponent will obtain the EC for the project. He also informed that they till date no mining activity has been carried at the mining site. He requested that the earlier application submitted by them shall be withdrawn at the earliest to enable the allottee to obtain EC for the same from SEIAA, Punjab.

To the above, the SEAC decided that M/s Shivalik Solid Waste Management Ltd., Zirakpur, Environmental Consultant be asked to withdraw the online (Proposal No. SIA/PB/MIN/70513/2017) proposal as submitted by them. Before allowing the presentation, project proponent submitted reply to the observations earlier raised by the SEAC as under:-

Sr. No	Observation earlier raised by SEAC in last meeting	Reply of the project proponent during present meeting
1.	The documents related to ownership of the land in question of the land owners could not be produced.	Consent of the land owner as per Khasra No. of mining plan has been submitted. The documents related to ownership of the land (Jamabandi) has also been submitted. The SEAC taken the said documents on record.
2.	SEAC observed that said NOC issued by the GMDIC, Amritsar is not proper and ask the project proponent to submit the proper NOC issued by the GMDIC, Amritsar for Environmental	GMDIC, Amritsar has already given his consent for the project through Joint Inspection Report and letter of Intent has also been submitted.

Clearance to be granted for the mining site.	
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Thereafter, Environmental Consultant of the project proponent presented the salient features of the project as under:-

- Eco Laboratories and Consultants Pvt. Ltd. Mohali is a Registered Environmental Consultancy and is approved & certified by all leading institutions like QCI NABET, NABL, Dept. of Science & Technology, Govt. of India, MoEF, PPCB, ISO & OHSAS. The accreditation certificate is valid upto 13.12.2020.
- The Mining of sand will be carried out from the Bed of river Ravi, in the revenue estate of Village Kot Razada, Tehsil Ajnala, Distt. Amritsar.
- As per Gazette Notification dated 14th September 2006 and subsequent amendments thereof, the project falls under S.No. 1(a) - 'Mining of Minor Minerals' Category B2 i.e. ≥ 5 and < 25 ha.
- The proposed rate of production of mineral sand is 2,66,158 TPA that will be extracted over a period of 5 years as per the E- Auction Notice No. GLG/Pb/G-1/Auction/1085/2018/163-B, dated 15th Jan, 2018.
- The key features of the project site are as under:-

i.	Khasra No. from where mining has to be carried out	40//21,22,23,24,25,43//1,2,3,4,5/1,5/2,6/1,6/2,7,8,15,44//1,1/2,10/1, 10/2,11	
ii.	Hadbast No.	59	
iii.	Village	Kot Razada	
iv.	Tehsil	Ajnala	
v.	District	Amritsar	
vi.	State	Punjab	
vii.	Toposheet	H43c13	
viii.	Total mining lease area	6.085 hectares	
ix.	Validity of Lease Period	5 Years from the date of issue of final acceptance or total extractable quantity or validity of Environment clearance whichever is earlier as per Provisional letter of Acceptance.	
x.	Minable reserve	2,66,158 tonnes	
xi.	Working Depth	3 m bgl	
xii.	No. Of manpower	35	
xiii.	Type of mining	The River bed mining will involve collection of material by semi mechanized methods, sorting, and picking, stacking and loading into trucks/ tractor trolley for transporting.	
xiv.	Latitude	Latitude	Longitude

	/Longitude	31° 56'40.94"N	74°48'27.92"E
		31° 56'38.87"N	75°48'33.91"E
		31° 56'33.14"N	74°48'24.51"E
		31° 56'30.37"N	74°48'26.80"E
		31° 56'26.35"N	74°48'18.30"E
		31° 56'20.11"N	74°48'30.24"E
		31° 56'36.86"N	74°48'26.76"E
		31° 56'28.38"N	74°48'38.32"E
xv.	Mine site within 500 m radius of Project site	There is no mining site within the periphery of the project site.	
.	Working days	250 days (excluding Monsoon season)	
xvii.	Nearest Railway Station	The nearest Railway Station is Ram Das at a distance of approx. 10.80 km in NE from mine site.	
xviii.	Nearest Airport	Shri Guru Ram Das Jee International Airport, Amritsar: approx. 26.17 km (aerial distance) towards the South from the mining site.	
xix.	Nearest Highway /Road	There is a state highway SH-25 approx. 2.75 km aerial distance towards the east from the mining site.	
xx.	Cost of project	Rs. 48,90,000/-	
xxi.	Water requirement	Total water requirement 2.65 KLD out of which 1.5 KLD will be used for domestic purpose and remaining 1.15 KLD for dust suppression as per Mining Plan.	
xxii.	Production	Sand (2,66,158 TPA) as per E- Auction.	
xxiii.	Mining lease area	6.085 ha or 15.03 acre	
xxiv.	Municipal waste (domestic and or commercial wastes)	As the laborers employed for the work are local, thus there will be minimal activity of solid waste generation during working hours at mining site. However, Solid Waste Management will be as per the Solid Waste Management and Handling Rules 2016. Solid waste if any, generated at site will be segregated and disposed off properly.	
xxv.	Facilities for treatment or disposal of solid waste or liquid effluents	As per Approved Mining Plan silt & clay will be generated as waste during the mining processes. As the waste silt and clay are in-separable from sand without washing. Thus, the waste silt and clay will be sold with sand. However, whatever silt can be separated from sand will be left on the river bed for back filling.	
xxvi.	Sewage treatment	Bio-toilets will be installed and composting pits will be maintained as per EMP measures.	
xxvii.	Bench Mark	Topographical survey was carried out at the site and a contour	

		<p>map has been prepared on 1:600 scale with contour interval 0.25 m and level grid interval 10 m x 10 m. A Bench Mark has been fixed at a tube well near the site with elevation 221.125 m.</p> <p>Longitude : 31°56'699" N Latitude : 074°48.581" E Elevation Line : 221m</p>
xxviii.	Redline	<p>The quarry is a river bed and has stream channel flow with a continuous slope towards south west.</p> <p>Highest elevation is 219.9 on a stream bar towards SW of the quarry area. Lowest elevation is 216.5 m towards southern end along the water channel.</p> <p>As such, Red Line can be assumed 3 m below these levels ranging from 216.9 m to 215 m trending almost N-S below which no mining is allowed. There is lot of variation in elevation all along the river bed.</p>
xxix.	Geology of the Mining Site	<p>The quarry area is a part of Ravi river bed 4th and above order river.</p> <p>The district forms part of Upper Bari Doab and is underlain by formations of Quaternary age comprising of alluvium deposits belonging to vast Indus alluvial plains.</p> <p>Sub surface geological formations comprise of fine to coarse grained sand, silt, clay and kankar.</p> <p>Gravel associated with sand beds occurs along left bank of Ravi.</p> <p>The beds of thin clay exists alternating with thick sand beds and pinches out at short distances against sand beds.</p> <p>Central Ground Water Board has carried out ground water exploration up to a depth of 450 meters at village Kohala (Lopoke) in Chogwan block.</p> <p>Total thickness of alluvium is expected to be more than 450 m as bedrock has not been encountered up to that depth.</p>
xxx.	Transportation route	<p>Lease area is connected with the nearest metalled road at a distance of 730 m.</p> <p>Metalled road further connects with the State Highway 25 at a total distance of 2.75 km. The Ram Das Railway Station track is at</p>

		a distance 10.80 km. Transportation of sand from quarry site to construction site shall be done by dumpers having carriage capacity of approx. 20 tonnes or as per availability of trucks and trolleys. Movement of the vehicles will be controlled during the peak hours of the work by appointing designated persons for traffic control.
xxxii.	Comparison between manual method	
xxxiii.	Completely Manual Method	Semi- Mechanized Method
xxxiii.	Liquid waste generation i.e. 80% of water demand 19.08 KLD	Liquid waste generation i.e. 80% of water demand 1.26 KLD
xxxiv.	Solid waste generated Biodegradable or wet waste (@ 45%)= 106 KG	Solid waste generated Biodegradable or wet waste (@ 45%)= 7 KG
xxxv.	Drinking water demand @ 530 worker × 45lpcd =23 KLD	Drinking water demand @ 35 worker ×45 lpcd = 1.5 KLD
xxxvi.	Manual method is uneconomical and practically unfeasible, environment impacts due to: <ol style="list-style-type: none"> 1. Air pollution for prolonged duration with significant impacts for the adjoining villages if completely manual method is adopted. 2. It will require 530 no. of workers and 13 hours approx. of operation in a day, which will again result in increased stress on the ecosystem of the project site, with consequent increased generation of sewage and solid waste from the laborers. 3. Prolonged duration of the project will cause nuisance, sociological issues to the inhabitants in the adjoining villages, and unaesthetic view at the project site. 	
xxxvii.	Semi mechanized method, involving minimal use of machinery and optimal no. of workers if allowed can provide following benefits: <ol style="list-style-type: none"> 1. Reduced duration of exposure to negative impacts of mining. 2. Reduced production of sewage and solid waste at the project site to be treated. 3. Reduced nuisance to the villagers. 	

	<p>4. Feasibility to extract the required quantity and supply raw material to market to curb black marketing of minor minerals and support to construction industry in the region.</p> <p>5. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation.</p>																														
xxxviii.	<p>Extent of Mechanization</p> <p>The mining shall be performed using semi-mechanized method. For mining operation excavators, dumpers and tippers has been considered. The machinery considered for sand mining has been presented below:-</p> <table border="1"> <thead> <tr> <th>Name of Equipment</th> <th>Capacity</th> <th>No. of Equipment</th> <th>Standby Equipment</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Excavator</td> <td>1.1 m3</td> <td>4</td> <td>1</td> <td>5</td> </tr> <tr> <td>Dumpers</td> <td>20 tonnes</td> <td>53</td> <td>-</td> <td>53</td> </tr> <tr> <td>Water tankers</td> <td>As & when required</td> <td>-</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Name of Equipment	Capacity	No. of Equipment	Standby Equipment	Total	Excavator	1.1 m3	4	1	5	Dumpers	20 tonnes	53	-	53	Water tankers	As & when required	-	-	-										
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xxxix.	<p>Activities under (CER) Corporate Environment Responsibility</p> <p>Prop. Premdeep Singh Shergill S/o. Sh. Amarjit Singh of Village Kot Razada will be responsible for implementation of CER (Corporate Environmental Responsibility) within 5 year time. Rs 1,50,000 has been planned to be reserved for CER. The following activities have been proposed to be covered under CER:</p> <table border="1"> <thead> <tr> <th>S. No</th> <th>Activities</th> <th>Annual Expenditure</th> <th>Time-line</th> <th>Total Expenditure in 5 Years</th> </tr> </thead> <tbody> <tr> <td></td> <td>Maintenance of toilets and terrace of Primary Government School.</td> <td>10000</td> <td>5 years</td> <td>50000</td> </tr> <tr> <td>2.</td> <td>Maintenance of Transportation route connecting Project site at Kot Razada.</td> <td>10000</td> <td>5 years</td> <td>50000</td> </tr> <tr> <td>3.</td> <td>Providing solar lights on village roads (rasta).</td> <td>5000</td> <td>5 years</td> <td>25000</td> </tr> <tr> <td>4.</td> <td>Scholarship to needy students in Primary Government School.</td> <td>5000</td> <td>5 years</td> <td>25000</td> </tr> <tr> <td></td> <td>Total</td> <td>30000</td> <td></td> <td>1,50000</td> </tr> </tbody> </table>	S. No	Activities	Annual Expenditure	Time-line	Total Expenditure in 5 Years		Maintenance of toilets and terrace of Primary Government School.	10000	5 years	50000	2.	Maintenance of Transportation route connecting Project site at Kot Razada.	10000	5 years	50000	3.	Providing solar lights on village roads (rasta).	5000	5 years	25000	4.	Scholarship to needy students in Primary Government School.	5000	5 years	25000		Total	30000		1,50000
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xl.	Environment Monitoring Cell	<p>EMC will be in regular touch with State Pollution Control Board and Indian Bureau of Mines and will send the annual progress report. Any new regulations considered by State/Central Pollution Control Board for the mining sector will be taken care of. Further EMC will also look into the following:-</p> <p>Identification of any environmental problems that are occurring in the area.</p> <p>Initiating or providing solution to those problems through designed channels and verification of the implementation status.</p> <p>Controlling activities inside the project, until the environmental problem has been corrected.</p> <p>Suitably responding to emergency situations.</p>																									
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xlii.	Plantation and Afforestation	<p>125 Plants (@ Rs. 400 per plant with fencing) per year will be planted along the road sites and near civic amenities.</p> <p>Post Plantation, the area will be regularly monitored in every season for evaluation of success rate.</p> <p>For selection of plant species local people will be involved.</p>																									
xliii.	Benefits of Mining	<p>Controlling river channel.</p> <p>Protecting banks.</p>																									

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To a query of SEAC regarding contour plan showing the groundwater level, the project proponent submitted groundwater levels monitored data at the project site for the bore hole No. 1, 2 & 3 established adjacent to the off channel flood plain. The said information was taken on record by the SEAC.

The project proponent informed that the manual method of mining has several environmental disadvantages. It has prolonged duration with significant social impact for the adjoining villages. The increased generation of sewage and solid waste from the labourers will have a negative impact on the environment as systematic disposals will be difficult for such a huge labour. Unorganized littering and defecation in open or in the river body will also impact the river line adversely. There will be solid waste generation from the huge labour involved.

To this, SEAC questioned about the negative impacts of semi-mechanized method over manual method and mitigation measures to be taken as there will be lot of noise from the operation of machinery and increase of traffic intensity. The project proponent replied that the semi mechanized mining will be of shorter period and will be limited to the river bed only which will certainly away from the habitat area. Every care shall be taken that the other species near the riverbed shall not be disturbed.

To control the air pollution level measure mentioned in the environment management programme will be implemented in letter & spirit to attenuate these problems such as:-

1. More plantation will be made along the haulage Road.
2. Regular spraying of water by sprinkling system to suppress the dust emissions.
3. Mining will be carried only during fix time.
4. Excavation and loading operations will be suspended during high windy periods.
5. Timely Maintenance of vehicles to minimize air pollution due to vehicles.
6. Dust masks for employees.
7. Care will be taken to prevent spillage of sand by covering the carrying vehicles with tarpaulin and sprinkling of water, if dry.
8. Fortnightly scraping of road in order to keep the roads almost leveled. This will ensure smooth flow of vehicles and also prevent spillage.

9. Overloading will not be permitted.
10. On unpaved roads, speed of vehicles will be restricted.
11. Proper tuning of vehicles to keep the gas emissions under check.
12. Plantation of trees along the roads to help reduce the impact of dust in the nearby villages.
13. Only vehicles having pollution under control certificate will be used.
14. Horn will not be allowed to be used and speed limit will for the vehicles.
15. Outer road of the villages will be used for traffic movement.
16. Training programmes will be organized for the staff/workers.

After detailed deliberations, the SEAC decided to recommend the case to SEIAA:-

- i. For advising the GMDIC, Amritsar/M/s Shivalik Solid Waste Management Ltd., Zirakpur, Environmental Consultant to withdraw the old application earlier submitted online (Proposal No. SIA/PB/MIN/70513/2017) for the same site.
- ii. For grant of environmental clearance for mining of minor minerals to Sh. Premdeep Singh Shergil S/o Sh. Amarjit Singh in an area of 6.085 hectare having HB No. 59, bearing Khasra Nos 40//21, 22, 23, 24, 25, 43//1, 2, 3, 4, 5/1, 5/2, 6/1, 6/2, 7, 8, 15, 44//1/1, 1/2, 10/1, 10/2, 11 Geo Coordinates 31° 56'40.94"N 74°48'27.92"E, 31°56'38.87"N, 75°48'33.91"E, 31° 56'33.14"N, 74°48'24.51"E, 31°56'30.37"N, 74°48'26.80"E, 31°56'26.35"N, 74°48'18.30"E, 31°56'20.11"N, 74°48'30.24"E, 31°56'36.86"N, 74°48'26.76"E, 31°56'28.38"N, 74°48'38.32"E from the bed of river ravi in the revenue estate of village Kot Rajada, Tehsil Ajnala, District Amritsar, by semi mechanized method, subject to the proposed measures and following conditions:-

A. Specific conditions:

- (i) The environmental clearance will be valid for a period of seven years from the date of issuance or upto completion of excavation of sand @ 2,66,158 TPA or up to a depth of 3m only whichever is reached earlier, as per the provisions of the EIA Notification, 2006 as amended subsequently, for mining of minor minerals in the above said location and khasra numbers.
- (ii) The mining lease area which has been demarcated by the mining officer in the presence of revenue authorities and concerned Village Panchayat or their representatives on the ground with pucca pillars with reference to some permanent bench marks shall remain intact during entire mining lease/operation period. The existing river bed level will also be marked on the pillars to be erected before starting the mining activities.
- (iii) The mining lease area which has been demarcated by the Mining Officer in the presence of revenue authorities and concerned Village Panchayat or their representatives on the ground with pucca pillars with reference to some permanent bench marks shall remain intact during entire mining lease/operation period.
- (iv) The mining activity shall be carried out strictly as per provisions of MoEF Notification

dated 15.01.2016 & Sustainable Sand Mining Management Guidelines 2016 issued by MoEF&CC, New Delhi as amended from time to time and guidelines issued by Geological Survey of India as applicable for such projects.

- (v) For low embankment <6 m height, borrow area should not be selected within 25 m from toe/heel of embankment. In case of higher embankment, distance should not be less than 50 m. To obviate development of flow parallel to embankment, cross bars of width 8 times the depth of borrow pits spaced 50-60m centre to centre should be left in borrow pits.
- (vi) River bed extraction shall be limited to bar skimming. While extracting from the downstream of sand bar at river beds, one to 2/3rd of bar and riparian vegetation shall be retained upstream.
- (vii) Mining shall be carried out as per the approved Development/Mining Plan prepared for this project and as per the Mines & Mineral (Development & Regulation) Act, 1957 / other Acts/Rules & its amendment related with mining of minor minerals.
- (viii) The project proponent shall obtain Consent to Establish and Consent to Operate from the Punjab Pollution Control Board and effectively implement all the conditions stipulated therein.
- (ix) The Mining Officer shall inspect the mining site after every 15 days and in case, a Schedule-I or Schedule-II species as per Wildlife Act or any rare or endangered species are reported, the Mining Officer will get a conservation plan prepared in consultation with Department of Wildlife and ensure its implementation.
- (x) Mining shall be done in layers of 1 m depth. Depth of mining in river bed shall not exceed 1.0 m or water level whichever is less. Ultimate working mining depth shall be upto 3.0 m from river bed level and not less than 1.0 m from water level of channel, whichever is reached earlier. The top over burden removed prior to starting the mining, shall be placed and it shall be ensured that no depression is created with respect to adjoining areas and natural drainage pattern of the area is not altered after mining.
- (xi) The mining activity shall be restricted to the section of river bed where there is no flow of water and no in stream mining shall be carried out in any circumstances. Stream shall not be diverted under any circumstances to form inactive channel.
- (xii) The Mining Officer shall ensure that the mining shall be carried out by the contractor/lessor as per the EMP prepared and development / mining plan prepared as per the Mines & Mineral (Development & Regulation) Act, 1957 / other Acts/Rules related with mining of minor minerals.
- (xiii) Effective safeguard measures shall be taken by Mining Officer to ensure that the AAQ levels at various locations are within permissible limits as prescribed by MoEF/CPCB/PPCB.
- (xiv) The Mining Officer shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.

- (xv) The project proponent shall undertake plantation/afforestation work by planting native species in the nearby area adjacent to mine lease area.
- (xvi) The project proponent shall ensure that effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading points and all transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the MoEF/CPCB/PPCB. in this regard.
- (xvii) The project proponent shall undertake adequate safeguard measures during extraction of sand and ensure that due to this activity, the hydro-geological and ecological regime of the surrounding area shall not be affected. Regular monitoring of ground water level and quality shall be carried out around the mine lease area by establishing a network of existing wells and installing new piezometers during the mining operation.
- (xviii) The periodic monitoring [(at least four times in a year- pre-monsoon (April May), monsoon (August), post-monsoon (November) and winter (January); once in each season)] shall be carried out in consultation with the State Ground Water Board/Central Ground Water Authority and the data thus collected may be sent regularly to the Ministry of Environment and Forests and its Regional Office at Chandigarh, the Central Ground Water Authority, the Regional Director, Central Ground Water Board and Punjab Pollution Control Board. If at any stage, it is observed that the groundwater table is getting depleted or rising due to the mining activity, necessary corrective measures shall be carried out.
- (xix) The project proponent shall obtain necessary prior permission of the Competent Authorities for abstraction of requisite quantity of water (surface water and groundwater), if any, required for the project.
- (xx) Appropriate mitigative measures shall be taken by the Mining Officer/project proponent to prevent pollution at the mining site in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease at the mining site from the vehicles/mining equipment used for transportation.
- (xxi) The transportation route map will be prepared and finalized in such a manner that no vehicle passes through the flowing water section / channel of the river. Vehicular emissions shall be kept under control and regularly monitored. The project proponent shall ensure that, as far as possible, the transportation route will be away from the habitation area and will not pass through any village. The transportation hours of mined material shall be restricted to non-peak hours only.
- (xxii) The mineral transportation shall be carried out through the covered trucks only and the vehicles carrying the mineral shall not be overloaded. All the public roads as well as approach roads shall be maintained by the Department and it shall be ensured that tippers carrying mined material are not loaded beyond the permissible load as

- per designed load bearing capacity of the road. Moreover, provision of sufficient funds shall be made in the budget for the proper maintenance of the roads.
- (xxiii) Mining shall be carried out by open-cast, semi-mechanized method. Excavators (4 Nos. and 01 standby), dumpers and tippers (53 Nos.) for semi mechanized mining operations including loading and transportation and few workers to accomplish the process may be used in a scientific and systematic manner as per the approved mining plan.
 - (xxiv) No drilling and blasting operation shall be carried out.
 - (xxv) No mining operation shall be carried out at any point within 100 m of railway line, 100 m from national highway, 25 m from edge of State Highway, 50 m from HT line/any public works/reservoirs, tanks/canal/public roads and buildings or inhabited or 10 m of outer edge of any village/other road. No mining shall be carried out within 500 m of upper side and lower side of high level bridge on the rivers. Similarly, no mining shall be carried out within 250 m of upper and lower side of other bridges. To prevent bank erosion, no mining at the concave side of the river channel will be carried out. No mining shall be carried out 100 m inside and 500 m outside of the flood protection bund of river Satluj. A safety barrier of 7.5m width shall be left intact around the mine lease boundary. Minimum 3 m or 10% of river width, whichever is more shall be left in intact as no mining zone.
 - (xxvi) Mineral handling area shall be provided with the adequate number dust suppression system. Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
 - (xxvii) Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
 - (xxviii) 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.
 - (xxix) The critical parameters such as RSPM (Particulate matter with size less than 10micron i.e., PM10) and NO in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water shall also be monitored [(TDS, DO, PH, Faecal Coliform and Total Suspended Solids (TSS)]. The monitored data shall be uploaded on the website of the company as well as displayed on a display board at the project site at a suitable location near the main gate of the Company in public domain. The Circular No. J-20012/1/2006-IA.II (M) dated 27.05.2009 issued by Ministry of Environment and Forests, which is available on the website of the Ministry www.envfor.nic.in shall also be referred in this regard for its compliance.

- (xxx) The municipal solid waste generated shall be disposed off as per Solid Waste Management Rules, 2016. Segregation of bio-degradable and non-biodegradable wastes shall be done at site and disposed off as per provisions of Solid Waste Management Rules. Dustbins will be provided at site and the workers will be guided to put the domestic waste and plastic carry bags etc. if any, in the dustbin. No littering will be permitted at the site as well as in the vicinity.
- (xxxii) The project proponent shall take all precautionary measures during mining operation for conservation and protection of rare and endangered flora & fauna found in the study area. Action plan for conservation of flora and fauna shall be prepared in consultation with the State Forest and Wildlife Department. All the safeguard measures brought out in the Wildlife Conservation Plan so prepared specific to this project site shall be effectively implemented. Necessary allocation of funds for implementation of the conservation plan shall be made and the funds so allocated shall be included in the project cost. A copy of action plan shall be submitted to the Regional Office of the Ministry of Environment and Forests, Chandigarh.
- (xxxiii) The project proponent shall ensure the implementation of the post closure mining plan as proposed by the project proponent in the mining plan.
- (xxxiv) The project proponent shall submit within 3 months their policy towards Corporate Environment Responsibility which should inter-alia address (i) Standard operating process/ procedure to bring into focus any infringement/deviation/violation of environmental or forest norms/ conditions, (ii) Hierarchical system or Administrative order of the company to deal with environmental issues and ensuring compliance of EC conditions and (iii) System of reporting of non-compliance/violation of environmental norms to the Board of Directors of the company and/or stakeholders or shareholders.
- (xxxv) Vehicles hired to be used for transportation of mined material should be in good condition and should conform to applicable air and noise emission standards.
- (xxxvi) Ambient noise levels should conform to prescribed standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored.
- (xxxvii) The Risk assessment and disaster management plan should be prepared.
- (xxxviii) The project proponent shall submit the site plan showing the earmarked area for storage of mined material.
- (xxxix) The Mining Officer and project proponent shall ensure that the compensation to the private land owner (s) for the mined area shall be made as per the prevalent policy of the State Govt.
- (xl) Mining shall be carried out by open-cast, semi-mechanized method. Excavators (5 Nos) with bucket size capacity 1.1 cum, Truck (7 Nos/hr) and water sprinkler (1 Nos) for semi mechanized mining operations including loading and transportation and few workers to accomplish the process may be used in a scientific and systematic

manner as per the approved mining plan

- (xl) The project proponent shall ensure that the quantum of material to be mined does not exceed the annual replenishable rate and the original bed level of the river shall be maintained.
- (xli) The protection bundh is not permitted for use as transportation route for the hauling of mined material. In case, use of small stretch of protection bundh is un-avoidable for taking the final route, the said portion of the protection bundh shall be maintained in good condition. The said portion shall be used only after obtaining prior written permission of the concerned department and a copy of the same be sent to the SEIAA, Punjab.
- (xlii) The project proponent shall adopt and follow the procedure for mining, transportation and monitoring of sand mining or river bed mining as given in the Appendix-xii of Notification No. S.O. 141 (E) dated 15.01.2016 as well as Sustainable Sand Mining Management Guidelines, 2016 issued by MoEF&CC.

B. General Conditions:

- (i) No change in mining technology and scope of working should be made without prior approval of the Ministry of Environment & Forests.
- (ii) No change in the calendar plan including excavation, quantum of mineral sand (minor mineral) and waste should be made.
- (iii) The mining will be carried out during day time only.
- (iv) Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for RSPM (Particulate matter with size less than 10micron i.e., PM) and NO_x monitoring. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
- (v) Data on ambient air quality RSPM (Particulate matter with size less than 10micron i.e., PM) & NO_x should be regularly submitted to the Ministry of Environment and Forests including its Regional office located at Chandigarh and the Punjab Pollution Control Board / Central Pollution Control Board once in six months.
- (vi) Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.
- (vii) Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
- (viii) A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head

- of the Organization.
- (ix) The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Chandigarh.
 - (x) The project proponent should inform to the Regional Office of the Ministry of Environment & Forests located at Chandigarh regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
 - (xi) The Regional Office of Ministry of Environment & Forests located at Chandigarh 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.
 - (xii) The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the Ministry of Environment and Forests, its Regional Office Chandigarh, the respective Zonal Office of Central Pollution Control Board and the State Pollution Control Board. The proponent shall upload the status of compliance of the environmental clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the Ministry of Environment and Forests, Chandigarh, the respective Zonal Office of Central Pollution Control Board and the State Pollution Control Board.
 - (xiii) A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
 - (xiv) The State Pollution Control Board should display a copy of the clearance letter at the Regional office, District Industries Centre and the Collector's office/ Tehsildar's office.
 - (xv) The environmental statement for each financial year ending 31 March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and Forests, Chandigarh by e-mail.
 - (xvi) The project proponent shall adhere to the commitments made in the Environment Management Plan and Corporate Social Responsibility.
 - (xvii) The project proponent should advertise at least in two local newspapers widely

circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the Ministry of Environment and Forests at <http://envfor.nic.in> and a copy of the same should be forwarded to the Regional Office of Ministry of Environment & Forests at Chandigarh.

- (xviii) The MoEF/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
- (xix) The SEIAA may cancel the environmental clearance granted to this project under the provisions of EIA Notification, 2006, if, at any stage of the validity of this environmental clearance, it is found/ come to the knowledge of the SEIAA that the project proponent has deliberately concealed and/or submitted false or misleading information or inadequate data for obtaining the environmental clearance.
- (xx) The project proponent shall get the micro chemical analysis of the mined material done from an approved laboratory once in a year and shall submit the analysis results to the Ministry of Environment & Forests/SEIAA, Punjab/Punjab Pollution Control Board.
- (xxi) The Mining Officer and project proponent shall ensure that the contractor shall engage people of local area for mining purpose as far as possible, so as to have opportunities of employment for them.
- (xxii) The monitoring of the mining project in respect of Environment Management shall be carried out by the State/District Level Environment Management Cells constituted by the Govt. of Punjab vide notifications dated 03.12.2012.
- (xxiii) This environmental clearance will be valid for carrying out mining of minor minerals (sand) from off river based only and not for river sand mining.
- (xxiv) Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
- (xxv) The project proponent will plant only those species of plants as mentioned in the 'Guidelines for Plantation of Trees in Green Belt' for different zones of the State, which are available on the website of SEIAA i.e. seiaapunjab.co.in.

The case was considered by the SEIAA in its 144th meeting held on 22.02.2019 and the same was attended by the following on behalf of the project proponent: -

- (i) Sh. Premdeep Singh S/o Sh. Amarjit Singh, Proprietor of the promoter company.
- (ii) Dr. Sandeep Garg, EIA coordinator, M/s ECO laboratories & Consultants Pvt. Ltd., Environment consultant of the promoter company.

Before allowing the environmental consultant of project proponent to present the salient features of the project, SEIAA queried to the project proponent regarding distance of international boundary from the mining site. In reply to the query, the project proponent submitted that though the distance of the international boundary is 2.5 kms but as per notification dated 14.08.2018 issued by the MoEF&CC, New Delhi, the clause of "General Conditions" shall apply except for project or activity of mining of minor minerals of Category 'B2' (up to 25 ha of mining lease area) and their mining project site is category B2 project having mining lease area of approx. 6 hectares which is less than 25 hectares. Thus, General Condition is not applicable to their project. He submitted a copy of aforesaid notification in the meeting and the same was taken on record by the SEIAA.

SEIAA further queried that whether public hearing has been carried out as per the provision of OM dated 12.12.2018. To this, he replied that public hearing is not required as per the MoEF&CC, New Delhi notification dated 15.01.2016. SEIAA informed that Hon'ble NGT has passed the order dated 11.12.2018 in the Executive Application 55/2018 in Original Application No. 520 Of 2016 and made it clear that till a fresh Notification is issued by the MoEF&CC, notification dated 15.01.2016 will not be acted upon.

SEIAA observed that as per the OM dated 12.12.2018, the mining projects with mining area between 5 ha to 25 ha under Category B2 are required to be dealt at par with Category B1 and Public Consultation has been made mandatory for the same. However, in present case, no public hearing has been conducted.

After deliberations, SEIAA decided to remand the case to SEAC to re-examine the same in light of the NGT orders dated 13.09.2018, 11.12.2018 and MoEFCC Office Memorandum dated 12.12.2018 w.r.t applicability of the General Conditions and public hearing in this case and send the recommendations accordingly

The case was considered by the SEAC in its 177th meeting held on 13.03.2019 and the same was attended by Dr. Sandeep Garg, EIA coordinator, M/s ECO laboratories & Consultants Pvt. Ltd., Environment consultant of the promoter company. He stated that the project proponent is not able to attend the meeting due to some unavoidable circumstances and requested to consider the case in the next meeting of SEAC. An email dated 12.03.2019 has also been received from the Environmental Consultant wherein a request letter of Sh. Premdeep Singh Shergill S/o Sh. Amarjit Singh, (Project Proponent) has been attached mentioning that due to unavoidable circumstances, he will not be able to present his case in 176th meeting of SEAC & has requested to consider the case in next meeting. SEAC took the request letter of project proponent on record. However, SEAC asked the Environmental Consultant as to whether he has to say anything in the matter except what has been conveyed by him in the 144th meeting of SEIAA held on 22.02.2019. To this, the

environmental consultant stated that they have not any additional document at this stage to support their claim.

Thereafter, SEAC perused to orders dated 13.09.2018 & 11.12.2018 passed by Hon'ble NGT, New Delhi and observed that Hon'ble NGT has suspended notification dated 15.01.2016 till fresh notification is issued by MoEF&CC & same will not be acted upon. SEAC also perused the notification dated 14.08.2018 and observed that General Conditions are not applicable for category B2 cases having mining area up to 25 ha. SEAC opined that Hon'ble NGT has not passed any direction in reference to the MoEF notification dated 14.08.2018 in its order dated 13.09.2018 & 11.12.2018, as such, clarification is required to be taken from the MoEF&CC, New Delhi w.r.t validity of notification dated 14.08.2018 so as to decide the applicability of General Condition in the matter.

SEAC also perused the office Memorandum dated 12.12.2018 and noted that the cases of category B2 are required to be considered at par with category B1 as such, the present case is required to go through the process of Public hearing to be conducted by State Pollution Control Board.

After detailed deliberations, SEAC decided to defer the case and decided that:

1. SEIAA be recommended to seek a clarification from the MoEF&CC as to whether notification 14.08.2018 is operative or not, in light of the Hon'ble NGT orders dated 11.12.2018 so as to decide the applicability of General Condition in the matter.
2. SEIAA be recommended to advise the project proponent to submit an application to Punjab Pollution Control Board for getting the Public Hearing to be conducted in light of the OM dated 12.12.2018.
3. Project Proponent be informed that he is at liberty to bring any additional document in support of his claim regarding non-applicability of General condition in their case. In case, any document is submitted by him, the same will be placed before SEAC in its next meeting.

The case was considered by the SEIAA in its 145th meeting held on 15.03.2019. But no one has attended the said meeting on behalf of project proponent.

SEIAA observed that SEAC has recommended to seek a clarification from the MoEF&CC as to whether notification 14.08.2018 is operative or not, in light of the Hon'ble NGT orders dated 11.12.2018 so as to decide the applicability of General Condition in the matter. SEIAA further observed that as per the procedure laid in the EIA Notification, 2006 amended from time to time for conducting Public Hearing, initially TOR are required to be issued to the Project Proponent in order to enable his Environmental Consultant to prepare draft EIA

report. After the preparation of draft EIA report, the project proponent can submit the same to SPCB for getting the Public Hearing to be conducted in the matter.

In the present case, TOR to project proponent cannot be issued till clarification from MoEF&CC regarding applicability of General Condition has been received to decide competency of project lies with SEIAA or MoEF&CC. Therefore, at this stage, Project Proponent cannot be advised to act as per recommendation of SEAC mentioned at Sr.No.2 & Sr.No.3.

After detailed deliberation, SEIAA decided as under:

1. Clarification be sought from the MoEF&CC as to whether notification 14.08.2018 is operative or not, in light of the Hon'ble NGT orders dated 11.12.2018 so as to decide the applicability of General Condition in the matter.
2. Decision w.r.t Sr.No.2 & 3 of the recommendation of the SEAC will be taken after the clarification at Sr.No.1 is received.

In compliance to the aforesaid decision, MoEF&CC, New Delhi has been requested vide no.335 dated 02.04.2019 to clarify as above. It is submitted that however, no reply has been received from the MoEF&CC so far.

It is relevant to mention here that while deciding the other application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from the bed of river Ravi in the revenue estate of village Kot Rajda, Tehsil Ajnala, District Amritsar, Punjab of General Manager cum Mining Officer, District Industries Centre, Amritsar.(Proposal No. SIA/PB/MIN/70513/2017)placed in its 160th meeting held on 30.01.2020, SEIAA decided among other decision as under:-

- 1) Directorate of Environment & Climate Change be requested to engage advocate on behalf of SEIAA to defend the matter in the Hon'ble High Court.
- 2) Reply in the CWP No 20853 of 2019 titled Premdeep Singh Shargill Vs State of Punjab be prepared and sent to Counsel engaged in the case for seeking any further additions / suggestions. As and when draft reply is received from the counsel, the same may be placed in the meeting of SEIAA for perusal/consideration, for filing the final reply in the Hon'ble High Court before 23.03.2020.

In compliance to the above decision, the following actions have been taken:

- i) Since, DECC has no legal cell, it was decided in the similar case that PPCB be asked to extend legal support in the matter. Accordingly, Member Secretary, PPCB was requested vide letter no 1434 dated 03.02.2020 to engage Sh. Suveer Sheokand, Addl. AG,Punjab as counsel on behalf of SEIAA in the matter so that reply can be filed

in the Hon'ble Punjab & Haryana High Court at the earliest. Accordingly, Sh. Suveer Sheokand, Addl. AG, Punjab has been engaged by the PPCB in the matter vide letter no 5711 dated 19.02.2020.

- ii) Draft reply in the matter is being prepared, which is will be placed in the next meeting of SEIAA.

It is further added here that

- 1) MoEF vide notification no. S.O. 3977(E) dated 14.08.2018 has made the following amendment in the EIA Notification dated 14.09.2006 :-
 - a) The project/ activities related to mining of minerals (Non-Coal Mines) of area less than 100 hectare fall under Category-B projects.
 - b) General Conditions shall apply except:
 - a. for project or activity of mining of minor minerals of Category 'B2' (up to 25ha of mining lease area);
 - b. for project or activity of mining of minor minerals of Category 'B1' in case of cluster of mining lease area; and
 - c. River bed mining projects on account of inter-state boundary.
- 2) SEAC also perused the office Memorandum dated 12.12.2018 and noted that the cases of category B2 are required to be considered at par with category B1 as such, the present case being area more than 5 ha, is required to go through the process of Public hearing to be conducted by State Pollution Control Board.

The case was considered by the SEIAA in its 161st meeting held on 27.02.2020. But no one has attended the said meeting on behalf of project proponent.

SEIAA was apprised that project proponent was requested vide email dated 26.02.2020 to attend the meeting of SEIAA to be held on 27.02.2020 at 11:00 AM in Conference Hall-3, PSCST, MGSIPA Complex, Sector 26, Chandigarh and copy of the same was also forwarded to his consultant for information and necessary action.

After detailed deliberation, SEIAA decided as under:

- i) An another opportunity be given to the project proponent to attend the next meeting of SEIAA as and when scheduled.
- ii) Draft reply in the matter be prepared in consultation with advocate engaged in the matter at the earliest and same be placed in the next meeting of SEIAA as and when scheduled

In compliance to the above decision, the following actions have been taken:

- i) Project proponent was requested to attend vide email dated 18.03.2020 to attend the meeting of SEIAA to be held on 19.03.2020 at 11:00 AM in Conference Hall of PSCST, MGSIPA Complex, Sector 26, Chandigarh and also informed telephonically on dated 18.03.2020

- ii) Draft reply in the matter has been prepared in consultation with advocate engaged in the matter, which is annexed as Annexure-A of the agenda.

The case was considered by the SEIAA in its 162th meeting held on 19.03.2020 and the same was attended by the following on behalf of the project proponent: -

- (i) Sh. Premdeep Singh S/o Sh. Amarjit Singh, project proponent.
- (ii) Sh. S.K Rana and Sh. Ashish Rana, Advocates on behalf of the project proponent
- (iii) Dr. Sandeep Garg, EIA coordinator, M/s ECO laboratories & Consultants Pvt. Ltd., Environment consultant of the project proponent.

SEIAA perused the written statement to be filed in the Hon'ble Court in the matter and suggested some amendments. Sh. Premdeep Singh Shergill, complainant requested to consider the pending application for grant of Environmental Clearance in light of MoEF Notification dated 14.08.2018, as the NGT order dated 13.09.2018 & 11.11.2018 had already been challenged in the Hon'ble Supreme Court and they were suffering from huge financial loss.

To a query of SEIAA regarding availability of any stay order in the matter passed by the Hon'ble Supreme Court, the project proponent failed to show any such order.

SEIAA further observed that clarification in the matter from the MoEF&CC regarding notification dated 14.08.2018, is yet awaited. Even if it is assumed that notification dated 14.08.2018 is operational even then General condition is applicable to their project as the river bed mining projects are exempted only in case of interstate boundary and not for the project where the international boundary falls within 5 Km of the project site. In this case, as per the coordinates mentioned in the application, the international boundary is located at a distance of about 1.6 Km from the nearest point of the project site. Hence, the competency to decide the application lies with MoEF&CC only, as the project is to be treated as a Category A project.

After considering the above facts, Project proponent requested to defer the application submitted for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from the bed of river Ravi in the revenue estate of village Kot Rajda, Tehsil Ajnala, District Amritsar, Punjab(Proposal No. SIA/PB/MIN/75585/2018)

After detailed deliberations, SEIAA decided as under: -

- i) to defer the case since clarification sought from MoEF&CC is still awaited and project proponent requested to defer the case.
- ii) Member Secretary, SEIAA shall file the amended written statement by way of affidavit (Annexure-A) on behalf of Respondents No. 05 i.e. SEIAA, Punjab, in the Hon'ble Punjab & Haryana High Court, Chandigarh.

Item No.162.04: Regarding C.W.P. No. 1483 of 2020 titled as Jalandhar Human Welfare Society Vs. State of Punjab and Ors.

SEIAA observed as under:

The case was considered by SEIAA held on in its 160th meeting held on 30.01.2020 where in SEIAA was apprised that the Jalandhar Human Welfare Society (Petitioner) vide email dated 29.01.2020 informed that the case is sub-judice before the Hon'ble High Court as they had filed CWP No 1483 of 2020 titled as Jalandhar Human Welfare Society Vs State of Punjab. In this regard, a telephonically message has also been received from Sh. Suveer Sheokand, Additional Advocate General, Punjab. In the said CWP, Petitioner prayed before the Hon'ble Court as under:-

- a. Issue a writ, order or direction in the nature of Certiorari quashing the decision taken by the Board of Directors of respondent corporation in its meeting held on 30.05.2013 whereby it was decided to de-reserve land measuring 4600 sq. yards earmarked and maintained as green belt located opposite to Plot No. E-41 to E-46 and on backside of Plots No. E-47 to E-54, Industrial Area, Focal Point (Extension) Jalandhar and allot the same to respondent No. 7 ;
- b. issue a writ order or direction in the nature of Certiorari quashing lease deed dated 16.06.2014 entered into between respondent No.3 and respondent No.7, whereby above referred plot of green-belt has been leased out to respondent No. 7 for setting up of Common Effluent Treatment Plant (CETP);
- c. issue a writ, order or direction in the nature of Mandamus directing the respondents to maintain the above referred plot as green belt only as originally provided in the master plan;
- d. issue any other order or direction as deemed just and fit in the peculiar facts and circumstances of the present case;
- e. service of advance notices on the respondents may kindly be dispensed with;
- f. filing of certified/ true typed copies of the Annexures may kindly be exempted with and filing of true typed / photocopies thereof may kindly be allowed;
- g. filling of more legible copies of vernacular of the Annexures may kindly be exempted and the petitioner may kindly be permitted to place on record true translated extract copies of the Annexures.
- h. exemption be granted from filling detailed affidavit of the petitioner;
- i. cost of the writ petition may be awarded in favour of the petitioner.
- j. during the pendency of the present petition, respondents may kindly be restrained from establishing CETP Plant in the greenbelt in dispute.

SEIAA observed that the case was heard by the Hon'ble High Court on 20.01.2020 and after hearing the matter, the court has issued notice of motion and has also ordered status qua as

on date. After detailed deliberations, SEIAA decided as under:-

- i) Directorate of Environment & Climate Change be requested to engage advocate on behalf of SEIAA to defend the matter in the Hon'ble High Court.
- ii) Reply in the CWP No 1483 of 2020 titled Jalandhar Human Welfare Society Vs State of Punjab be prepared and sent to Counsel engaged in the case for seeking any further additions / suggestions. As and when draft reply, is received from the counsel, the same may be placed in the meeting of SEIAA for perusal/consideration, for filing the final reply in the Hon'ble High Court.

In compliance to the above said decision, the following actions have been taken: -

- i) Since, DECC has no legal cell, it was decided in the similar case that PPCB be asked to extend legal support in the matter. Accordingly, Member Secretary, PPCB was requested vide letter no 1427 dated 03.02.2020 to engage Sh. Suveer Sheokand, Addl. AG, Punjab as counsel on behalf of SEIAA in the matter so that reply can be filed in the Hon'ble Punjab & Haryana High Court at the earliest. Accordingly, Sh. Suveer Sheokand, Addl. AG, Punjab has been engaged by the PPCB in the matter vide letter no 5711 dated 19.02.2020. The case was attended by the EE (SEIAA) along with Sh. Suveer Sheokand, Addl. AG, Punjab on 19.02.2020 and the case was adjourned to 12.03.2020
- ii) Draft reply in the matter has been prepared, which was annexed as Annexure-A of the agenda

The matter was considered by SEIAA in its 161st meeting held on 27.02.2020. The SEIAA suggested some amendments in the written statement by way of affidavit & approved the same (Annexure-A). SEIAA decided that Member Secretary, SEIAA shall file the reply on behalf of Respondents No. 05 (SEIAA, Punjab) in the Hon'ble Punjab & Haryana High Court, Chandigarh.

The matter was considered by SEIAA in its 162nd meeting held on 19.03.2020 and it was apprised that in compliance to the decision of 161st meeting held on 27.02.2020, reply as approved by SEIAA, has been filed in the Hon'ble High Court on 12.03.2020. The next date in the matter has been fixed for hearing on 01.04.2020.

After deliberations, SEIAA directed the Environmental Engineer (SEIAA) to attend the Hon'ble High Court on the next date of hearing.

Item No.162.05: Regarding order of Hon'ble NGT in OA No. 57of 2020 titled as M/s Bachitter Singh Vs State of Punjab & Others.

SEIAA observed that

Hon'ble NGT in OA No. 57of 2020 titled as M/s Bachitter Singh Vs State of Punjab & Others has ordered on 17.03.2020 as under: -

"

1. Grievance in this application is against illegal operations by stone crushers in the State of Punjab. According to the applicant, he is resident of village Jatana, District Ropar, Punjab and doing transport business for transporting minor minerals. The stone crushers have not taken requisite EC as per EIA Notification dated 14.09.2006 which has to be granted subject to safeguards for protection of environment. It is stated that out of 500 stone crushers, 200 are in Ropar District and 120 in Pathankot. The applicant has primarily relied upon newspaper report in the Tribune dated 13.01.2020 and proceedings before this Tribunal in O.A. No. 767/2018, Dinesh Kumar Chadha Vs. State of Punjab dealt with vide the order dated 31.01.2019. The applicant has referred to the statics for yearly consumption of electricity by the stone crushers.
2. Earlier the applicant filed a similar petition which was disposed of on 13.02.2020 being O.A. No. 43/2020, M/s Bachitter Singh & Co. Vs. State of Punjab & Ors. as follows:
"In absence of adequate particulars of the alleged violators, we are unable to entertain this application. The same is dismissed without prejudice to an appropriate petition being filed in accordance with law."
3. Even now the applicant has impleaded as many as 227 stone crushes in different parts of Punjab. It is difficult to accept that the applicant has knowledge about the said stone crushers. Any vague and general reckless allegations cannot be basis of entertaining a petition seeking for violation of environmental laws by a third party unless the petition is supported by adequate material and tangible particulars.
4. Faced with this situation, learned counsel prays that the petition be limited to the Ropar District as the applicant is living in the Ropar District. Merely because the applicant is living in Ropar District cannot be also enough to infer that he has knowledge about all the stone crushers in the Ropar. Thus, bonafides and motives of the applicant may have to be considered.
5. However, in view of rampant violation of environmental norms in operating stone crushers generally, by way of precaution and without expressing any opinion of merits at this stage, NGT find it necessary to form a joint Committee of Punjab State PCB and SEIAA Punjab to look into the matter and furnish a report to this Tribunal.

6. The report may be furnished within two months before this Tribunal by e-mail at judicial-ngt@gov.in. The Committee may limit its examination to District Ropar for the time being.
7. A copy of this order be sent to the Punjab State PCB and the SEIAA Punjab by email for compliance.
8. The applicant may furnish a set of papers to the Punjab State PCB and the SEIAA Punjab and file an affidavit of service within one week.

List for further consideration on 07.07.2020. "

The matter was placed in the 162nd meeting of SEIAA held on 19.03.2020. To a query of SEIAA regarding the requirement of obtaining Environmental Clearance/Consent to Establish or Operate, it was apprised that Stone crushers are not covered under the ambit of EIA Notification, 14.09.2006 & thus, not required to obtain environmental clearance from SEIAA. However, it is mandatory on the part of the project proponent of the Stone Crushers to obtain Consent to Establish/Operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 from the Punjab Pollution Control Board before start of its operation. After deliberations, SEIAA decided as under: -

- i) Sh. Deepak Sethi, Member (SEAC) shall represent the SEIAA in the Committee constituted by Hon'ble NGT. He shall co-ordinate with the PPCB on behalf of SEIAA to comply with the order dated 03.03.2020 passed by Hon'ble Tribunal in the OA No. 57of 2020 titled as M/s Bachitter Singh Vs State of Punjab & Others.
- ii) Decision mentioned at Sr. No. i) above along with a copy of NGT order dated 03.03.2020 be conveyed to Sh. Deepak Sethi, Member (SEAC) and Member Secretary, PPCB for information and necessary action.

Item No.162.06

1) High Court matter regarding application for obtaining Environmental Clearance under EIA notification dated 14.09.2006 for development of a residential project namely 'Falcon View' at Sector-66 A, Distt. Mohali by M/s Janta Land Promoters Limited (Proposal No. SIA/PB/NCP/10626 /2013).

2) Application for issuance of Terms of References (TORs) for obtaining environmental clearance for the expansion of Super Mega Mixed Use Integrated Industrial Park, Sector- 66A, 82 & 83, District SAS Nagar (Mohali), Punjab being developed by M/s. Janta Land Promoters Limited. (Proposal No SIA/PB/NCP/30759/2019)

The SEIAA observed as under: -

1.0 Background

Earlier, the SEIAA in its 132nd meeting held on 10.05.2018, after detailed deliberations decided to accept the recommendations of SEAC and to issue the specific ToRs as recommended by the SEAC. The pending application of 'Falcon View' for obtaining environmental clearance will be appraised and decided after the receipt of revised EIA report incorporating the compliance of specific ToRs in accordance with the provisions of EIA notifications dated 14.03.2017 and amendment dated 08.03.2018 issued by the MoEF&CC, New Delhi.

In compliance to the decision of SEIAA, the Terms of Reference were issued to the project proponent vide no. 609 dated 11.05.2018.

Thereafter, Hon'ble Punjab & Haryana High Court, Chandigarh was attended on 14.05.2018 by the Secretary (SEAC) & EE (SEAC) in the matter of CWP 21351 of 2016 and the Hon'ble Court has passed as order as under: -

"Learned counsel for respondents No. 4 and 5 states that a notice has been issued to the petitioner for appearance on 11.05.2018 for submitting fresh terms of reference for obtaining environmental clearance.

Copy of the said notice is taken on record. Learned counsel for the parties pray for time. Adjourned to 19.07.2018."

Thereafter, the project proponent i.e. Petitioner filed an additional affidavit dated 12.07.2018 in the same matter i.e. CWP 21351 of 2016. In the said affidavit, the petitioner has alleged that a separate set of action has been initiated by the SEIAA & SEAC instead of concentrating on the main issue i.e. as to whether separate environmental clearance is required to the Falcon View when already the environmental clearance has been granted to the main Project namely "Super Mega Mixed Use integrated industrial park". The Hon'ble Punjab & Haryana High Court, Chandigarh Court was attended on 19.07.2018 by the Secretary (SEAC) & EE (SEAC) in the CWP 21351 of 2016 but the turn of the case could not come up due to paucity of time and the next date of hearing in the said case is 08.10.2018. The matter was discussed with Counsel of the Board on 04.09.2018 and he informed that the additional affidavit of the Petitioner was listed as Civil Miscellaneous before the Hon'ble Court on 19.07.2018 but notice on the same has not been issued. However, the Hon'ble Court can direct the Respondent no.4 & 5 to file the reply of the additional affidavit on 08.10.2018. Thus, status report may be prepared in advance so as to save time.

Accordingly, a draft status report was prepared in consultation with the counsels engaged in the matter.

The matter was considered by the SEIAA in its 137th meeting held on 06.09.2018. The SEIAA examined the draft status report prepared in consultation with the Counsel engaged in the matter in detail and suggested some additions/ amendments in the status report.

Accordingly, the Counsel was contacted telephonically to brief the additions/ amendments to be made in the status report and he was satisfied with the amendments suggested by SEIAA. After detailed deliberations, SEIAA decided as under:

- i. Amended draft reply be sent to SEAC for perusal/consideration for submitting the final reply to the Hon'ble High Court.
- ii. Since the Member Secretary, SEIAA is proceeding on leave for one month, the SEIAA hereby authorizes the Chairman to approve the additions/amendments, if any, suggested by SEAC after consideration of the draft reply.
- iii. Secretary, SEAC shall file the reply on behalf of Respondents No. 4 & 5 on or before 08.10.2018 in the Hon'ble Punjab & Haryana High Court, Chandigarh, after getting approval on record file from the Chairman, SEIAA.

The case file was sent to SEAC. The SEAC considered the amended draft reply in its 171st meeting held on 24.09.2018 and concurred with draft reply sent by the SEIAA. After taking approval on the record file of "Falcon View" from the Chairman SEIAA, the final reply has been handed over to the Counsel which was to be filed on 08.10.2018 but the turn of the case could not come up due to the paucity of time. However, the Counsel has informed that the final reply will be filed on the next date of hearing i.e. 24.01.2019 after the notice of motion moved by the Hon'ble Punjab & Haryana High Court, Chandigarh.

The Hon'ble High Court, Chandigarh was attended by the Environmental Engineer (SEIAA/SEAC) alongwith A.E.E. (SEIAA/SEAC) on 24.01.2019. The petitioner has filed new C.M. No. 1117 of 2019 in the matter, which was listed at Sr. No. 113 of the cause list and the main case (CWP No. 21351 of 2016) was listed at Sr. No. 209 of the cause list. The new C.M. has not been heard being attached with the main case. But the main case could not be heard due to the paucity of time. It is added here that earlier, reply handed over to the Advocate in the case has not yet filed before the Hon'ble High Court as the notice of motion has not been issued as yet. In the meanwhile, a copy of new C.M. has been obtained, which was annexed as annexure with the agenda.

The matter was considered by the SEIAA in its 142nd meeting held on 30.01.2019. After detailed deliberations, SEIAA decided that copy of new C.M. No. 1117 of 2019 filed by the project proponent be sent to SEAC in original for perusal and preparing reply to be filed in the Hon'ble High Court.

The matter was considered by the SEAC in its 177th meeting held on 13.03.2019. SEAC was apprised that new CM filed could not be placed in the 176th meeting of SEAC held on 05.02.2019 as the minutes of 142nd meeting of SEIAA were released on 06.02.2019. Thereafter, no meeting of SEAC was held. However, the draft reply to the aforesaid CM has been prepared and same has been apprised to the Counsel. In the meanwhile, the court

case was attended on 11.03.2019 but turn of the case could not come up for hearing. Notice of motion is yet to be issued in both the CMs. The Hon'ble Court has fixed the next date of hearing on 16.07.2019.

SEAC perused the copy of CM, the new application filed for expansion of the Super Mega Mixed Use Integrated Industrial Park and the reply prepared to the new CM. SEAC observed that the project proponent has mentioned in its application that 68% construction of Falcon View has been completed and is continuously constructing its project without obtaining environmental clearance. SEAC further observed that the said application is lying pending in the portal of SEIAA for scrutiny for more than one month and is at verification stage.

SEAC further observed that although in the reply prepared in consultation with counsel, it has been mentioned that the petitioner has filed a separate application for expansion of its project. However, the matter is sub-judice before the Hon'ble High court with respect to requirement of separate environmental clearance for group housing project namely Falcon View developed by the Petitioner. Further, the Specific Terms of Reference have been issued to the Petitioner for its group housing project namely Falcon View for submission of EIA report in accordance with the provisions of amended notification dated 08.03.2018. The petitioner is yet to submit the EIA report, as such, SEAC and SEIAA cannot take further action on the application filed for obtaining environmental clearance for developing group housing project as well as the new application filed by the Petitioner for expansion of Super Mega Mixed Land Use Integrated Industrial Park but, the Hon'ble Court has not passed any order w.r.t scrutiny of the application.

After detailed deliberations, SEAC decided to recommend to SEIAA as under: -

- i) Legal Opinion may be taken from the Counsel Ms. Rita Kohli and Sh. Gurminder Singh separately as to whether new application filed by the Petitioner for expansion of Super Mega Mixed Land Use Integrated Industrial Park is required to be considered for scrutiny or same will be left pending till 16.07.2019 i.e. next date of hearing.
- ii) Hon'ble Court be apprised through the Counsel regarding construction work of Falcon view being carried out continuously by the project proponent even after the direction's u/s 5 of Environment Protection Act, 1989, have been passed by SEIAA to stop the construction work immediately and request the Hon'ble Court to pass an appropriate order to stop the construction work of project Falcon View till the petition has not been decided.

146th meeting of SEIAA held on 16.04.2019

The matter was considered by SEIAA in its 146th meeting held on 16.04.2019. SEIAA perused the recommendations sent by SEAC and observed that Ms. Rita Kohli is counsel engaged by

the Board for defending the case on behalf of Board whereas Sh. Nitin Kaushal & Sh. Gurminder Singh are the Counsels engaged by the Board for defending the case on behalf of SEIAA. However, in the case, Sh. Gurminder Singh, Senior Advocate, is appearing before the Hon'ble court. SEIAA further observed that before submitting any statement through the Counsel in the Hon'ble Court, there is need to obtain fresh construction status report of Falcon view project from the PPCB.

After detailed deliberations, the SEIAA decided as under:

- (i) Legal Opinion be obtained from the Senior Advocate Sh. Gurminder Singh as to whether new application filed by the Petitioner for expansion of Super Mega Mixed Land Use Integrated Industrial Park is required to be considered for scrutiny or same will be left pending till 16.07.2019 i.e. next date of hearing.
- (ii) PPCB be asked to send the latest status of construction carried out by the project proponent of Falcon view to take further action in the matter.

In compliance to the aforesaid decisions, following action were taken:

- i) Senior Advocate Sh. Gurminder Singh told telephonically that he will charge Rs.1.5 lacs for giving legal opinion. Therefore, after having discussion with Competent Authority of SEIAA, the letter was issued to Sh. Nitin Kaushal, Counsel engaged by the Board on behalf of SEIAA vide no. 417 dated 22.05.2019 to give legal Opinion.
- ii) The decision to PPCB, Regional Office, Mohali was conveyed vide letter no. 418 dated 22.05.2019.

The matter was discussed telephonically on 21.06.2019 by the Secretarial Staff with Sh. Nitin Kaushal. After discussion, he advised that as the Falcon View project is case of violation & the matter regarding requirement of environmental clearance of the same is sub-judice before Hon'ble High Court, acceptance of new Environmental clearance application for expansion of Super Mega Mixed Use Integrated Industrial Park including Falcon View will not be appropriate at this stage. If the new application is accepted then violation case of the Falcon View project proceeds to case of regularization & dilute the stand of SEIAA/SEAC before the Hon'ble High Court. Therefore, SEIAA-SEAC should pray before the Hon'ble High Court to issue appropriate direction regarding the new application on the next date of hearing.

148th meeting of SEIAA held on 26.06.2019

The matter was considered by SEIAA in its 148th meeting held on 26.06.2019. SEIAA was apprised regarding the legal opinion given by Sh. Nitin Kaushal telephonically as above. SEIAA was also apprised regarding the latest construction status report of Falcon view received from Environmental Engineer PPCB regional office Mohali vide letter no. 3307 dated 25/06/2019. The report is reproduced as under:

“The group housing project namely Falcon View developed by M/s Janta Land Promoters Limited was visited by AEE of this office on 21.06.2019 and it was observed that:

- i) The promoter company has the group housing society namely Falcon View in an area of 34.17 acres.
- ii) The promoter company has a proposal to construct 31 towers at this site.
- iii) The promoter company has presently constructed and finished the work of 9 towers namely X,Y,A,B,G,H and 2 no. blocks i.e. Block C and Block A.
- iv) The promoter company has given possession of approximately 330 flats and approximately 150 families are residing in the complex.
- v) I,J,K,L,M & N, the structure work of these 6 towers is almost complete and finishing work is in progress.
- vi) For the towers V & W the structure work has been completed upto G+4 level.”

SEIAA perused the aforesaid report and observed as under:

- a) The project proponent of Falcon View has not stopped the construction inspite of directions issued u/s 5 of the Environment (Protection) Act, 1986 by the SEIAA vide letter no. 1390 dated 05.03.2015 restraining the project proponent not to carry out any further construction without obtaining environmental clearance.
- b) The project proponent has submitted application for expansion of Super Mega Mixed Use Integrated Industrial Park including the project of Falcon View which cannot be considered at this stage and is kept pending at verification level due to the reasons as under: -
 - i) Project of falcon view is a case of violation as it has violated the provision of EIA notification 2006. The matter is sub judice before the Hon’ble High court and same is yet to be decided.
 - ii) Application for expansion of Super Mega Mixed Use Integrated Industrial Park is a move for regularisation of the case of Falcon view project for which the terms of reference has already been issued to the project proponent vide letter no. 605 dated 10/05/2018 but the project proponent has not yet submitted EIA report.
 - iii) SEIAA has already filed affidavit before the Hon’ble High Court wherein it has been stated that separate Environment Clearance is required for the project Falcon view due to the reason that all the environmental impacts have not been considered while obtaining environmental clearance for Super Mega Mixed Use Integrated Industrial Park. As per EIA notification, 14.09.2006, the project proponent is required to obtain environmental clearance prior to the construction of project. Present case of Falcon View is violation case and required to be dealt as per EIA notification 14.03.2017 amended on 08.03.2018. Moreover, as per the construction status report, project proponent has not

stopped the construction inspite of the direction issued u/s 5 of Environment (Protection) Act, 1986.

After detailed deliberation, SEIAA decided that in view of the above facts, draft status report be prepared in consultation with the Counsel engaged on behalf of SEIAA for apprising the Hon'ble High Court about the latest status of construction of Falcon View as well as about the new application filed by the Petitioner for expansion of the project namely Super Mega Mixed Land Use Integrated Industrial Park as a move to regularise the Falcon View project and same be filed in Hon'ble High Court, Chandigarh after obtaining approval from SEIAA well before 16.07.2019.

The status report to be filed by way of affidavit in the Hon'ble Punjab & Haryana High Court has been prepared in consultation with Counsel engaged on behalf of SEIAA. The same is annexed as Annexure-A of agenda. The case was last listed on 16.07.2019 and could not come up for hearing due to paucity of time. The next date of hearing is 19.11.2019.

151th meeting of SEIAA held on 05.08.2019

The matter was considered by SEIAA in its 151st meeting held on 05.08.2019. SEIAA perused the aforesaid draft status report prepared in consultation with the Counsel and suggested some amendments therein. A copy of the amended status report to be filed by way of affidavit in the Hon'ble Punjab & Haryana High Court, is annexed at Annexure-A1 of agenda

After deliberations, SEIAA decided as under:

- i) Final approved status report (Annexure-A1) be handed over to the standing counsel for filing the same in the Hon'ble Punjab & Haryana High Court, Chandigarh on behalf of Respondents No. 4 & 5 through the Member Secretary, SEIAA, on or before next date of hearing i.e. 19.11.2019.
- ii) Member Secretary, PPCB be asked to initiate credible action against project proponents / responsible persons / Promoter Company under the Environment (Protection) Act, 1986 due to continued violation by way of continuously carrying out the construction activities of the project in spite of the directions issued by the SEIAA and even after filing of earlier complaint in the court of Competent Law & without obtaining Environmental Clearance under EIA notification dated 14.09.2006.

In compliance to the above action, the following action has been taken:-

- i) Final approved status report (Annexure-A1) has been handed over to Sh. Aman Arora, standing counsel for filing the same in the Hon'ble Punjab & Haryana High Court, Chandigarh on behalf of Respondents No. 4 & 5 through the Member Secretary, SEIAA He informed that notice of motion is yet to be issued for the CM. The status report shall be filed as and when Hon'ble Court issues notice in the matter. If required, latest status shall be apprised to the Hon'ble Court on the next date of hearing

- ii) Member Secretary, PPCB has been requested vide letter no 862-864 dated 22/08/2019 to initiate credible action against project proponents / responsible persons / Promoter Company under the Environment (Protection) Act, 1986 due to continued violation by way of continuously carrying out the construction activities of the project in spite of the directions issued by the SEIAA and even after filing of earlier complaint in the court of Competent Law & without obtaining Environmental Clearance under EIA notification dated 14.09.2006.

159th meeting of SEIAA held on 08.01.2019

The matter was considered by the SEIAA in its 159th meeting held on 08.01.2019, where in SEIAA was apprised that M/s JLPL vide letter no. JLPL/82/2019/3875 dated 16.12.2019 has submitted as under:

1. They have already been accorded environmental clearance for our Super Mega Mixed Used Integrated Industrial Park Project at Sector 66 A, 82 & 83 Mohali which includes Falcon View Project as well. All critical components considered for Super Mega Project include parameters for Falcon View as well. The same has been reiterated by us earlier too stating that statute does not ask for separate environmental clearance for built up project (which is a sub-part of land development project) once land development project has been accorded environmental clearance.
2. They have subsequently submitted revised environmental clearance for Super Mega Mixed Use Integrated Industrial Park Project vide dated 17.01.2019 which is under consideration of the competent authority for approval.
3. Both SEAC and SEIAA have at their level found Falcon View Project fit for construction, in spite of the alleged violation and there is no irregularity and infirmity in the implementation of the project duly approved by the State Government.
4. Moreover, the application submitted by the company for environmental clearance in respect of Falcon View Project was withdrawn by the applicant promoter.

In view of the above submissions, the project proponent has requested not to take any further action on the letter of SEIAA issued vide no. 611 dated 11.05.2018.

After detailed deliberations, SEIAA decided to consult advocate engaged in the matter for the following: -

- i) Fresh application filed by the Petitioner for expansion of Super Mega Mixed Land Use Integrated Industrial Park" which includes group housing project namely "Falcon view".
- ii) Petitioner request submitted vide letter no 3875 dated 16.12.2009 regarding no further action is required on the SEIAA letter no. 609-611 dated 11.05.2018 by which additional specific TOR issued to him.

Status of various Court Cases pending before the Hon'ble Court was reviewed by SEIAA in its 160th meeting held on 30.01.2020, where in SEIAA was apprised that the next date of hearing is 19.02.2020

In compliance to the above decision, it is submitted that the case (CWP 21351 of 2016 was attended on 19.02.2020 by the EE (SEIAA) along with Sh. Aman Arora, Advocate. After hearing, the Hon'ble Court issued the notice of motion to the CM. The matter was adjourned to 06.05.2020.

Further, the matter was discussed with Advocate for point no i) and ii) above and it was advised as under:-

- ii) Fresh application filed by the Petitioner for expansion of Super Mega Mixed Land Use Integrated Industrial Park" which includes group housing project namely "Falcon view" may be decided after hearing the project proponent.
- iii) Appropriate reply be also given to the project proponent in reference to his request letter no 3875 dated 16.12.2009.

The facts of the case of expansion of Super Mega Mixed Land Use Integrated Industrial Park" is as under:-

- i) The project proponent has submitted application on 17.01.2019 for issuance of Terms of References (TORs) for obtaining environmental clearance for the expansion of Super Mega Mixed Use Integrated Industrial Park, Sector- 66A, 82 & 83, District SAS Nagar (Mohali), Punjab being developed by M/s. Janta Land Promoters Limited. (Proposal No SIA/PB/NCP/30759/2019)
- ii) At present, application is pending at verification stage of earlier TOR/EC details issued by the SEIAA in the Parivesh portal which can be rejected with appropriate reason.
- iii) The project proponent has purchased additional land and accordingly change of land use has been obtained for 24.911 acres of land. The layout plan for expansion is also approved by CTP, Punjab vide Letter no. 6739 CTP (Pb) / SMPM- 3 dated 31.10.2018. The details of the conceptual plan submitted by the project proponent is as under:-

Comparison of EC Accorded & Total proposed (After Expansion) details

Sr. No.	Description	EC Accorded	Total proposed (After Expansion)
1)	Total Scheme Area	263.38 acres	278.171 acres
2)	Net Planned Area	200.41 acres	235.51 acres
3)	Built-up Area	11,27,578.74 sq.m.	11,75,000 sq.m.
4)	Estimated Population	22,145 Persons	27,655Persons
5)	Total Water Requirement	3,204 KLD	3,108 KLD
6)	Fresh water Demand	2,322 KLD	2,051 KLD
7)	STP capacity	STP of 2.8 MLD capacity	
8)	Solid waste generation	8.64 MT/day	10.855 MT/day

9)	Power Load	30 MVA or 30,000 KVA	41.7 MVA or 41,782 KVA
10)	DG sets	4 No. D.G sets of 50 KVA, 1 No. DG set of 125 KVA and 18 No. DG sets of 500 KVA	18 No. DG sets of 500 KVA, 9 No. DG sets of 380 KVA, 8 No. DG sets of 320 KVA, 2 No. DG sets of 250 KVA and 2 No. DG sets of 125 KVA
11)	Project Cost	Rs. 1059.39 Crores	Rs. 1103.21 Crores

As per EC accorded, 80% development work has already been done at the project site. Construction/occupancy status of residential/commercial Built-up works is given below in Table.

Construction Status of Residential/Commercial Built-up works

Sr. No.	Pockets	Construction status
1.	IT Twin Towers	45%
2.	Falcon View	68%
3.	Sky Garden	83%
4.	Galaxy Height-1	62%

Comparison of Water Demand & Wastewater Generation Details as per EC Accorded and Total proposed (After Expansion)

Sl. No.	Description	EC Accorded	Total proposed (After Expansion)
1.	Total Water Demand	3,204 KLD	3,108 KLD
2.	Fresh Water Demand	2,322 KLD	2,051 KLD
3.	Wastewater generated	2,563 KLD	2,486 KLD
4.	STP capacity	STP of 2.8 MLD capacity	

Water Demand & Wastewater Generation Details of Total proposed (After Expansion)

S.No.	Area Details	Population	Water requirement
1.	Residential Pockets including EWS	3,549 x 5 = 17,745	17,745 x 150 = 2,661.75 KLD

2.	Industrial/ Institutional/ Commercial plots	9,910	9,910 x 45 = 445.995 KLD
Total water requirement			3,107.74 KLD say 3108 KLD
Total sewage generation			2,486 KLD
Treated sewage recycled for flushing			710 (for 1 @ 40 lpcd) + 347 KLD (for 2 @ 35 lpcd) = 1,057
Fresh water requirement			2,051 KLD (3108 KLD – 1057 KLD)
Green area water req			57,708.17 sq.m.
Summer (@ 5.5 lt./m ² /day)			317 KLD
Winter (@ 1.8 lt./m ² /day)			104 KLD
Monsoon (@ 0.5 lt./m ² /day)			29 KLD

Parking Required Details for Residential/Commercial Pockets in Total proposed (After Expansion)

Sl. No.	Description	DUs / Area	Norms	Calculations	Required Parking (in ECS)
1.	Falcon View	1602	@ 3 ECS/DU	1602 x 3	4,806
2.	Sky Garden	368	<ul style="list-style-type: none"> • 1.5 ECS/DU Below 1,200 sq.ft. • 10% for visitors • 2 ECS/100 sq.m. for convenient/shopping 	<ul style="list-style-type: none"> • 1.5 x 368 = 552 • 10% of 552 = 55 • 97.685 sq.m. x 2/100 = 2 	609
3.	Galaxy Height-I	411	1.5 ECS/DU Below 1,200 sq.ft.	1.5 x 411	617
4.	Galaxy Height-II	348	1.5 ECS/DU Below 1,200 sq.ft. + 2 ECS/DU above 1200 sq.ft. + 10% for visitors	<ul style="list-style-type: none"> • 1.5 x 316 = 474 • 2 x 32 = 64 • 10% of 538 = 54 	592
5.	IT Twin Tower	32,897.98 sq.m.	2 ECS/100 sq.m.	32897.98 x 2/100	658
Total Parking Required (in ECS)					7,282 ECS

Parking Proposed Details for Residential/Commercial Pockets in Total proposed (After Expansion)

Sl. No.	Description	Parking provisions	Parking Proposed (in ECS)
1.	Falcon View	<ul style="list-style-type: none"> • Basement =3,750 ECS • Surface =1,243 ECS • Stilt =37 ECS 	5,030
2.	Sky Garden	<ul style="list-style-type: none"> • Stilt(Mechanical) = 84 ECS • Basement = 224 ECS • Lower Ground Floor (Mechanical) = 42 ECS • Open= 309 ECS 	659
3.	Galaxy Height- I	<ul style="list-style-type: none"> • Ground Floor = 54 ECS • Basement = 322 ECS • Basement (Mechanical) = 135 ECS • Open = 169 ECS 	680
4.	Galaxy Height-II	<ul style="list-style-type: none"> • Ground Floor = 42 ECS • Basement= 320 ECS • Basement (Mechanical) = 120 ECS • Open = 123 ECS 	605
5.	IT Twin Tower	<ul style="list-style-type: none"> • Basement = 246 ECS • Stilt = 192 ECS • Open = 126 ECS • Basement (Mechanical) = 132 ECS 	696
Total Parking Proposed (in ECS)			7,670 ECS

- iv) In spite of submitting the EIA report, M/s JLPL vide letter no. JLPL/82/2019/3875 dated 16.12.2019 informed that no further action is solicited on the SEIAA letter no.609- 611 dated 11.05.2018 vide which additional specific TOR was issued for development of project namely "Falcon View" at Sector 66 A Distt. Mohali (Proposal No. SIA/PB/NCP/10626/2013)
- v) SEIAA vide letter no.418 dated 22.05.2019, had sought latest construction status report of group housing project namely "Falcon view" from Environmental Engineer, Punjab Pollution Control Board, Regional Office Mohali.
- vi) Environmental Engineer, Punjab Pollution Control Board, Regional Office Mohali vide letter no. 3307 dated 25/06/2019 has sent the report as under:
- a) The group housing project namely Falcon View developed by M/s Janta Land Promoters Limited was visited by Assistant Environmental Engineer of the Regional Office, Mohali on 21.06.2019 and it was observed that:
 - b) The promoter company has the group housing society namely Falcon View in an area of 34.17 acres.

- c) The promoter company has a proposal to construct 31 towers at this site.
 - d) The promoter company has presently constructed and finished the work of 9 towers namely X,Y,A,B,G,H and 2 no. blocks i.e. Block C and Block A.
 - e) The promoter company has given possession of approximately 330 flats and approximately 150 families are residing in the complex.
 - f) The structure work of six tower having nomenclature I, J,K,L,M & N is almost complete and finishing work is in progress.
 - g) For the towers V & W the structure work has been completed upto G+4 level.”
- vii) The project proponent has not stopped the construction of group housing project "Falcon View inspite of directions issued u/s 5 of the Environment (Protection) Act, 1986 by the SEIAA vide letter no. 1390 dated 05.03.2015 restraining the project proponent not to carry out any further construction without obtaining environmental clearance.
- viii) MoEF&CC vide OM dated 9.09.2019 clarified that only those proposal may be taken for consideration under the provisions of Ministry Notification, dated 14.03.2017 and 08.03.2018 which had been submitted to SEAC during the window (14.03.2017 to 13.09.2017 & 14.03.2018 to 13.04.2018) or prior to it.
- ix) In the expansion application, the construction status of falcon view has been reported 68%. Thus, the fresh application filed by the project proponent for expansion of Super Mega Mixed Land Use Integrated Industrial Park" which includes group housing project namely "Falcon view" as one of the components of the Super Mega project is itself a violation case and their request regarding grant of ToRs is over & above to the requirement of environment clearance to pending application of the Falcon View for which additional ToR have already been issued.

The case was placed in the 161st meeting of SEIAA held on 27.02.2020, which was attended by the following:

- i) Sh. Hardeep Singh, Deputy Chief Engineer of the promoter company
- ii) Sh. Sandeep Garg, MD, M/s Eco Laboratories & Consultants Pvt. Ltd. Mohali, Environment Consultant of the promoter company

To a query of SEIAA regarding as to whether construction activities or any aspect/impact related to the environment of the "Falcon view" (for which matter is pending before Hon'ble High Court) , has been considered in the new application (Proposal No SIA/PB/NCP/30759/2019), the project proponent replied that the components of Falcon view has been considered in the new application submitted by them.

To another query of the SEIAA regarding as to why the new application for issuance of TORs (proposal no. SIA/PB/NCP/30759/2019) be not rejected considering the whole case as violation case being "Falcon view" one of the components of the expansion of Super Mega project, which itself is a violation case. In reply, the project proponent requested to give some time to submit their reply.

After detailed deliberations, SEIAA decided to accept the request of the project proponent, defer the case and the case be placed in the next meeting of SEIAA as and when scheduled.

Sh. Nitin Kaushal, Advocate engaged initially in the matter by PPCB on behalf of SEIAA vide letter dated 18.02.2020 addressed to Member Secretary, PPCB submitted that due to personal reasons, he was not in position to represent the PPCB (i.e. SEIAA). Further, he requested that this case may be assigned to some other lawyer on the panel of the Board at the earliest.

The case was placed in the 162nd meeting of SEIAA held on 19.03.2020, which was attended by the following:

- i) Sh. Hardeep Singh, Deputy Chief Engineer of the promoter company
- ii) Sh. Sandeep Garg, MD, M/s Eco Laboratories & Consultants Pvt. Ltd. Mohali, Environment Consultant of the promoter company.

To a query of SEIAA regarding as to whether he wanted to say/ submit any written representation w.r.t discussion held in the last meeting i.e. 161st meeting of SEIAA held on 27.02.2020. In reply, he submitted that he does not want to submit any written submission and their stand is the same, which the company had taken in the Hon'ble High Court i.e. their project "Falcon view" do not require the separate environmental clearance as they had already obtain the Environmental Clearance for Super Mega Mixed Land Use Integrated Industrial Park.

SEIAA observed as under: -

- i) Application of expansion of Super Mega Mixed Land Use Integrated Industrial Park" submitted on 17.01.2019 includes the group housing project namely "Falcon view" as one of the components. "Falcon view" project(a component of Super Mega Mixed Use Industrial Park) is a violation case and thus the expansion of Super Mega Mixed Land Use Integrated Industrial Park project for which fresh application is submitted, will also be considered as a violation case.
- ii) MoEF&CC vide OM dated 09.09.2019 has clarified that only those violation

proposals may be taken up for consideration under the provisions of Ministry's Notification, dated 14.03.2017 and 08.03.2018, which had been submitted to SEAC during the window (14.03.2017 to 13.09.2017 & 14.03.2018 to 13.04.2018) or prior to it. The promoter company has failed to submit the case in the prescribed window as the application was filed on 17.01.2019.

- iii) M/s Janta Land Promoters Ltd. has not stopped the construction of group housing project "Falcon View in spite of directions issued u/s 5 of the Environment (Protection) Act, 1986 by the SEIAA vide letter no. 1390 dated 05.03.2015 restraining the promoter company not to carry out any further construction without obtaining environmental clearance.
- iv) The promoter company vide letter no. JLPL/82/2019/3875 dated 16.12.2019 informed that no further action is solicited on the SEIAA letter no. 609- 611 dated 11.05.2018 instead of submitting EIA report in compliance to the specific Terms of Reference issued vide SEIAA letter no 609- 611 dated 11.05.2018.
- v) Submission of Fresh application for expansion of Super Mega Mixed Use Integrated Industrial Park, is an action through which promoter company wants to regularize the group housing project "Falcon view" through back door entry, which cannot be considered as the case is sub-judice in the Hon'ble High Court.

After detailed deliberations, SEIAA decided as under

- i) Application for issuance of Terms of References (TORs) for obtaining environmental clearance for the expansion of Super Mega Mixed Use Integrated Industrial Park, Sector- 66A, 82 & 83, District SAS Nagar (Mohali), Punjab submitted by M/s Janta Land Promoters Limited. (Proposal No SIA/PB/NCP/30759/2019) be rejected due the reasons mentioned above.
- ii) Case be assigned to some other lawyer at the earliest. Sh. Aman Sharma, Advocate may be contacted as suggested being familiar with the facts of the case as he had already appeared in the court on behalf of SEIAA/SEAC in this case.
- iii) Draft status report in the matter be prepared in consultation with advocate engaged in the matter and same be placed in the next meeting of SEIAA. The meeting be scheduled at the earliest to avoid any delay in the matter.

Item no. 162.07: Construction of 100 ft wide road to PR-4 at Mullanpur (New Chandigarh), Punjab, in the matter if OA No. 980/2019 titled as Harminder Singh & Others Vs Union of India & Others before the National Green Tribunal, New Delhi.

SEIAA observed that

1. M/s Omaxe New Chandigarh Developer Pvt. Ltd has submitted explanation to GMADA in reference to letter issued by GMADA vide letter No. GMADA/CE/2019/819 dated 02-12-19 with regard to clear the debris dumped in the water way of natural drain within three days of issuance of this letter.
2. The Chief Engineer, GMADA vide letter dated 17.12.2019 addressed to M/s Omaxe New Chandigarh Developer Pvt. Ltd in reference to his letter no ONCDPL/DM/2019-19 dated 04.12.2019 informed that since the final report of the committee already stands submitted on NGT on 05.12.2019 and now M/s Omaxe New Chandigarh Developer Pvt.Ltd can submit their point of view regarding removing the debris dumped in the water way of natural drain to Chairman, SEIAA, Punjab.
3. However, GMADA has directed M/s Omaxe New Chandigarh Developer Pvt. Ltd should take immediate action to clear the debris as already instructed vide his office letter dated 02.12.2019

SEIAA was apprised that the present status of the said OA on the website of NGT is showing pending, neither any order after the order of 25.09.2019 nor any next date of hearing is available online.

SEIAA observed that since the matter relates to the Hon'ble NGT, the reply submitted by the project proponent vide letter no ONCDPL/DM/2019-19 dated 04.12.2019 to GMADA, be obtained from GMADA, so that further action in the matter can be taken.

The decision of SEIAA has been conveyed to GMADA vide letter no. 1466 dated 03.03.2020.

The matter was considered by the SEIAA in its 162th meeting held on 19.03.2020 and it was observed as under: -

- 1) M/s Omaxe New Chandigarh Developer Pvt. Ltd has submitted its response in reference to GMADA letter no CE/GMADA/2019/74047 dated 17.12.2019 regarding immediate action to clear the debris.
- 2) While sending a copy of the complaint, Secretary, Real Estate Regulatory Authority Punjab vide memo no 8077 dated 31.12.2019 informed as under :-
 - i) A complaint has been received from Mr. Sunil Goyal, Promoter & Former JMD of Omaxe Ltd. vide letter dated 12/10/2019, alleging that the Environment Clearance Certificate does not cover the project land (Beacon Street, Located at Omaxe New Chandigarh)
 - ii) In reply to the above complaint, M/s Omaxe submitted a copy of letter no.

SEIAA/2017/228 dated 21.03.2017 issued by State Level Environment Impact Assessment Authority Punjab and stated that the promoter (M/s Omaxe Ltd.) had again applied on 04.05.2018 for Environment Certificate to the SEIAA, covering further increased area of project for 759 Acres which included the area of Beacon Street as well, which is pending and under consideration since 02.01.2019 before the Authority.

iii) RERA requested that contention of M/s Omaxe Ltd. may kindly be confirmed

3) SEIAA was apprised that the status of the proposal (SIA/PB/NCP/25992/2018)) submitted for issuance of Terms of Reference was checked online and it was observed as under:-

S. No.	EDS Sought Date	EDS Sought
(1.)	22/05/2018	EDS raised
(2.)	02/01/2019	The corrections have been made as per the instruction received.
(3.)	08/01/2019	EDS raised again.
(4.)	22/01/2020	The corrections have been made as per the instruction received.

4) Hon'ble NGT has also passed the detailed order in the matter on 03.03.2020. A copy of said order is annexed as Annexure-C and the relevant part of the NGT order is reproduced as under:-

"The State PCB may assess and recover compensation on 'Polluter Pays' principle. The GMADA may also enforce its directions in letter dated 28.03.2014, Annexure B-1 to the report. The Committee may look into the issue of diversion of river at village Kansala which has not been gone into so far. Illegal filling up of the river and raising illegal construction and remedial action be also examined by the Committee. The illegal construction may either have to be removed or compensation assessed and recovered. For this purpose, representatives of the Central Pollution Control Board (CPCB), IIT Roorkee and the State PCB will be a separate Committee. The nodal agency for compliance and coordination would be the State PCB. A report may be furnished before the next date by e-mail at judicial-ngt@gov.in. "

The case is listed on 21.05.2020 for further consideration.

5) It was also apprised that a copy of the said order has already been sent to the Chief Engineer, GMADA, Chief Engineer, Department of Water Resources, Punjab and Chief Town Planner, Mohali through email on 13.03.2020 for taking necessary action in the matter under intimation to this office. A copy of the said order has also been emailed to Member Secretary, PPCB for information and taking necessary action in the matter being PPCB the nodal agency in the matter.

After detailed deliberations, SEIAA decided as under :-

- 1) Response submitted by M/s Omaxe New Chandigarh Developer Pvt. Ltd in reference to GMADA letter no CE/GMADA/2019/74047 dated 17.12.2019 regarding immediate action to clear the debris be sent to the Chief Engineer, GMADA and Chief Engineer, Department of Water Resources, Punjab for taking further necessary action in the matter. A copy of the NGT order dated 03.03.2020 also be sent to the both for its meticulous compliance.
- 2) Status of the proposal (SIA/PB/NCP/25992/2018) be conveyed to the Secretary, Real Estate Regulatory Authority Punjab in reference to his memo no 8077 dated 31.12.2019.
- 3) Application submitted by M/s Omaxe New Chandigarh Developer Pvt. Ltd. (Proposal (SIA/PB/NCP/25992/2018)) be scrutinized at the earliest and thereafter, necessary action in the matter be taken to decide the application. Status report be also sought from concerned RO of PPCB regarding this case as a complaint has already been received by RERA Punjab.
- 4) As Hon'ble NGT have constituted the new committee consisting of representatives of the Central Pollution Control Board (CPCB), IIT Roorkee and the State PCB (as the nodal agency for compliance and coordination), no further action is required to be taken by the SEIAA, in the matter except illegal filling of river and diversion of river at village Kansala. For this purpose Chief Engineer, Water Resources was contacted by the Chairman, SEIAA on telephone to whom orders of Hon'ble NGT orders has already been emailed. Chief Engineer, Water Resources be requested to send the report in this case at the earliest so that the same be discussed in a meeting and the action taken accordingly.

Item No.162.08: Regarding status of various Court Cases pending before the Hon'ble Court.

The matter was considered by the SEIAA in its 162th meeting held on 19.03.2020. SEIAA was apprised that the latest status of Court cases relating to the different Hon'ble Courts is as under:

Hon'ble Punjab & Haryana High Court, Chandigarh

Sr. No.	Name of the case/Industry	Year of filing the case	U/s/Act and Brief of Violation	Remarks (Interim orders of last hearing of court)	Present Status and next date of hearing
1	CWP no. 21351 of 2016 filed by	2016 SSTE,	The project proponent has	Lastly, the court was	The case was adjourned to

	M/s Janta Land Promoters Ltd. v/s Union of India & others	PPCB, SEAC & SEIAA have been impleaded as Respondent no. 2, 3, 4 & 5.	contended that Janta Land Promoter Ltd. has taken the Environmental Clearance for whole area which included their project site also. As such, the individual project does not require Environmental clearance.	attended on 19.02.2020. During hearing, Mr. Aman Sharma, Advocate appeared on behalf of SEIAA, who accepted the notice on behalf of respondents No. 4 and 5, and prays for time to file reply to the application.	06.05.2020. It was decided that draft status report in the matter be prepared in consultation with advocate engaged in the matter and same be placed in the next meeting of SEIAA.
2	CWP no.21940 of 2018 titled as Sukhdev Singh & Others v/s State of Punjab & others	2018 SEIAA has been impleaded as Respondent 04.	The petitioner has prayed about shifting of SolidWaste facility from the present venue i.e. Bhagtanwala to some other alternative site.	The reply has been filed in the Hon'ble Court. Lastly listed on 24.01.2020	Next of hearing is 26.03.2020.
5	CWP no.6777 of 2019 titled as Piyar Kaur & Another v/s Union of India & others filed through Advocate Satinder Kaur in Hon'ble Punjab & Haryana High Court, Punjab	2019 SEIAA has been impleaded as Respondent 09.	The petitioner has prayed that he has been falsely implicated in the illegal mining case.	Lastly, the case was listed on 16.11.2019 and Sh. Sahil Sharma, Advocate appearing on behalf of SEIAA (Respondent No. 9) submitted in the court that he does not want to file any reply as no prayer has	Lastly Listed on 16.03.2020. Next date of hearing is not available. PPCB vide letter no. 19258 dated 28/06/2019 informed that Sh. Sahil Sharma, Advocate has been appointed to appear before the

				been made against the SEIAA	Hon'ble Court on behalf of SEIAA
6	Review Petition in CWP 27115 of 2019 M/s Surya Land Promoters Pvt. Ltd. Vs Union of India & Ors.	2020	Review petition against the High court dated 25.09.2019	Listed on 20.02.2020	Review petition has been filed by the SEIAA on 17.01.2020. The case is listed on 24.03.2020. SEIAA directed that necessary follow-up be made for getting MoEF&CC reply submitted in the Hon'ble Court.
7	CWP No 1483 of 2020 Jalndhar Human Welfare Society Vs State of Punjab	2020	Requested to cancel the EC	Attended on 29.01.2020 and adjourned to 19.02.2020	Reply has been filed on 12.03.2020 on behalf of SEIAA. Case is listed on 01.04.2020.
8.	CWP 20853 of 2019 CM ___ 2020 Premdeep Singh Shergil Vs State of Punjab & Others	2020	Copy of petition received SEIAA is one of respondent	Mail received on 31.01.2020	Case is listed on 23.03.2020.

Before Hon'ble NGT

Sr. No.	Name of the case/Industry	Year of filing the case	U/s/Act and Brief of Violation	Remarks (Interim orders of last hearing of court)	Present Status and next date of hearing
1	OA no. 980/2019 tilted as	2019	NGT constituted team in the	Lastly listed on	No direction has been

	Harminder Singh & others . v/s Union of India & others		matter	06.12.2019. Report was filed on 05.12.2019 through email	passed to SEIAA in its order dated 03.03.2020.
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Further, SEIAA was apprised that Member Secretary, PPCB vide letter no 7730 dated 12.03.2020 informed in reference to the DECC letter no. SEIAA/2020/1427 and 1434 dated 03.02.2020 that request of the Director of Environment and Climate Change (DECC) for engagement of Sh. Suveer Sheokand, Addl. AG, Punjab on behalf of SEIAA, Punjab for defending the court cases i.e. CWP no. 1483 of 2020 and CWP no.20853 of 2020 in the Hon'ble Punjab and Haryana High Court, Chandigarh considered by the Competent Authority of the Board and decided that DECC may take up the matter with him at its own level being a part of the Government Department and fee, if any, to be paid to the Counsel, may be settled, since now the funds are being generated on account of fee levied for the processing of environmental clearance applications received by the SEIAA, Punjab w.e.f. 27.06.2019. However, with regard to legal support, PPCB will extend the legal help, if required by the SEIAA, Punjab by deputing Senior Law Officer to defend the aforesaid court cases along with Counsel to be engaged in the Hon'ble Punjab & Haryana High Court, Chandigarh.

After detailed deliberations, SEIAA decided as under: -

- i) Director, DECC, be requested to empanel the experienced advocates in the field of Environment and settle the fee to be paid as competent authority of the Board decided that DECC may take up the matter at its own level being a part of the Government Department.
- ii) Standing counsel may be asked a day before to appear in their respective case as per the listed date before the respective Court.
- iii) Updated status of court cases pending before various Hon'ble Courts shall be placed in every meeting of SEIAA.
- iv) Amended Reply in the matter of CWP 20853 of 2019 titled Premdeep Singh Shergill Vs State of Punjab & Others , be filed through MS SEIAA.

Item No. 162.09 **Application for issuance of TORs for obtaining environmental clearance under EIA notification dated 14.09.2006 for the development of commercial project namely “Judicial Court Complex and District Administrative Complex”, District Tarn Taran, Punjab by Executive Engineer, Construction Division no. 1, PWD (B& R), Court Road, Amritsar. (Old Proposal No. SIA/PB/NCP /52903 /2016 for EC, New Proposal No. SIA/PB/NCP/25479/2018 for TORs)**

SEIAA observed that: -

The Executive Engineer, Construction Division no. 1, PWD (B & R), has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for the development of project namely “Judicial Court Complex and District Administrative Complex, Punjab. The project is covered under category 8 (a) of the Schedule appended to the said notification.

The case was considered by the SEAC in its 148th meeting held on 19.07.2016, which was attended by the following: -

- 1) Sh. Daljit Singh, Executive Engineer, PWD, B & R, Amritsar on behalf of project proponent.
- 2) Sh. Kuldeep Singh, SDO, B & R, Amritsar on behalf of project proponent.
- 3) Sh. Vishal Duggal, FAE, Air Pollution, M/s Shivalik Solid Waste Management, Environmental Consultant of the promoter Company

The SEAC observed that the project proponent has already carried out construction without getting prior environmental clearance which is in violation of EIA notification dated 14.09.2006 and thus liable for credible action in view of the circular dated 12.12.12 and 27.06.2013 issued by MoEF. A complaint u/s 15,17 of the Environment (Protection) Act,1986 filed by PPCB in the court of Hon’ble CJM, Tarn Taran is not as per the procedure laid down in the OM dated 12.12.12 and 27.06.2013 issued by MoEF. Also, in case of violation by any Deptt. Of Govt., section 17 of the Environment (Protection) Act, 1986 is followed which is provided as under: -

“(1) Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly”

But in present case, a complaint has been filed by PPCB against the Executive Engineer & SDE of PWD (B & R) as well as Sub Divisional Magistrate, Tarn Taran but not against the HOD of PWD (B& R) i.e. Chief Engineer.

After detailed deliberations, the SEAC decided to forward the case to SEIAA with the following recommendations:

- a) To ask the project proponent to submit a formal resolution passed by the Board of Directors of the Company or by the Managing Committee /CEO of the Society, Trust, partnership /individually owned concern /Competent Authority, within 60 days, mentioning that violations will not be repeated in future and in the meantime, the project may be delisted. In the eventuality of not having any response from the project proponent within the prescribed limit of 60 days, the project file may be closed.
- b) For initiating credible action against project proponent /responsible persons /Promoter Company under the Environment (Protection) Act, 1986 due to start of construction activities of the project without obtaining Environmental Clearance under EIA notification dated 14.09.2006. The names of all the Directors as mentioned in the Memorandum & Article of Association submitted by the project proponent alongwith applicant be sent to Punjab Pollution Control Board as project proponent(s)/persons responsible.
- c) Once action as per point a & b mentioned above have been taken, the concerned case will be dealt with and processed as per the prescribed procedure for dealing with cases for grant of TORs /Environment Clearance /CRZ Clearance and appropriate recommendation made by the EAC/decision taken by the Ministry as per the merit of the case.
- d) For issuance of directions under Section 5 of the Environment (Protection) Act, 1986 to restrain the promoter company from carrying out any further construction activity of the project till the environmental clearance under EIA notification dated 14.09.2006 is obtained.

However, the above mentioned recommendations are subject to the final order of the Hon'ble Supreme Court of India in matter of civil appeal no. 7191-7192/2015 as may be applicable to this project and decision of any competent authority to the extent applicable.

In addition to above, the SEAC also decided that PPCB be asked to verify the status of such non compliances in other Districts of the State of Punjab and submit report within one month.

The case was considered by the SEIAA in its 113th meeting held on 10.08.2016, which was attended by the following: -

- i) Sh. Daljit Singh, Executive Engineer, PWD, B & R, Amritsar on behalf of project proponent.
- ii) Sh. Vishal Duggal, Environmental Consultant, M/s Shivalik Solid Waste Management of the promoter Company

The SEIAA observed that Punjab Pollution Control Board has already filed a complaint u/s 15, 17 of the Environmental Protection Act, 1986 before the Hon'ble Chief Judicial Magistrate, Tarn Taran due to the violation of the provisions of EIA Notification dated 14.09.2006. Therefore, there is no need to file fresh complaint under same section before the competent court of the Law for violating the provision of the EIA Notification dated 14.09.2006.

The SEIAA queried that what is the status of the construction of the project? In reply to this query, the project proponent submitted an undertaking to the effect that an affidavit has already been submitted indicating about 94% work of the project complete and the remaining were including only furnishing of interiors and furniture work, which was in progress at that time, has been completed. No further construction at the site has been carried out after submission of the application for Environmental Clearance. The undertaking submitted by the project proponent was taken on record by the SEIAA. The SEIAA observed that since the construction work of the building has already been completed, therefore, there is no need to issue directions under Section 5 of the Environment (Protection) Act, 1986 to restrain the promoter company from carrying out any further construction activity of the project till the environmental clearance under EIA notification dated 14.09.2006.

Further, the SEIAA observed that being a Govt. Department, Executive Engineer, PWD (B & R), Amritsar in the already submitted affidavit 01.03.2016 has declared and affirmed at Sr. No. 2, 3 & 4 as under:

- That, the violation regarding carrying construction activity without obtaining statutory Environmental Clearance was inadvertent and unintentional.
- That, about 94% of the overall construction work has already been completed and there shall be no further construction/ development activity at the site till all statutory permission from the competent authorities are obtained.
- That, there shall be no violation of any applicable legal requirement in future.

Therefore, there is no need to ask the project proponent to submit a formal resolution passed by the Board of Directors of the Company or by the Managing Committee /CEO of the Society, Trust, partnership /individually owned concern /Competent Authority, within 60 days.

After detailed deliberations, it was decided as under:

- i) Case be remand-back to SEAC for the appraisal of the Environmental Clearance of the project.
- ii) The matter regarding asking PPCB to verify the status of such non compliances in other Districts of the State of Punjab be placed before the combined meeting of SEIAA & SEAC for detailed deliberations.

The case was considered by the SEAC in its 149th meeting held on 29.08.2016, which was attended by the following: -

- i) Sh. Daljit Singh, Executive Engineer, PWD, B & R, Amritsar on behalf of project proponent.
- ii) Sh. Vishal Duggal, Environmental Consultant, M/s Shivalik Solid Waste Management of the promoter Company

The SEAC allowed the project proponent to present the salient features of the project and the environmental consultant presented salient features.

The SEAC observed that following issues have not been addressed/clarified in the presentation: -

- i) The project is located near to National Highway and there is possibility of involvement of forest land for the approach road to the project site. The project proponent is required to submit status of permission under Forest (Conservation) Act, 1980, if use of any forest land including approach to the project site from road is involved, then copy of acknowledgement alongwith set of application filed for obtaining forest clearance under Forest (Conservation) Act, 1980 be submitted. Alternatively, NOC from concerned DFO to the effect that no forest land including approach to project site from road is involved be submitted.
- ii) The project proponent has mentioned that treated trade effluent will be discharged into Patti drain, however, enough agricultural land is available adjoining to the project. Thus, project proponent shall make an agreement with nearby farmers for utilization of treated sewage and proposal for the same shall be submitted.
- iii) Proposal for Solar power generation as energy conservation measure shall be submitted.
- iv) Permission for abstraction of ground water is required to be submitted.

After deliberations, the SEAC decided that the project proponent is required to present the case completely and come out with revised presentation alongwith photographs & decided to defer the case till the project proponent submits the reply to the aforesaid observations.

Thereafter, the project proponent vide its letter number 1568 dated 24.11.2016 had submitted the reply to the observations raised by the SEAC in its 149th meeting held on 29.08.2016 to this office.

The case was considered by the SEAC in its 156th meeting held on 06.04.2017 but no representative from the project proponent side attended the meeting.

However, the SEAC observed that Ministry of Environment, Forest and Climate change, New Delhi vide Notification No. S.O. 804(E) dated 14.03.2017 has laid down the procedure to deal with the violation cases and has made the following amendments in the EIA Notification, 2006: -

- a) 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 Expert Appraisal Committee and environmental clearance will be granted at the Central level.

- b) In cases of violation, action will be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the environmental clearance.
- c) The cases of violation will be appraised by respective sector Expert Appraisal Committees constituted under subsection (3) of Section 3 of the Environment (Protection) Act, 1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can be run sustainably under compliance of environmental norms with adequate environmental safeguards; and in case, where the finding of the Expert Appraisal Committee is negative, closure of the project will be recommended along with other actions under the law.
- d) In case, where the findings of the Expert Appraisal Committee on point at sub-para (4) above are affirmative, the projects under this category will be prescribed the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan. Further, the Expert Appraisal Committee will prescribe a specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants. The collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under Environment (Protection) Act, 1986, or a environmental laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of a Council of Scientific and Industrial Research institution working in the field of environment.
- e) The Expert Appraisal Committee shall stipulate the implementation of Environmental Management Plan, comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of environmental clearance.
- f) The project proponent will be required to 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 will be recommended by Expert Appraisal Committee and 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, Expert Appraisal Committee and approval of the Regulatory Authority.

The SEAC observed that as per amendment as mentioned at (a) above, violation cases of even category "B" projects which are granted Environment Clearance by SEIAA are to appraised for grant of Environment Clearance only by the EAC and Environment Clearance is to be granted at Central level. As such, the present case also lies in the competency of the MoEF&CC, New Delhi. The present Environment Clearance application filed by the project proponent online with SEIAA Punjab is required to be transferred to MoEF&CC, New Delhi.

After detailed deliberations, the SEAC decided to recommend to SEIAA as under:-

- (i) To reject the application for issuance of environmental clearance under EIA notification dated 14.09.2006 for the development of commercial project namely "Judicial Court Complex and District Administrative Complex", District Tarn Taran, Punjab.
- (ii) Project proponent be informed to apply fresh application at the Central level as per the provisions of amended EIA Notification, 2006.
- (iii) The proceedings be also sent to the Punjab Pollution Control Board for taking necessary action as per the provisions of sub para (3) of the para 13 of the amended Notification dated 14.03.2017.

The case was considered by SEIAA in its 121st meeting held on 20.04.2017, but no representative from the project proponent side attended the meeting.

After deliberations, the SEIAA decided to defer the case.

As the term for SEIAA & SEAC was coming to an end on 05.05.2017, the status of pending cases was discussed in the 123rd meeting of SEIAA held on 04.05.2017 wherein, it was decided that list of the EC application (with online application no. and project name) of the violation cases which were deferred in 121st meeting of SEIAA held on 20.04.2017 be forward to the MoEF&CC, New Delhi and the project proponents be informed to approach the MoEF&CC, New Delhi. The instant case was also amongst the pending violation cases. Accordingly, record file of the case was sent vide SEIAA letter no. 840 dated 05.05.2017 to the MoEF&CC, New Delhi and the project proponent was requested vide letter no. 847 dated 05.05.2017 to approach the MoEF&CC, New Delhi for further action on the pending EC application.

In compliance to the order dated 14.03.2018 passed by the Hon'ble Punjab & Haryana High Court, in the matter of CWP 21351 of 2016 titled as Janta Land Promoters Ltd. Vs Union of India & other MoEF&CC, New Delhi vide its letter No. 19-184/2017-IA-III(Pt.) dated 26.03.2018 has transferred the record file of the case back to the SEIAA, Punjab.

It is further added here that, MoEF&CC issued amended notification dated 08.03.2018 wherein the power to decide the violation cases of category 'B' project have been delegated to SEIAA & SEAC, which were earlier vested with MoEF&CC, New Delhi. The notification while laying down the procedure, the para (4) & (5) prescribes as under:-

- (4) The cases of violations will be appraised by the Expert Appraisal Committee at the Central level or State or Union territory level Expert Appraisal Committee constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can run sustainably under compliance of environmental norms with adequate environmental safeguards, and in case, where the findings of Expert Appraisal Committee for projects under category A or State or Union territory level Expert Appraisal Committee for projects under category B is negative, closure of the project will be recommended along with other actions under the law.
- (5) In case, where the findings of the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee on point at sub-paragraph (4) above are affirmative, the projects will be granted the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan and the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, will prescribe specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants, and the collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under the Environment(Protection) Act, 1986, or a environmental laboratory accredited by the National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of the Council of Scientific and Industrial Research institution working in the field of environment.

The status of the old proposal applied by the project proponent on the web portal of SEIAA is as under: -

Proposal No	File No	Proposal Name	Date of Submission for EC	Online current status
SIA/PB/NCP /52903/2016	SEIAA/PB /NCP/BC/EC/ 2016/26	Judicial Court Complex and District Administrative Complex	2-Jul-16	Deferred by SEIAA

The project proponent applied fresh vide proposal no. SIA/PB/NCP/25479/2018 on dated 14.04.2018 to SEIAA, Punjab for issuance of TORs for obtaining Environmental Clearance in compliance to the MoEF&CC amended notification dated 08.03.2018. The details of the document submitted with the fresh application are as under:

1.	Properly filled Form 1 and basic information	Yes
2.	Pre-feasibility Report	Submitted
3.	Proof of ownership of land	Not submitted
4.	Copy of Memorandum of Article & Association /partnership deed /undertaking of sole proprietorship /list of Directors and names of other persons responsible for managing the day-to-day affairs of the project.	Not submitted
5.	Draft ToRs	Submitted
6.	List of accredited EIA consultant organization with accredited sector of NABET	Not submitted

The brief detail of the project is as under: -

- The project has been completed in Aug. 2016
- The project failed to obtain the EC before starting the on-site construction activities, in violation of the EIA Notification, 2006.
- The Government of Punjab has constructed Judicial Court Complex-cum- District Administrative Complex at Village Rasulpur, NH 15, TarnTaran.
- As per the project planning, total built-up area is about 58590sqm in a land area measuring 55320 sqm (16.54 acres).
- The total project cost is about Rs. 95 crores.
- Gross water consumption – ~275-360 m³/day
- Net fresh water requirement – ~225 m³/day
- Source of water – Ground water
- Gross daily wastewater generation (m³/day) – ~180
- Treated wastewater reuse potential (m³/day) ~50-135
- Disposal of excess treated wastewater into Patti drain (NOC obtained)
- The detail of generation of solid waste and their management proposed is as under:-
 - i) Total MSW to be generated = ~300 kg/day
 - ii) Recyclable rejects (@~25%) = ~100 kg/day
 - iii) Non-recyclable rejects (@~75%) = ~200 kg/day
- Management include;
 - i) Segregation at source through use of separate (colour-coded)
 - ii) Collection bins for recyclable and non-recyclable rejects
 - a) Recyclable component – sold to the authorized recycler

b) Non-recyclable component – disposal through MSW facility of Nagar Council, Tarn Taran – NOC obtained

➤ Rain water harvesting through ground water recharge (trench with recharge wells)

The case was considered by SEAC in its 166th meeting held on 24.05.2018 wherein the SEAC observed that no one from the project proponent side attended the meeting. The SEAC was apprised that project proponent has requested through email dated 23.05.2018 for the deferment of the case due to some urgent work.

The Committee accepted the request of the project proponent and in compliance to the office memorandum dated 25.02.2010 of the MoEF, decided to defer the case.

The case was placed in the agenda of the 168th meeting of SEAC held on 22.06.2018. But, no one from the project proponent has attended the said meeting. After detailed deliberations, the SEAC decided to defer the case in light of Office Memorandum dated 25.02.2010 of MoEF&CC and ask the Chief Engineer, PWD (B&R) to ensure project in-charge / Executive Engineer be present in the next meeting of SEAC as and when scheduled.

In compliance to the aforesaid decision taken by the SEAC, the Chief Engineer, PWD (B&R) has been requested vide letter no 787 dated 13/07/2018 to ensure project in-charge / Executive Engineer be present in the next meeting of SEAC as and when scheduled.

The case was considered by SEAC in the 169th meeting held on 20.07.2018 and the same was attended by Sh. Inderjit Singh, Executive Engineer, PWD (B&R) Amritsar.

The Executive Engineer, PWD (B & R), Tarn Taran, Punjab stated before the SEAC that he has joined recently and needs time to study the details of the project. He sought 15 days' time and requested to place the case in the meeting thereafter. The SEAC accepted the request of the project proponent.

After deliberation, the SEAC decided to defer the case and place the same in the 171st meeting of SEAC to be held in the month of August 2018.

In compliance to the aforesaid decision taken by SEAC, the project proponent has been requested vide email dated 15.09.2018 to attend the 171st meeting of SEAC to be held on 24.09.2018 to present the case in accordance with the provisions of MoEF&CC, New Delhi Notification dated 08.03.2018 so that further action in the matter can be taken.

The case was placed in the agenda of the 171st meeting of SEAC held on 24.09.2018. But, neither any representative from the project proponent attended the said meeting nor any request for adjournment / deferment have been received from the project proponent.

After detailed deliberations and considering the extreme bad weather conditions prevailing in the State from 22.09.2018 to 24.09.2018, SEAC decided to defer the case and asked the project proponent to present his case before SEAC in its next meeting as and when held.

In compliance to the aforesaid decision taken by the SEAC, the Executive Engineer, Construction Division No.1, PWD (B&R) was requested vide letter no 1360 dated 09/10/2018 to upload the reply online to Additional Details Sought (ADS) on the web portal and also attend the next meeting of SEAC as & when scheduled to present their case in accordance with the provisions of MoEF&CC, New Delhi Notification dated 08.03.2018, so as to enable the SEAC to proceed further in the matter.

The case was considered by the SEAC in its 174th meeting held on 28.12.2018 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Inderjit Singh, Executive Engineer, PWD (B & R), Construction Division No. 1, Court Road, Amritsar.
- (ii) Sh. Vishal Duggal, Environment consultant on behalf of project proponent.

During the meeting, the Executive Engineer made a request to SEAC that Sh. Vishal Duggal is an internal environmental consultant of the Department and he may be allowed to present the case before SEAC. SEAC allowed the internal environmental consultant to present the case in accordance with the notification dated 08.03.2018.

Sh. Vishal Dugaal submitted that due to non-availability of base line data in the District Tarn Taran, they are yet to make a complete assessment of ecological damage happened due to the construction of Judicial Court Complex and District Administrative Complex”, District Tarn Taran, Punjab. He further submitted that at least one-month period is required in order to prepare a pre-feasibility report & proposing draft Terms of Reference for the environmental damages including the mitigation measures in accordance with the notification dated 08.03.2018.

Further, to a query regarding suitability of site of the project and proposing draft Terms of References, the project proponent submitted a written request letter dated 28.12.2018 to SEAC for seeking one-month time for preparing the report in compliance to the provisions of notification dated 08.03.2018.

SEAC observed that as per notification dated 08.03.2018, a specific terms of Reference can be issued to the project proponent, in case finding of the committee are affirmative with regard to the construction at project site under prevailing law is permissible. SEAC further observed that at this stage, the project proponent has neither presented the case nor proposed the draft Terms of Reference in light of the notification dated 08.03.2018.

After deliberations, SEAC decided to accept the request of the project proponent & deferred the case in light of OM dated 25.02.2010 of MoEF&CC and asked the project proponent to attend the meeting of SEAC to be held in the month of February, 2019 and present the case in line with the notification dated 08.03.2018, failing which action deemed fit in the matter shall be initiated as per MoEF&CC notification dated 08.03.2018.

Now, the project proponent has submitted reply to the observation raised online.

The case was considered in 185th meeting of SEAC held on 29.11.2019, which was attended by the following:

1. Sh. Inderjit Singh, Executive Engineer, Construction Division No.1, PWD Amritsar.

2. Sh. Arvinder Singh, DRO, Tarn Taran.
3. Sh. Sandeep Singh, FAE, M/s CPTL-EIA, Mohali.

SEAC was apprised that the project is a violation case and was applied in the window given by MoEF vide notification dated 14.03.2017. SEAC was further apprised that as per the clause 3 of the said notification in cases of violation, action will be taken against the project proponent by the respective State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the Environmental Clearance.

SEAC queried to the project proponent as to whether project has been constructed at a site which under prevailing law is permissible or not. To this, the project proponent informed that the CLU has been obtained vide letter no. 2414 dated 29.11.2019 and as per the same the site falls in mixed land use and is permissible.

The SEAC observed that in view of the above mentioned facts, the findings in the present case regarding suitability of site to be assessed as per the provisions of sub paragraph (4) of amended EIA notification dated 08.03.2018 are affirmative and decided to proceed further for finalization of TORs as per the provision of sub para 5 of said Notification.

SEAC further queried whether the project proponent has obtained permission under Forest (Conservation) Act, 1980, if use of any forest land including approach to the project site from road is involved, then copy of acknowledgement alongwith set of application filed for obtaining forest clearance under Forest (Conservation) Act, 1980 be submitted. Alternatively, NOC from concerned DFO to the effect that no forest land including approach to project site from road is involved be submitted. Accordingly, the project proponent submitted NOC issued by DFO, Amritsar, vide no 7039 dated 24.10.2016 to the effect that the project area has already been acquired by the Public Works Department for widening of NH-15 road and not tree is affected by this project. Along with said NOC, the project proponent submitted a copy of the NOC issued by Executive Engineer, Central Works Department (Circle-1), Amritsar, vide letter no 1178 dated 18.05.2016 to the effect that main gates of the complex fall on NH-15/54 and said department has no objection for the same. Copies of both the letters were taken on record by the SEAC.

SEAC allowed the project proponent to present the salient features of the project and the Environmental Consultant of the project proponent presented the same.

SEAC queried to the project proponent as to whether provision for the solar panels have been made or not. The project proponent submitted that proposal of the roof top solar panels has been made but the approval for the same has yet to be obtained from the competent authority.

After detailed deliberations, SEAC decided to recommend to SEIAA as under:

- 1) Punjab Pollution Control Board may be requested to send the latest status report of the credible action taken against the project proponents.
- 2) To issue the following additional specific TOR in line with the notification dated 14.03.2017 as amended on 08.03.2018:

Additional specific TOR: -

The project proponent shall make an assessment of ecological damage done and economic benefit derived due to violation and prepare remediation plan and natural & community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants. The collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under Environment (Protection) Act, 1986, or a environmental laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of a Council of Scientific and Industrial Research institution working in the field of environment.

The case was considered by the SEIAA in its 158th meeting held on 23.12.2019, which was attended by the following: -

- i) Sh. Inderjit Singh, Executive Engineer, Construction Division No. 1, PWD (B&R), Amritsar.
- ii) Sh. Arvinderpal Singh, DRO, Tarn Taran.
- iii) Sh. Sandeep Singh, FAE, CPTL, Mohali, Environment consultant of the promoter company.

Before allowing the presentation to Environmental Consultant of the Promoter Company, SEIAA queried that what is the latest status report of the of the credible action taken against the project proponents. In reply to the query, project proponent informed that Punjab Pollution Control Board had already filed a complaint u/s 15, 17 of the Environmental Protection Act, 1986 before the Hon'ble Chief Judicial Magistrate, Tarn Taran due to the violation of the provisions of EIA Notification dated 14.09.2006. but sought time to submit the latest status of the case.

SEIAA observed that SEAC has already recommended to SEIAA that Punjab Pollution Control Board may be requested to send the latest status report of the credible action taken against the project proponents.

After detail deliberations, SEIAA decided to defer the case and ask the Punjab Pollution Control Board to send the latest status report of the credible action taken against the project proponents so as further action in the matter can be taken.

Accordingly, Punjab Pollution Control Board has been requested vide letter no 1454-55 dated 03.02.2020 to send the latest status report of the credible action taken against the project proponents so as further action in the matter can be taken.

The case was considered by the SEIAA in its 162nd meeting held on 19.03.2020 and it was apprised that Regional office, PPCB, Amritsar vide letter no 1555 dated 14.02.2020 intimated that application filed against the Judicial Court Complex and District Administrative Complex, Tarn Taran has been withdrawn by the PPCB. It was noted that Er. Rajesh Kumar, complainant stated in the court on 22.11.2017 that he does not wish to continue the present complaint, in view of the direction of the Complainant Board. After considering his statement, Hon'ble Court dismissed the complaint as withdrawn under section 257 Criminal Procedure Code. The accused and their bail bonds were discharged.

After detailed deliberations, SEIAA decided that Member Secretary, PPCB be asked under what circumstances complaint u/s 15,17 of the Environment (Protection) Act,1986 filed by PPCB in the court of CJM, Tarn Taran against the responsible persons of Judicial Court Complex & District Administrative Complex, Tarn Taran was withdrawn; in spite of the fact that environmental clearance has not been granted to the project.

Meeting ended with a vote of thanks to the Chair.
