

**Proceedings of 188<sup>th</sup> meeting of State Environment Impact Assessment Authority (SEIAA) held on 23.08.2021 in the Conference Hall no. 1 (Room No 311), 2nd Floor of MGSIPA at 10:30 AM, MGSIPA Complex, Sector-26, Chandigarh through Hybrid Mode**

The meeting was attended by the following members:

- 1) Sh. Hardeep Singh Gujral,  
Chairman, SEIAA
- 2) Sh. Charandeep Singh, PCS  
Member Secretary, SEIAA
- 3) Dr. Adarsh Pal Vig, Member SEIAA -cum  
Chairman Punjab Pollution Control Board, Patiala

Er. Parveen Saluja Environmental Engineer SEIAA and Sh. Aushwinder Singh, Scientist-B along with other supporting staff also attended.

**Item No. 01: Confirmation of the proceedings of 187<sup>th</sup> meeting of State Environment Impact Assessment Authority held on 09.08.2021.**

The proceedings of 187<sup>th</sup> meeting of State Environment Impact Assessment Authority (SEIAA) held on 09.08.2021 were circulated through E-mail on 16.08.2021. Since no observations have been received from any member of SEIAA, the Proceedings of the 187<sup>th</sup> meeting as circulated stand confirmed.

**Item No. 02: Action taken on the proceedings of the 186<sup>th</sup> & 187<sup>th</sup> meeting of State Environment Impact Assessment Authority held on 29.07.2021 & 09.08.2021 respectively.**

SEIAA was apprised that action on the proceedings of 186<sup>th</sup> meeting of State Environment Impact Assessment Authority (SEIAA) held on 29.07.2021 has been completed. Further, action on the proceedings of 187<sup>th</sup> meeting of State Environment Impact Assessment Authority (SEIAA) held on 09.08.2021 is being taken and action taken report on the said proceedings will be placed in the next meeting of SEIAA.

SEIAA perused the action taken report of 186<sup>th</sup> meeting and directed that item no's 186.04, 186.05 and table item no. 4 (iii) of 186<sup>th</sup> meeting should be followed up for seeking reports from the concerned quarters. Further, action on the proceedings of 187<sup>th</sup> meeting should be completed at the earliest and Action Taken Report (ATR) be placed in the next meeting of SEIAA.

**Item no.188.01: Application for issuance of ToR for manufacturing of 375 TPD (1,31,250 TPA) of ingots/billets and flats & strips @ 1,31,250 TPA at GT Road, Sirhind side, backside Modern steel Ltd, Mandi Gobindgarh, District Fatehgarh Sahib by M/s Ambey Industries. (Proposal No. SIA/PB/IND/63981 /2021).**

SEIAA observed as under:

M/s Ambey Industries has applied for issuance of ToR for manufacturing of 375 TPD (1,31,250 TPA) of ingots/billets and flats & strips @ 1,31,250 TPA, by installing 1 No. Induction Furnace of 25 Tons/Heat, Ladle Refining Furnace (LRF), Concast and Rolling Mill at GT Road, Sirhind side, backside Modern Steel Ltd, Mandi Gobindgarh, District Fatehgarh Sahib. The Project Proponent has taken M/s K.L Steel Industries, GT Road, Mandi Gobindgarh, on rent/lease basis w.e.f. 01.05.2021 to 31.03.2056 i.e., for 35 years. M/s K.L Steel Industries has already an existing rolling mill with valid consent to operate from the Punjab Pollution Control Board. The Project Proponent has also purchased 2.9960 acres of the land adjoining to the said industry and thus the total plot area comes out to be 5.4203 acres. The total cost of the project is Rs. 33.7994 Cr.

The project proponent submitted the Form I, Pre-feasibility report and other additional documents on online portal. He has also deposited the requisite fee of Rs. 84,500/- through NEFT No. JAKA210603620934 dated 03.06.2021. The Project Proponent has deposited 25% of the total fee prescribed for the Environmental Clearance being at ToR stage and the remaining 75% of the fee i.e., Rs. 2,53,500/- will be paid at the time of applying for Environmental Clearance.

The project proponent submitted an undertaking that the project site does not cover under the Forest Conservation Act, 1980 or Punjab Land Preservation Act, 1900, Wildlife area under Wildlife (Protection) Act, 1972. Further no litigation against the project is pending in any Court of Law and no construction activity relating to the project has been started. The project site neither fall in Eco-sensitive Zone nor in the boundary of critical polluted area. The project does not attract the generation condition and specific condition.

The project proponent during the presentation to the Committee be asked to present the applicability of General Conditions, suitability of site, land details etc.

#### **1.0 Deliberations during 203<sup>rd</sup> meeting of SEAC held on 05.07.2021.**

The meeting was attended by the following:

1. Puneet Kumar, Partner, on behalf of Project Proponent.
2. Sh. Sital Singh, EIA coordinator, M/s Chandigarh Pollution Testing Laboratory, E-126, Phase-VII, Industrial Area, Mohali.

SEAC allowed the Environmental Consultant of the Project Proponent to present salient features of the Project which he presented as under:

Sr. No.	Description	Details
1.	Name and Location of the project	Proposed Steel manufacturing unit namely "M/s Ambey Industries" at G.T Road, Sirhind Side, backside Modern Steel Ltd., Mandi Gobindgarh, District Fatehgarh Sahib, Punjab.
2.	In case of expansion projects, whether granted EC earlier, if Yes, then provide its details	Not Applicable, as it is a new Project.
3.	Nature of project (Fresh EC/EC for Expansion/New)	Fresh
4.	Category/Activity	(a) B (b) Metallurgical Industries (ferrous & nonferrous) (8), Schedule 3(a) as per EIA notification-2006.
5.	Whether project falls within 5km from the boundary of critically polluted area	No
6.	Undertaking to reflect that project is neither located near to PLPA area nor fall in the PLPA area	The project site is neither located near to PLPA area nor fall in PLPA area.
7.	Classification/Land use pattern as per Master Plan	The project falls in industrial zone as per the master plan of Mandi Gobindgarh, Punjab
8.	Details of CLU certificate	Industry falls under the industrial zone as per master plan of Mandi Gobindgarh (2010-2031)

9.	Project Area Details:		
	<b>S. No.</b>	<b>Description</b>	<b>Area (in sq m)</b>
	1	Existing Shed Area	3793.2
	2	Green Area	4572.49
	3	Road Area	2973.97
	3	Parking Area	1055.76
	5	Other Area	3158.22
	6.	Proposed Shed & Office Area	6208.17
<b>Total</b>		<b>21761.8</b>	

10.	Raw Material requirement as per following format:				
	<b>S. No.</b>	<b>Raw Material name</b>	<b>Proposed (TPA)</b>		
	1.	MS Scrap & Ferro Alloys	1,43,062		
11.	Production Capacity as per following format:				
	<b>S. No.</b>	<b>Product name</b>	<b>Proposed (TPA)</b>		
	1.	Steel Ingots/billets, HR Flats, Strips	1,31,250		
12.	Details of major productive machinery/plant				
	<b>S. No.</b>	<b>Particulars</b>	<b>Proposed</b>		
	1.	Induction Furnace	25 TPH		
	2.	Ladle Refining Furnace (LRF)	25 TPH		
	3.	Rolling mill	01 No.		
	4.	Concast	01 No.		
13.	Details of Emissions (After expansion)				
	Sr. No.	Source	Capacity (TPH)	Chimney Height (m)	Details of existing & proposed Air Pollution Control Device
	i)	Induction Furnace	1X25 TPH	30	Side Suction Hood, Spark Arrestor, Bag House, ID Fan (Offline Cleaning Pulsejet Bag Filter)
14.	Status of Proposed ToRs			Standard TORs submitted.	

EAC was satisfied with the presentation and took a copy on record.

After detailed deliberations, it was decided to categorize the project under Activity 3(a); B-1 with public consultation as required for the project. The Committee approved the Terms of Reference for Steel manufacturing unit namely M/s Ambey Industries located at GT Road, Sirhind side, backside Modern steel Ltd, Mandi Gobindgarh, District Fatehgarh Sahib, Punjab with increase in production capacity of the 375 TPD (1,31,250 TPA) of ingots/billets and flats & strips @ 1,31,250 TPA by installing 1no. Induction furnaces of 25 tons/Heat, Ladle refining furnace (LRF), concast and rolling mill for preparing Environmental Impact Assessment (EIA) report for the proposed project and recommended to SEIAA to issue the following TORs:

#### STANDARD TERMS OF REFERENCE

##### 1) Executive Summary

Report in about 8-10 pages incorporating the following:

- (i) Project name and location (Village, Distt., State, Industrial Estate (if applicable))
  - (ii) Products and capacities. If expansion proposal, then existing products with capacities and reference to earlier EC.
  - (iii) Requirement of land, raw material, water, power, fuel, with source of supply (Quantitative)
  - (iv) Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes.
  - (v) Measures for mitigating the impact on the environment and mode of discharge or disposal.
  - (vi) Capital cost of the project, estimated time of completion
  - (vii) Site selected for the project - Nature of land - Agricultural (single/double crop), barren, Govt./private land, status of its acquisition, nearby (in 2-3 km.) water body, population, within 10 km other industries, forest, eco-sensitive zones, accessibility, (note - in case of industrial estate this information may not be necessary)
  - (viii) Baseline environmental data - air quality, surface and groundwater quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk.
  - (ix) Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk
  - (x) Likely impact of the project on air, water, land, flora-fauna and nearby population
  - (xi) Emergency preparedness plan in case of natural or in plant emergencies
  - (xii) Issues raised during public hearing (if applicable) and response given
  - (xiii) CSR/CER plan with proposed expenditure.
  - (xiv) Occupational Health Measures
  - (xv) Post Project monitoring plan
  - (xvi) Synopsis of the project (as available on web site i.e., [www.pbdecc.gov.in](http://www.pbdecc.gov.in))
- 2) Introduction
- (i) Details of the EIA Consultant including NABET accreditation
  - (ii) Information about the project proponent
  - (iii) Importance and benefits of the project

3) Project Description

- (i) Cost of project and time of completion.
- (ii) Products with capacities for the proposed project.
- (iii) If expansion project, details of existing products with capacities and whether adequate land is available for expansion, reference of earlier EC if any.
- (iv) List of raw materials required and their source along with mode of transportation.
- (v) Other chemicals and materials required with quantities and storage capacities.
- (vi) Details of Emission, effluents, hazardous waste generation and their management.
- (vii) Requirement of water (breakup for induction and rolling mill), power, with source of supply, status of approval, water balance diagram, man-power requirement (regular and contract).
- (viii) Process description along with major equipment and machineries, process flow sheet (quantitative) from raw material to products to be provided
- (ix) Hazard identification and details of proposed safety systems.
- (x) In case of Expansion/modernization proposals:
  - a) Status of compliance of Consent to Operate for the ongoing /existing operation of the project from SPCB shall be attached with the EIA-EMP report.
  - b) In case the existing project has not obtained environmental clearance, reasons for not taking EC under the provisions of the EIA Notification 1994 and/or EIA Notification 2006 shall be provided. Copies of Consent to Establish/No Objection Certificate and Consent to Operate (in case of units operating prior to EIA Notification 2006, CTE and CTO of FY 2005-2006) obtained from the SPCB shall be submitted. Further, compliance report to the conditions of consents from the SPCB shall be submitted.

#### 4) Site Details

- (i) Location of the project site covering village, Taluka / Tehsil, District and State, Justification for selecting the site, whether other sites were considered. Copy of Master Plan indicating a land use pattern of the site is in conformity of proposals of Master Plan shall be attached with EIA report.
- (ii) A top sheet of the study area of radius of 10 km and site location on 1:50,000/1:25,000 scale on an A3/A2 sheet. (Including all eco-sensitive areas and environmentally sensitive places)
- (iii) Details w.r.t. option analysis for selection of site.
- (iv) Co-ordinates (lat-long) of all four corners of the site.
- (v) Google map-Earth downloaded of the project site

- (vi) Layout maps indicating existing unit as well as proposed unit indicating storage area of raw material, finished products, greenbelt area with marking of tree, Location of STP/ETP, Solid waste storage area, Parking space, Firefighting equipment layout, First aid room, Location of Tube wells, DG Sets & Transformers and any other utilities
  - (vii) If located within an Industrial area/Estate/Complex, layout of Industrial Area indicating location of unit within the Industrial area/Estate.
  - (viii) Photographs of the proposed and existing (if applicable) plant site. If existing, show photographs of plantation/greenbelt, in particular.
  - (ix) Land use break-up of total land of the project site (identified and acquired), government/private - agricultural, forest, wasteland, water bodies, settlements, etc. shall be included. (not required for industrial area)
  - (x) A list of major industries with name and type within study area (10 km radius) shall be incorporated. Land use details of the study area.
  - (xi) Geological features and Geo-hydrological status of the study area shall be included.
  - (xii) Details of Drainage of the project up to 5km radius of study area. If the site is within 1 km radius of any major river, peak and lean season river discharge as well as flood occurrence frequency based on peak rainfall data of the past 30 years. Details of Flood Level of the project site and maximum Flood Level of the river shall also be provided. (mega green field projects)
  - (xiii) Status of acquisition of land. If acquisition is not complete, stage of the acquisition process and expected time of complete possession of the land.
  - (xiv) R&R details in respect of land in line with state Government policy
- 5) Forest and wildlife related issues (if applicable):
- (i) Permission and approval for the use of forest land (forestry clearance), if any, and recommendations of the State Forest Department. (if applicable).
  - (ii) Land use map based on High resolution satellite imagery (OPS) of the proposed site delineating the forestland (in case of projects involving forest land more than 40 ha).
  - (iii) Status of Application submitted for obtaining the stage I forestry clearance along with latest status shall be submitted.
  - (iv) The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-a-vis the project location and the recommendations or comments of the Chief Wildlife Warden-thereon.

- (v) Wildlife Conservation Plan duly authenticated by the Chief Wildlife Warden of the State Government for conservation of Schedule I fauna, if any exists in the study area.
- (vi) Copy of application submitted for clearance under the Wildlife (Protection) Act, 1972, to the Standing Committee of the National Board for Wildlife.

6) Environmental Status

- (i) Determination of atmospheric inversion level at the project site and site specific micro-meteorological data using temperature, relative humidity, hourly wind speed and direction and rainfall.
- (ii) AAQ data (except monsoon) at 8 locations for PM 10, PM2.5, SO<sub>2</sub>, NO<sub>x</sub>, CO and other parameters relevant to the project shall be collected. The monitoring stations shall be based CPCB guidelines and take into account the pre dominant wind direction, population zone and sensitive receptors including reserved forests.
- (iii) Raw data of all AAQ measurement for 12 weeks of all stations as per frequency given in the NAQPM Notification of Nov. 2009 along with - min., max., average and 98% values for each of the AAQ parameters from data of all AAQ stations should be provided as an annexure to the EIA Report.
- (iv) Surface water quality of nearby River (100m upstream and downstream) and other surface drains at eight locations as per CPCB/MoEF& CC guidelines.
- (v) Whether the site falls near to polluted stretch of river identified by the CPCB/MoEF& CC.
- (vi) Groundwater monitoring at minimum at 8 locations shall be included.
- (vii) Noise levels monitoring at 8 locations within the study area.
- (viii) Soil Characteristic as per CPCB guidelines.
- (ix) Traffic feasibility / serviceability study for at least 5 days based on Indian Standard Codes. Further it shall also include the details of cross section of the road on which industry is located, vehicles movement w.r.t. the industry, traffic load of other vehicles on the road incorporating the haulage time for the vehicles for loading/unloading within the premises and parking requirement to avoid the traffic congestions on the link and adjoining roads. Traffic study shall be conducted considering the traffic of the industries located in the vicinity.
- (x) Detailed description of flora and fauna (terrestrial and aquatic) existing in the study area shall be given with special reference to rare, endemic and endangered species. If Schedule-I fauna are found within the study area, a Wildlife Conservation Plan shall be prepared and furnished.
- (xi) Socio-economic status of the study area.

7) Impact Assessment and Environment Management Plan



- (i) Assessment of ground level concentration of pollutants from the stack emission based on site-specific meteorological features. In case the project is located on a hilly terrain, the AQIP Modeling shall be done using inputs of the specific terrain characteristics for determining the potential impacts of the project on the AAQ. Cumulative impact of all sources of emissions (including transportation) on the AAQ of the area shall be well assessed. Details of the model used and the input data used for modeling shall also be provided. The air quality contours shall be plotted on a location map showing the location of project site, habitation nearby, sensitive receptors, if any.
- (ii) Water Quality modelling.
- (iii) Impact of the transport of the raw materials and end products on the surrounding environment shall be assessed and provided. In this regard, options for transport of raw materials and finished products and wastes (large quantities) by rail or rail-cum road transport or conveyor-cum-rail transport shall be examined.
- (iv) A note on treatment, recycling and reuse of wastewater from different plant operations, extent for different purposes shall be included. Complete scheme of effluent treatment. Characteristics of untreated and treated effluent to meet the prescribed standards of discharge under EPA Rules.
- (v) Details of stack emission and action plan for control of emissions to meet standards.
- (vi) Measures for fugitive emission control
- (vii) Details of hazardous waste generation and their storage, utilization and disposal. Copies of MOU regarding utilization of solid and hazardous waste shall also be included. EMP shall include the concept of waste-minimization, recycle/reuse/recover techniques, Energy conservation, and natural resource conservation.
- (viii) Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 2009. A detailed plan of action shall be provided.
- (ix) Action plan for the green belt development in 33 % area with not less than 1,500 trees per hectares giving details of species, width of plantation, planting schedule, post plantation maintenance plan for 3 years shall be included. The green belt shall be around the boundary and a scheme for greening of the roads used for the project shall also be incorporated
- (x) Action plan for rainwater harvesting measures at alternative sites shall be submitted to harvest rainwater from the roof tops and storm water drains to recharge the groundwater and also to use for the various activities to conserve freshwater and reduce the water requirement from other sources.
- (xi) Total capital cost and recurring cost/annum for environmental pollution control measures shall be included.

- (xii) Action plan for post-project environmental monitoring shall be submitted.
  - (xiii) Onsite and Offsite Disaster (natural and Man-made) Preparedness and Emergency Management Plan including Risk Assessment and damage control. Disaster management plan should be linked with the District Disaster Management Plan.
- 8) Occupational health
- (i) Details of existing Occupational & Safety Hazards. What are the exposure levels of above-mentioned hazards and whether they are within the Permissible Exposure Level (PEL)? If these are not within PEL, what measures the company has adopted to keep them within PEL so that the health of the workers can be preserved,
  - (ii) Details of exposure specific health status evaluation of worker. If the workers' health is being evaluated by pre-designed format, chest x rays, Audiometry, Spirometry, Vision testing (Far & Near vision, colour vision and any other ocular defect) ECG, during pre-placement and periodical examinations give the details of the same. Details regarding last month analyzed data of above-mentioned parameters as per age, sex, duration of exposure and department wise.
  - (iii) Annual report of the health status of workers with special reference to Occupational Health and Safety.
  - (iv) Plan and fund allocation to ensure the occupational health & safety of all contract and casual workers.
- 9) Corporate Environment Policy
- (i) Does the company have a well laid down Environment Policy approved by its Board of Directors? If so, it may be detailed in the EIA report.
  - (ii) Does the Environment Policy prescribe for standard operating processes/procedures to bring into focus any infringement/deviation/violation of the environmental or forest norms/conditions? If so, it may be detailed in the EIA.
  - (iii) What is the hierarchical system or Administrative order of the company to deal with the environmental issues and for ensuring compliance with the environmental clearance conditions? Details of this system may be given.
  - (iv) Does the company have a system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the company and / or shareholders or stakeholders at large? This reporting mechanism shall be detailed in the EIA report
- 10) Details regarding infrastructure facilities such as sanitation, fuel, restroom, etc. to be provided to the labour force during construction as well as to the casual workers including truck drivers during the operation phase.
- 11) Enterprise Social Commitment (ESC)
- (i) To address the Public Hearing issues, 2.5% of the total project cost of (Rs. \_\_\_ crores), amounting to Rs. \_\_\_ crores, shall be earmarked by the project proponent, towards

Enterprise Social Commitment (ESC). Distinct ESC projects shall be carved out based on the local public hearing issues. Project estimate shall be prepared based on PWD schedule of rates for each distinct Item and schedule for time-bound action plan shall be prepared. These ESC projects as indicated by the project proponent shall be implemented along with the main project. Implementation of such program shall be ensured by constituting a Committee comprising of the project proponent, representatives of village Panchayat & District Administration. Action taken report in this regard shall be submitted to the Ministry's Regional Office. No free distribution/donations and or free camps shall be included in the above ESC budget

- 12) Any litigation pending against the project and/or any direction/order passed by any Court of Law against the project, if so, details thereof shall also be included. Has the unit received any notice under the Section 5 of Environment (Protection) Act, 1986 or relevant Sections of Air and Water Acts? If so, details thereof and compliance/ATR to the notice(s) and present status of the case.
- 13) A tabular chart with index for points wise compliance of above TORs.

**B. STANDARDISED SPECIFIC TERMS OF REFERENCE FOR EIA STUDIES FOR INDUCTION/ ARC FURNACES/CUPOLA FURNACES 5TPH OR MORE**

- (i) Details of proposed layout clearly demarcating existing & proposed features of the project within the plant.
- (ii) Total no. of furnaces & details including capacity of each furnace.
- (iii) Detail of the mechanical shredder to reduce the size of the raw material.
- (iv) Complete process flow diagram describing each unit, its processes, and operations, along with material and energy inputs and outputs (material and energy balance).
- (v) Details on the design and manufacturing process for all the units.
- (vi) Details on environmentally sound technologies for recycling of hazardous materials, as per CPCB Guidelines, may be mentioned in case of handling scrap and other recycled materials.
- (vii) Details on the requirement of raw materials, its source, and storage at the plant.
- (viii) Details on the requirement of energy and water along with its source and authorization from the concerned department. Location of water intake and outfall points (with coordinates).
- (ix) Details on toxic metal content in the waste material and its composition and end-use (particularly of slag).
- (x) Details on toxic content (TCLP), composition and end-use of chrome slag. Details on the recovery of the Ferro chrome from the slag and its proper disposal.

**C. ADDITIONAL SPECIFIC TORS DECIDED DURING MEETING OF SEAC**

1. Public consultation is required for the projects as not located in notified industrial parks/estates.
2. Submit proof of ownership of land (existing owner) such as copy of latest Jamabandi (not more than one month old) and credible document showing status of land acquisition w.r.t. project site as prescribed in OM dated 07.10.2014 issued by MoEF)
3. Submit dully filled prescribed field data sheets and analysis reports along with exact location of sampling / monitoring point marked on the layout map. Also submit the status of approvals of Laboratories.
4. Submit cost of the project duly certified by Chartered Engineer/ Approved valuer / Chartered Accountant. In the absence of above, the project proponent may submit self-certified detail of cost of the project mentioning the cost of Land, building, infrastructure and plant & machinery
5. Certificate from the concerned authority w.r.t the location of protected areas as notified under the Wildlife Protection Act, 1972 within 5 km radius from the boundary of the project site.
- (i) Certificate from the Department of Town & Country Planning or concerned authorities to support the claim made by project proponent that the project site is located in the industrial zone as per the provisions of Master Plan of Town/City in the jurisdiction of which the project site is located or the project proponent shall submit the Change of land use of the project site for total land area.
6. Compliance of the siting criteria, standard operating practices, code of practice, and guidelines if any prescribed by the SPCB/CPCB/MoEF&CC for such type of units.
7. Necessary permissions from the Central Groundwater Authority (CGWA)/ State Groundwater Authority (SGWA)/concerned authority for the abstraction of groundwater for the existing requirements as well as for the expanded unit. In case of not allowing such permission by the concerned authority for the abstraction of additional groundwater for the expanded project, the project proponent shall propose alternative arrangements to meet out the additional water requirements. It shall be ensured that: -
  - a) In the projects where groundwater is proposed as a water source, the project proponent shall apply to the Central Groundwater Authority (CGWA)/ State Groundwater Authority (SGWA), as the case may be, for obtaining No Objection Certificate (NOC) if applicable.
  - b) Approval /permission of the CGWA/SGWA shall be obtained before drawing groundwater for the project activities.
  - c) In the absence of approval, submit a copy of acknowledgment along with a set of application filed to CGWA /Competent Authority for obtaining permission for the abstraction of groundwater

8. Minimize the water consumption in the steel plant complex by segregation of used water, practicing cascade use and by recycling treated water.
9. STP for treatment of wastewater & re-utilization of the treated water for core/non-core activities so as to achieve the Zero Liquid Discharge Condition as per the III (iv) of OM dated 09/08/2018 issued by the MoEF&CC for such units.
10. Reuse of cooling tower blow down, simultaneously ensuring the standards prescribed for such purge waters. If required, necessary arrangements shall be made to keep this waste stream within the parameters required for reuse.
11. In case of any acid pickling activity, the spent acid/effluents generated from such activities shall be utilized through authorized re-processors for converting the same into useful by-products like FeSO<sub>4</sub> etc. An agreement to this effect shall be made with the authorized agencies.
12. Adequate area to be reserved and marked on the layout plan for the green belt as per the conditions laid down by the MoEF&CC as per the Standard EC Conditions prescribed for Induction/ Electric Arc Furnace & Rolling Mills circulated vide OM dated 09/08/2018.
13. Detailed study report along with calculation for reserving land for loading or unloading of raw material, products, slag, hazardous waste as well as for storage of these materials and the area to be reserved for parking incorporating the time required for loading and unloading of vehicles for respective activities and minimum/maximum period for which storage of the above material is required in the premises. The areas for the respective activities to be marked on the layout plan.
14. Action plan for the compliance of standard operating procedures and up-gradation of suction and treatment arrangement for the secondary emissions as prescribed by the State Pollution Control Board or by CPCB/MoEF&CC.
15. Compliance of standard operating procedures and up-gradation of suction/treatment systems for the control of secondary emissions within the time frame prescribed by the State Pollution Control Board. Similar action is to be implemented in the proposed expansion project.
16. Whole of the vehicle movement area as well as the approach road to the gate /weighing bridge shall be paved with pucca/metalled / cement concrete road to control the dust emissions expected from the vehicle movement.
17. The vehicles to be used for loading/unloading purposes shall not be parked along the roadside so as to avoid the traffic congestion and dedicated parking place to be provided for the same.
18. Adopt green technologies to conserve the water and energy including shearing/cutting / bundling machines. Also, to provide abrasive resistant fire bricks

in the crucibles to reduce the periodic maintenance & disposal of discarded fire bricks.

19. Use of natural gas (if available) as substitute fuel wherever possible in the existing industry/ for the expansion project.
20. Submit compliance w.r.t. condition no.II [(i) & (iii)] subtitled as "Air Quality Monitoring & Preservation" regarding continuous emission monitoring system and continuous ambient air quality monitoring as prescribed in the Standard EC Conditions for Induction/ Electric Arc Furnace & Rolling Mills issued by the MoEF&CC, New Delhi vide OM dated 09/08/2018.
21. Examine and submit the proposal for: -
  - a) Recovery of iron from slag before disposing of it.
  - b) Identify the areas for utilization of slag in a scientific manner and explore its usage in cement/construction industry/manufacturing of pavers & tiles/road laying etc.
  - c) Recovery of precious metals like Zinc, lead and iron etc. from the APCD dust (Hazardous waste) through authorized re-processor.
22. Air Pollution Control Arrangement details shall be provided as below:

Plant /Unit	Pollutants	Qty generated	Method used to Control /specifications (attach Separate Sheet to furnish Details)	Number of units planned & Capacity	Budget	Estimated Post Control Qty Pollutant	
						Per Unit	Per day

23. Submit compliance regarding the installation of Pulse jet bag filter with offline cleaning technology as APCD with the proposed induction furnace.
24. List the species with heavy foliage, broad leaves and wide canopy cover. The landscape planning should include plantation of native species. Water intensive and/or invasive species should not be used for landscaping

The following general points shall be noted:

- (i) The EIA document shall be printed on both sides, as far as possible.
- (ii) All documents shall be properly indexed, page numbered.
- (iii) Period/date of data collection shall be clearly indicated.

- (iv) The letter/application for environmental clearance shall quote the MOEF / SEIAA file No. and also attach a copy of the letter.
- (v) The copy of the letter received from the Ministry / SEIAA shall be also attached as an annexure to the final EIA-EMP Report.
- (vi) The index of the final EIA-EMP report must indicate the specific chapter and page no. of the EIA-EMP Report.
- (vii) While preparing the EIA report, the instructions for the proponents and instructions for the consultants issued by MOEF vide notification dated 03.03.2016 which is available on the website of this Ministry shall also be followed.
- (viii) The consultants involved in the preparation of EIA-EMP report after accreditation with Quality Council of India (QCI) /National Accreditation Board of Education and Training (NABET) would need to include a certificate in this regard in the EIA-EMP reports prepared by them and data provided by other organization/Laboratories including their status of approvals etc. Name of the Consultant and the Accreditation details shall be posted on the EIA-EMP Report as well as on the cover of the Hard Copy of the Presentation material for EC presentation.

The Terms of Reference (ToR) prescribed by the State Expert Appraisal Committee (SEAC), Punjab should be considered for the preparation of EIA / EMP report for the project in addition to all the relevant information as per the Generic Structure of EIA given in Appendix III and IIIA in the EIA Notification, 2006.

Where the documents provided are in a language other than English, an English translation shall be provided. The draft EIA-EMP report shall be submitted to the State Pollution Control Board of the concerned State for the conduct of Public Hearing. The SPCB shall conduct the Public Hearing/public consultation, district-wise, as per the provisions of EIA notification,2006. The Public Hearing shall be chaired by an Officer, not below the rank of Additional District Magistrate. The issues raised in the Public Hearing and during the consultation process and the commitments made by the project proponent on the same shall be included separately in EIA-EMP Report in a separate chapter and summarized in a tabular chart with financial budget (capital and revenue) along with time-schedule of implementation for complying with the commitments made.

If any part of the data/information submitted by the project proponent is found to be false or misleading at any stage, then SEIAA & SEAC will not be responsible for the expenditure incurred on the project due to the issuance of this ToR or subsequent work carried out by the project proponent for conducting EIA study or for any other activity related to the project.

The 'Terms of Reference' (TORs) prescribed will be valid for a period of three years from its issuance. The final EIA report shall be submitted to the SEIAA, Punjab for obtaining environmental clearance.

## **2.0 Deliberations during 186<sup>th</sup> meeting of SEIAA held on 29.07.2021**

The case was considered by SEIAA in its 186<sup>th</sup> meeting held on 29.07.2021, which was attended by the following:

1. Sh. Raghav Garg, Manager, on behalf of Project Proponent.
2. Sh. Sital Singh, EIA coordinator, and Sh. S.S. Matharu M/s Chandigarh Pollution Testing Laboratory, E-126, Phase-VII, Industrial Area, Mohali.

SEIAA was apprised that the proposal of the project proponent was considered by SEAC in its 203<sup>rd</sup> meeting held on 05.07.2021 without obtaining the construction status report from the PPCB on the basis of the self-undertaking submitted by the project proponent to the effect that no construction activity relating to the project has been started.

SEIAA/SEAC in its 12<sup>th</sup> Joint Meeting held on 09.06.2021 had decided that Construction status report will be sought from the PPCB in expansion cases (where Environmental Clearance has not been granted for the existing projects) before appraising the project for issuance of TOR by SEAC in order to verify that no construction has been carried out by the project proponent prior to obtaining Environmental Clearance under the EIA Notification 14.09.2006.

To this, Environmental Consultant informed that the existing industry has been acquired on lease basis with effect from 01.05.2021 to 31.03.2056 from M/s K.L. Steel Industries having rolling mill with valid consent to operate from the State Board. No environmental clearance was required for the rolling mills. As such, this case should be considered as a fresh case and not as an expansion case.

SEIAA was not satisfied with the reply of the project proponent because the uploaded KML file does not clarify whether the structures existing at the project site relate to the new proposed project or the earlier rolling mill. However, SEIAA allowed Project Proponent / their Environmental Consultant to present the salient features of the project with condition that TORs will be issued only after getting the construction status report from the PPCB.

Thereafter, Environmental consultant of the promoter company presented the salient features of the project before SEIAA. A copy of the presentation was also submitted which was taken on record.

During discussions, the representative of the promoter company agreed to fully comply with all the conditions recommended by SEAC for issuing the TOR. SEIAA observed that the case stands recommended by SEAC for issuance of ToRs to the project proposal. SEIAA looked into the details of the case and decided to seek construction status report from the PPCB before grant of TORs.

After detailed deliberations, SEIAA decided as under: -

- (i) Member Secretary, PPCB be requested to send the construction status report with respect to the expansion proposal of the project, within 07 days.
- (ii) Case be deferred till the construction status report received from the PPCB.

In compliance with the aforesaid decision, it is submitted that Member Secretary, PPCB has been requested vide email dated 03.08.2021 to send the construction status report with respect to the expansion proposal of the project by 10.08.2021. However, report from the PPCB is awaited.



Meanwhile, Environmental Engineer, SEIAA has telephonically followed up with the Regional Office, Fatehgarh Sahib. On the request, Regional Office sent a copy of the construction status report addressed to Sr. Environmental Engineer, Zonal Office, Patiala, which was annexed as Annexure 1 of the agenda. The office of the Sr. Environmental Engineer was also contacted on 18.08.2021 and he informed that construction status report will be sent by 23.08.2021 after getting approval from the Chairman, PPCB.

### **3.0 Deliberations during 188<sup>th</sup> meeting of SEIAA held on 23.08.2021.**

The case was considered by SEIAA in its 188th meeting held on 23.08.2021, which was attended by the following:

1. Sh. Mukesh Kumar, Partner, on behalf of project proponent.
2. Sh. Sital Singh, EIA coordinator M/s Chandigarh Pollution Testing Laboratory, E-126, Phase-VII, Industrial Area, Mohali.

SEIAA perused the construction status report of M/s Ambey industries sent by Regional office of PPCB vide letter no. 2771 dated 05.08.2021 to Sr. Environmental Engineer, Zonal Office, Patiala and observed that the industry has purchased the adjacent land for the proposed expansion project. The industry has provided civil foundations for installation of new sheds and buildings. In this regard, the representative of the industry informed that the said foundations were provided few months back for the proposed expansion project of installation of Induction Furnace of capacity 7 TPH, for which consent to establish (NOC) has already been applied to Board vide its online application ID 15891827 dated 24.05.2021. However, it was observed that no new plant and machinery has been procured at the site till the date of site inspection.

To a query of SEIAA regarding the construction, if any, undertaken for the expansion phase of the project, M/s Ambey Industries informed that the decision for replacement of the earlier proposed induction furnace of 7 TPH with that of a 25 TPH capacity furnace and LRF of 25 TPH was taken in the first week of June, 2021. The construction work of the foundations and columns of the industrial shed was stopped immediately after they changed their plan and decided to install a 25 TPH capacity induction furnace since the larger furnace was covered under the ambit of EIA notification. Project Proponent categorically confirmed that no construction work has been done after change in plan to install a 25 TPH capacity Induction Furnace and also submitted notarized affidavit in this regard which was taken on record by SEIAA. SEIAA was satisfied with the reply of the project proponent which is also substantiated by the interim construction status report dated 05.08.2021 of the PPCB.

After detailed deliberation, SEIAA decided that TOR be issued to the project proponent on the receipt of identical construction status from PPCB as provided in their interim letter dated 05.08.2021.

**Item No. 188.02: Application for issuance of TORs for carrying out EIA study for obtaining Environmental Clearance under EIA notification dated 14.09.2006 for expansion of a Group Housing Project namely "Mona Green" located at VIP Road, Village Bishanpura, Near Zirakpur, Distt. S.A.S. Nagar by M/s Mona Township Pvt. Ltd. (Proposal no. SIA/PB/NCP/22972/2018)**

SEIAA observed as under:

### **1.0 Background**

Earlier, M/s Mona Township Pvt. Ltd. was granted Environmental Clearance vide letter number SEIAA/2014/5946 dated 24.01.2014 for construction of a Group Housing Project namely "Mona Greens" having a built-up area of 31,093.13 sqm in the total plot area of 3.92 acres located at VIP Road, Village Bishanpura, Near Zirakpur, Distt., S.A.S. Nagar, subject to the certain conditions by SEIAA, Punjab.

The project proponent submitted that the built-up area mentioned in the Environmental clearance is 31093.13 Sqm and whereas the consultant has not taken the basement area in the application submitted earlier for obtaining environmental clearance. Thus, there are some changes in the built-up area i.e. 31537 Sqm plus basement area 9998 Sqm (Total Built-up area 41516 Sqm). The project has already completed and when they applied for the completion, it has been suggested that environmental clearance should be got revised.

As per the amended notification vide No S.O. 804 (E) dated 14-03-2017, violation cases even of category "B" projects which are granted Environmental Clearance by SEIAA appraised for the grant' of Environmental Clearance only by the EAC and granted at the central level.

Accordingly, they had applied online application for issuance of Terms of Reference for obtaining Environmental Clearance to MOEF&CC vide proposal no IA/PB/NCP/ 69187/2017 on 13/09/2017.

MoEF&CC issued amended notification dated 08.03.2018 and the gist of relevant paras (2), (4) and (5) of the notification, is reproduced as under: -

Para (2) For category B projects, the appraisal, and approval thereof shall vest with the State or Union territory level Expert Appraisal Committees and State or Union territory Environment Impact Assessment Authorities in different States and Union territories, constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.

Para (4) The cases of violations will be appraised 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.

Para (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.

In view of the above, MoEF&CC has transferred the project to SEIAA vide proposal no. SIA/PB/NCP/22972/2018 on 28.03.2018.

#### **Deliberation during 167<sup>th</sup> meeting of SEAC held on 26.05.2018**

The matter was considered by SEAC in its 167<sup>th</sup> meeting held on 26.05.2018 wherein the SEAC was apprised that project proponent has not yet submitted a hard copy of the application after acceptance of its online application as stipulated vide MoEF OM No. J-11013/49/2014-IA.I dated 06/06/2014.

After detailed deliberations, SEAC decided to defer the case and ask the project proponent to submit a hard copy of the application. Till such time his case will not be taken up for consideration. Accordingly, ADS was raised online on 14.06.2018.

Thereafter, notice was issued to the project for delisting the case vide no. 918 dated 29/10/2019

#### **Deliberation during 185<sup>th</sup> meeting of SEAC held on 29.11.2019**

The case was considered by SEAC in its 185<sup>th</sup> meeting held on 29.11.2019, which was attended by the authorized representative on behalf of the project proponent. 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 15 & 16 read with 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.

The representative of the project proponent informed SEAC that due to some pressing circumstances the project proponent was not in a position to present the case in the meeting and requested to consider the case in the next meeting.

SEAC raised the following observations to the project proponent:

1. As to whether a hard copy of the application/Complete Proposal along with a list of persons responsible for the violation has been submitted.

2. As to whether the project has been constructed at a site which under prevailing law is permissible. if yes, has the project proponent submitted any documentary proof in this regard.
3. Whether permission has been obtained for the abstraction of the groundwater from the CGWA or not?
4. Whether any specific ToRs for the project on assessment of ecological damage, remediation plan and natural and community resources augmentation plan have been submitted?

To the above observations, the project proponent sought time to comply with the said observations.

After detailed deliberations, SEAC decided to accept the request of the project proponent, to defer the case, and the same be placed in the next meeting after getting the reply from the project proponent.

The observations were conveyed to the project proponent vide letter no 1430 dated 03.02.2020. However, no reply has been received from the project proponent, to date.

**Summary of the project given as under:**

The project proponent submitted the application for TOR along with the summary of the project and EMP and detail of the project is given as under:

S.No.	Item	Details
1.	Name & Location of the project	Expansion of a Group Housing Project namely "Mona Green" located at VIP Road, Village Bishanpura, Near Zirakpur, Distt. S.A.S. Nagar
2.	Project/activity covered under item of scheduled to the EIA Notification,14.09.2006	8(a) 'Building & Construction Project'
3.	Copy of the Master plan duly marked with the project site	Not Submitted. However, exiting project of M/s Mona Township Pvt. Ltd. had already granted Environmental Clearance vide letter number SEIAA/2014/5946 dated 24.01.2014 for construction of a Group Housing Project namely "Mona Greens" having a built-up area of 31,093.13 sqm in the total plot area of 3.92 acres
4	Pre-feasibility report as per Ministry of Environment & Forests, Circular dated 30.12.2010.	Not submitted

5.	Proof of ownership of land	Not Submitted		
6.	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		
7.	Proposed ToRs (based on the standard ToRs)	Submitted		
8.	Does it attract the general condition? If yes, please specify	No		
9.	Whether the proposal involves approval/clearance under the Forest (Conservation)Act,1980	No		
10.	Does the project cover under PLPA, 1900	No		
11.	Whether the proposal involves approval/clearance under the Wildlife (Protection)Act, 1972?.	No		
12.	Classification/Land use pattern as per Master Plan	The project site is located at Gazipur, Zirakpur. The land for the proposed project conforms to the land use as per the Master plan		
13.	Cost of the project	59 Crores.		
14.	TORs Fee details	NA as the application submitted on 13.09.2017 i.e. before the date of Notification 27.06.2019		
15.	Total Plot Area, Built-up Area and Green area			
	DESCRIPTION	EXISTING	ADDITIONAL *	TOTAL
	Total Area	15863 sqm	-	15863 sqm
	Built-up Area	31093 sqm	264+ 9998	41516 sqm
	Flats	283	21	304
	* Note: Some changes of 264 sqm i.e. (31357-31093) and basement of 9998 sqm, which was not considered at the time of Environmental Clearance.			
16.	Source of water supply	Ground Water (Tubewell)		
17.	Total water demand	207 KLD		
18.	Waste Water generation	165 KLD		

		Treatment: -STP of 175 KLD Capacity
19.	Effluent utilization	Recycled Water-82 KLD, i) Uses- Flushing-68 KLD, ii) Plantation & Irrigation-14KLD
20.	Rainwater harvesting	Rooftop rainwater of buildings will be collected in 4 RWH tanks of total 100 KLD capacity for harvesting after filtration
21	Air pollution control	Chimney on DG sets
22	Solid waste	About 0.611 TPD solid waste will be generated in the project. The biodegradable waste will be sent to the approved site and the non-biodegradable waste generated will be handed over to the authorized local vendor
23	Hazardous waste	Used oil will be stored in HDPE drums and kept in covered rooms under lock and key and will be sold as per EPA Rules to approved recyclers only
22.	Energy Requirements & Saving	i) The total power requirement during operation phase is 2800 KW and will be met from PSPCL, Punjab ii) Proposed energy-saving measures would save about 18 % of power

**2.1 Complete details of the case are summarised as under:**

1	Proposal No	SIA/PB/NCP/22972/2018
2	Date of submission of application	13.09.2017
3	Date of acceptance of application	22.05.2018
4	Last meeting of SEAC in which case was considered	167 <sup>th</sup> meeting held on 26.05.2018
5	Observations	As mentioned above
6	Date of ADS	14.06.2018
7	Details of notice issued, if any	Issued vide no. 918 dated 29/10/2019
8	Reply to the notice received or not	Project proponent attended the 185 <sup>th</sup> meeting of SEAC.
9	Lastly, the case was considered by SEAC	185 <sup>th</sup> meeting held on 29.11.2019

10	Observations	As mentioned above
11	Observation conveyed to the Project Proponent	Vide no 1430 dated 03.02.2020.
12	Reply in reference to letter no 1430 dated 03.02.2020	The project proponent has not submitted a reply online to the ADS.
13	Reminder	A reminder was issued through email 06.05.2020 wherein it was requested to submit the reply online to the observations immediately, otherwise, it will be presumed that the project proponent has nothing to say and the project will be delisted in light of the OM dated 30.10.2012. However, no reply has been received so far.

### **3.0 Deliberation during 189<sup>th</sup> meeting of SEAC held on 28.05.2020**

The meeting was attended by the following through video conference:

1. Sh. Vikram Kumar, Project Head, and Sh. Deepak Gupta, Environmental Advisor, representing the Project Proponent.
2. Sh. Sital Singh, EIA coordinator, M/s Chandigarh Pollution Testing Laboratory, E-126, Phase-VII, Industrial Area, Mohali, Punjab, Environmental consultant of the Project Proponent.

The project proponent informed the SEAC that the said project had been granted Environmental Clearance vide letter number SEIAA/2014/5946 dated 24.01.2014. However, in the said Environmental Clearance, the basement area could not be taken into account inadvertently. He informed that in the previous application for which Environmental Clearance was granted, the prosecution was already filed against the project proponent as the earlier application was also a violation case. He further informed that this case was inadvertently applied in violation window whereas the project was required to be applied only for amendment of Environmental Clearance. Apart from the basement area, there is no other change in the application. He requested the SEAC to allow him to withdraw the current application and allow him to apply for an amendment in the Environmental Clearance.

After detailed deliberations, SEAC accepted the request of the project proponent and decided to recommend to SEIAA that the project proponent be allowed to withdraw the application submitted in violation window and apply fresh for obtaining amendment in Environmental Clearance already granted to it.

### **4.0 Deliberation during 166<sup>th</sup> meeting of SEAC held on 26.06.2020**

The case was considered by SEIAA in its 166<sup>th</sup> meeting of SEIAA held on 26.06.2020. SEIAA observed that the project proponent has not submitted any documentary evidence to prove his contention that the basement area was provided/included in other valid and reliable documents but was inadvertently left out in the earlier application for Environment Clearance.

After detailed deliberations, SEIAA decided to remand the case to SEAC for re-examination in the light of the above observation and sending the detailed report in the matter.

#### **5.0 Deliberations during 193<sup>rd</sup> meeting of SEAC held on 26.09.2020**

The case was placed in the 193<sup>rd</sup> meeting of SEAC held on 26.09.2020 which was attended by Sh. Deepak Gupta, Environmental Advisor, representing the Project Proponent and Sh. Sital Singh, EIA coordinator, M/s Chandigarh Pollution Testing Laboratory, E-126, Phase-VII, Industrial Area, Mohali, Punjab, Environmental consultant of the Project Proponent.

To a query of SEAC regarding the submission of documentary evidence to prove their contention that the basement area was provided/included in other valid and reliable documents but was inadvertently left out in the earlier application for Environment Clearance, the Environmental consultant of the Project Proponent requested to give some time and defer the case for next meeting.

After deliberations, SEAC decided to accept the request of the environmental consultant, and defer the case till documentary evidence is not submitted to prove their aforesaid contention.

#### **6.0 Deliberations during 197<sup>th</sup> meeting of SEAC held on 15.03.2021**

The case considered by SEAC in its 197<sup>th</sup> meeting held on 15.03.2021 and was attended by following on behalf of Project Proponent.

1. Mr. Sital Singh, EIA coordinator, M/s CPTL Laboratories, Mohali.

The Environmental Consultant of the Project Proponent informed the committee that Project Proponent could not be present in the meeting due to health issues and requested to defer the case to the next meeting of SEAC.

After detailed deliberations, SEAC decided to defer the matter to the next meeting of SEAC.

#### **7.0 Deliberations during 198<sup>th</sup> meeting of SEAC held on 05.04.2021**

The matter was again considered again by SEAC in its 198<sup>th</sup> meeting held on 05.04.2021. Neither the Environmental Consultant nor the Project Proponent was present. SEAC decided to defer the matter to the next meeting of SEAC.

#### **8.0 Deliberations during 199<sup>th</sup> meeting of SEAC held on 23.04.2021**

The meeting was attended by the following:

1. Sh. Harminder Paul, Senior Manager and Sh. Deepak Gupta, Environmental Advisor, on behalf of the Project Proponent.
2. Sh. Sital Singh, EIA coordinator, M/s CPTL.

SEAC observed following changes in the Building Plan submitted at the time of obtaining Environmental Clearance and submitted now with the proposal:



Sr. No	Description	As per Building Plan submitted at the time of grant of EC	As per approved Building Plan submitted with the New Proposal
1.	No. of Main Units (flats)	255	272
2.	No. of EWS	28	29
3.	<b>Proposed Ground Coverage</b>		
	Block A	3572 sqft	4255 sqft
	Block D	1105 sqft	1511 sqft
4.	Club	No Club	Club Constructed = 28275 Sqft
5.	Proposed FAR	334681.688 sqft	3351820 sqft
6.	Parking in basement	104537 Sqft	107580 Sqft

SEAC further observed that in the New Proposal, the Project Proponent has shown Swimming Pool and Club which otherwise was the green area in the earlier proposal.

To this query, the Project Proponent submitted that they had already completed the construction work as per the new layout plan and requested to consider the same.

SEAC observed that the Project Proponent had made the above said changes and constructed swimming pool and club without obtaining prior Environmental Clearance, which is in violation of the provision of EIA notification dated 14.09.2006. After detailed deliberations, SEAC decided to forward the case to SEIAA with recommendations to process the application, as violation case, as per the Notification issued by the MoEF&CC on 14.03.2017 and further amended on 08.03.2018.

#### **9.0 Deliberations during 181<sup>st</sup> meeting of SEIAA held on 10.05.2021.**

The case was considered by SEIAA in its 181<sup>st</sup> meeting held on 10.05.2021 through Video Conference which was attended by the Sh. Deepak Gupta, Environmental Advisor, on behalf of the Project Proponent and Sh. Sital Singh, EIA coordinator, M/s CPTL.

To a query by SEIAA Environmental Consultant of the promoter company informed that construction of the project has been completed without getting the requisite amendment in the Environmental Clearance which is a violation of the EC conditions.

SEIAA observed that SEAC has recommended to process the application as a violation case as per the Notification issued by the MoEF&CC on 14.03.2017 and further amended on 08.03.2018. As per the said notification, in cases of violation, action has to be taken against the project proponent by the respective State Pollution Control Board under the provisions of Sections 15 & 16 read with section 19 of the Environment (Protection) Act,1986.

After detailed deliberations, SEIAA decided as under:

- a) PPCB be requested to initiate action against the responsible persons under the provisions of Sections 15 and 16 read with Section 19 of the Environment (Protection) Act,1986 and to

send the action taken report to SEIAA, Punjab, within 30 days.

- b) Directions under Section 5 of the Environment (Protection) Act, 1986 be issued to the project proponent to restrain him from undertaking any further construction activity under the project and to further restrain him from creating any third-party interest in the project till the grant of Environmental Clearance under EIA Notification dated 14.09.2006.
- c) Case be placed again before SEIAA after receiving the above report from the PPCB for taking further necessary action in the matter.

In compliance with the aforesaid decision, the following actions have been taken:

- a) Member Secretary, PPCB has been requested vide letter no. 4139 dated 20.05.2021 to initiate action against the responsible persons under the provisions of Sections 15 and 16 read with Section 19 of the Environment (Protection) Act, 1986 and to send the action taken report to SEIAA, Punjab, within 30 days
- b) Direction u/s 5 has been issued vide letter no. 4136-4138 dated 20.05.2021 to the project proponent.
- c) Decision mentioned at c) has been noted. Case will be placed before SEIAA after receiving the report from the PPCB.

However, no report with respect to SEIAA letter no. 4139 dated 20.05.2021 has been received from the Punjab Pollution Control Board so far.

#### **10.0 Deliberations during 188<sup>th</sup> meeting of SEIAA held on 23.08.2021.**

The case was considered by SEIAA in its 188<sup>th</sup> meeting held on 23.08.2021 wherein SEIAA was apprised as above. SEIAA observed that no report with respect to SEIAA letter no. 4139 dated 20.05.2021 has been received from the Punjab Pollution Control Board. After detailed deliberation, SEIAA decided as under:

- 1) A reminder be issued to the Member Secretary, Punjab Pollution Control Board for sending the status of prosecution launched against the project and responsible persons u/s 15 read with section 19 of the EPA, 1986.
- 2) Case be remanded to SEAC for examining the case under the "violations" category as per MOEF&CC directions dated 14.03.2017 / 08.03.2018 and sending detailed recommendations with respect to the following:
  - a) Permissibility / Suitability of the site in light of MoEF&CC Notifications dated 14.03.2017 as amended on 08.03.2018 and recommendation of specific Terms of Reference in case site is deemed suitable;
  - b) Compliance made by Project Proponent in respect of the directions issued by SEIAA vide letter no. 4136 dated 20.05.2021 u/s 5 of the Environment (Protection) Act, 1986.

**Item No. 188.03: Request regarding corrigendum in transfer letter of Environmental Clearance issued for mining of minor minerals in the revenue estate of Village Mugla, Tehsil Kahnuwan, District Gurdaspur in the name of M/s Prime Vision Industries Private Limited, 312, 3<sup>rd</sup> Floor, Vishal Chamber, P-1, Sector- 18, Noida – 201301 (UP).**

SEIAA observed as under:

### 1.0 Background

The General Manager – cum – Mining Officer, District Industries Centre, Gurdaspur was granted Environmental Clearance under EIA notification dated 14.09.2006 vide no. 5128 dated 01.10.2015 for carrying out mining of minor minerals (sand) @ 1,92,049 TPA in an area of 4.39 Hain the revenue estate of Village Mugla, Tehsil & District Pathankot, subject to certain conditions including the following condition:

"The Mining Officer may apply for transfer of environmental clearance under EIA notification dated 14.09.2006 to the contractor/lessor finalized by the Department of Industries & Commerce to SEIAA, Punjab. However, no activity shall be undertaken by the lessor/contractor till the environmental clearance is transferred in his name and he is lawfully bound to comply with the conditions of the environmental clearance".

The Executive Engineer - cum- District Mining Officer, Gurdaspur vide letter no. 1576-79 dated 16/10/2019 has requested to transfer the Environmental Clearance for the above noted mining site in the name of M/s Prime Vision Industries Private Limited, 312, 3rd Floor, Vishal Chamber, P-1, Sector- 18, Noida – 201301 (UP).

The contractor namely M/s Prime Vision Industries Private Limited has submitted request dated 25.09.2019 for transfer of the said Environmental Clearance in its name. Following documents have been submitted by the contractor alongwith the request:

Sr. No.	Documents	Remarks
1	Copy of Environmental Clearance granted vide no. 5128 dated 01.10.2015.	Submitted
2	Copy of request submitted by Executive Engineer - cum- District Mining Officer, Gurdaspur vide letter no. 1576-79 dated 16/10/2019.(Received later)	Submitted
3	Copy of Provisional Acceptance Letter for mining of Block no 4 comprising of District Gurdaspur E- Auction dated 29.07.2019.	Submitted
4	Resolution of the company regarding the authorized signatory.	Submitted
5	Affidavit to the effect that the promoter company will comply with conditions as imposed by SEIAA.	Submitted
6	Memorandum of Articles of Association	Submitted
7	Fee @ Rs. 2000/- per hectare	Rs. 8780/- vide DD No. 225054, Dated-04.10.2019.
8	Site Demarcation on AksSajra Plan with report of the Mining and Revenue Department.	Undertaking to the effect that the same will be submitted at the time of meeting.

9	CER plan as per Office Memorandum dated 01/05/2018	Undertaking to the effect that the same will be submitted at the time of meeting.
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The case was considered by SEIAA in its 155<sup>th</sup> meeting held on 14.11.2019, which was attended by the following:

- (i) Sh. Harkesh Singh, representative of the contractor namely M/s Prime Vision Industries Pvt. Ltd.
- (ii) Sh. Arun Kumar Yadav, CEO, M/s Overseas Min-Tech Consultants.
- (iii) Sh. Sushminder Singh, State Geologist, Department of Mines & Geology, Punjab.
- (iv) Sh. S.S. Bhullar (SE, Mining), Department of Mines & Geology, Punjab.
- (v) Sh. I.G.Goyal (SE, Mining), Department of Mines & Geology, Punjab.
- (vi) Sh. J.S. Bhinder, Executive Engineer, Water Resources Department, Punjab.
- (i) Sh. Paras Mahajn, Assistant Geologist, Department of Mines & Geology, Punjab.

Environmental Consultant of the contractor presented the salient features of the project and requested to transfer the Environmental Clearance in the name of the contractor. Copy of presentation was taken on record.

To the queries of SEIAA, SE (Mining) submitted a joint demarcation report dated 09.10.2019 made by the Revenue Department in the presence of the contractor, villagers & mining department and absolute elevation (Redline) drawing in compliance to the condition no.(ii) of Specific Conditions imposed in the environmental clearance. Both the documents were taken on record by SEIAA.

The SEIAA observed that as per EIA notification dated 14.09.2006, the environmental clearance granted for a specific project or activity to an applicant can be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the State Level Expert Appraisal Committee concerned is necessary in such cases.

Further, as per condition (i) of OM No. 22-27/2015-IA-III dated 12.04.2016 issued by the MoEF&CC, the environmental clearance of the projects which had not completed five (5) years on the date of publication of Notification i.e. 29.04.2015, there validity will stand automatically extended to seven (7) years Accordingly, in the present case , the validity of environmental clearance of the project will stand automatically extended to seven years.

The SEIAA further observed that the Executive Engineer - cum- District Mining Officer, Gurdaspur has requested to transfer the Environmental Clearance in the name of the contractor for a period of 3 years or the validity period of Environmental Clearance whichever is earlier.

SEIAA observed that as per the MoEF notification dated 14.08.2018, competency to decide the case lies with the SEIAA.

In compliance to said provision of the EIA notification dated 14.09.2006, the SEIAA decided to transfer the Environmental Clearance granted to the General Manager-cum-Mining Officer, Gurdaspur vide no. 5128 dated 01.10.2015 for carrying out mining of minor minerals (sand) @ 1,92,049 TPA in an area of 4.39 Hain the revenue estate of VillageMugla, Tehsil & District Pathankotin the name of M/s Prime Vision Industries Private Limited, 312, 3<sup>rd</sup> Floor, Vishal

Chamber, P-1, Sector-18, Noida for a period of 3 years from the date of final approval to be issued by the Govt. for carrying out the mining operations or the validity period of environmental clearance, whichever occurs earlier, subject to the same conditions as mentioned in the Environmental Clearance issued vide letter no. 5128 dated 01.10.2015 and an additional condition that the project proponent shall spend the proposed amount of Rs. 4.2 Lakhs, reserved under the CER activity, as per the OM dated 01.05.2018, considering the local needs of the village.

In compliance with the aforesaid decision, Environmental Clearance was transferred in the name of applicant vide letter no 1055-63 dated 02.12.2019 for a period upto 30.09.2020 instead of issuing upto 30.09.2022

## **2.0 Present Case**

M/s Prime Vision Industries Pvt. Ltd. vide letter dated 11.06.2021 has now requested to issue corrigendum in the transfer letter issued vide letter no. 1055 dated 02.12.2019 regarding the remaining validity of Environmental Clearance considering the following grounds: -

- (i) As per the MoEF Notification No. S.O. 1141 (E) dated 29.04.2015, the prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects [ item 1 (c) of the Schedule], project life as estimated by the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and seven years in the case of all other projects and activities.
- (ii) Executive Engineer - cum- District Mining Officer, Gurdaspur vide letter no. 1576-79 dated 16.10.2019 has requested to transfer the Environmental Clearance in the name of the contractor for a period of 3 years i.e. **15.10.2022**.
- (iii) Provisional acceptance of quarry to the allottee vide letter no. 720/E-auction dated 31.07.2019 for mining block no. 4 comprising of District Hoshiarpur, Gurdaspur E-auction dated 29.07.2019 subject to fulfilment of certain terms & condition including the term of concession shall be three years which shall be counted from the completion of all formalities including taking Environmental Clearance or 4 months from award of contract, whichever is earlier i.e., **30.11.2022** ( 04 months after the issuance of Provisional acceptance of quarry to allottee)
- (iv) However, the Environmental Clearance was transferred in the name of contractor M/s Prime Vision Industries Pvt. Ltd. for a period up to 30.09.2020 instead of 30.09.2022

In view of the above, it is requested that corrigendum in the transferred letter 1055 dated 02.12.2019 may please be issued by extending the validity of Environmental Clearance up to 30.09.2022.

## **1.0 Deliberations during 184<sup>th</sup> meeting of SEIAA held on 28.06.2021.**

The case was considered by SEIAA held on 28.06.2021 but no one attended the meeting on behalf of the project proponent.

SEIAA perused the Notification No. S.O. 2944 (E) dated 14.09.2016 regarding the "Validity of Environmental Clearance", wherein in it has been mentioned as under:-

"The "Validity of Environmental Clearance" is meant the period for which a prior environmental clearance is granted by the regulatory authority, or may be presumed by

the applicant to have been granted under sub-paragraph (iii) of paragraph 8, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects [item 1(c) of the Schedule], project life as estimated by the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and seven years in the case of all other projects and activities.”

SEIAA observed that the project proponent has not submitted the compliance of conditions of earlier Environmental Clearance granted to it.

After detailed deliberations, SEIAA decided to defer the case and direct the project proponent to submit compliance of the conditions of Environmental Clearance earlier granted vide letter no. 5128 dated 01.10.2015 and later on transferred vide letter no. 1055 dated 02.12.2019.

In compliance with the aforesaid decision, Project proponent has been requested vide letter no. 4516 dated 13.07.2021 to submit the compliance of the conditions of Environmental Clearance earlier granted to it.

Accordingly, the project proponent has submitted compliance report of the conditions of earlier EC granted to it, which is annexed as Annexure-2 of agenda.

## **2.0 Deliberations during 188<sup>th</sup> meeting of SEIAA held on 23.08.2021.**

The case was considered by SEIAA in its meeting held on 23.08.2021 which was attended by Mohammad Sharique, Authorised Signatory on behalf of M/s Prime Vision Industries Pvt. Ltd. SEIAA perused the compliance report of conditions of the earlier Environmental Clearance and observed that project proponent has made general remarks like “Being Complied with” or “Will be submitted in next report” which is unacceptable since the sand mining quarry is in operation since long and specific compliance is to be furnished in the 6 monthly compliance status reports. In addition, the compliance of the following has also not yet been submitted:

- (i) Amount spent on the CER activities and item wise break up.
- (ii) Actual expenditure incurred on the Environmental Management Plan.
- (iii) Site photographs showing the compliance of the conditions regarding raising plantations, use of water sprinklers and use of covered trucks.
- (iv) “Pollution Under Check” certificates of hired vehicles.

To this, Project proponent replied that updated compliance report including compliance of the aforesaid specific conditions shall be submitted shortly. Project Proponent also assured that they will fully comply with the SSMG 2018 and EMSGM 2020 Guidelines of the MOEF&CC in so far as they relate to the mining lease holders.

After detailed deliberations, SEIAA decided to defer the case and same may be placed before SEIAA after getting the amended compliance status report from the project proponent.

**Item No.188.04:** Request regarding corrigendum in the 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 Kishana, Tehsil Kahnuwan, District Gurdaspur in the name of M/s Prime Vision Industries Private Limited, 312, 3<sup>rd</sup> Floor, Vishal Chamber, P-1, Sector- 18, Noida – 201301 (UP).

SEIAA observed as under:

### 1.0 Background -

The General Manager – cum – Mining Officer, District Industries Centre, Gurdaspur was granted Environmental Clearance under EIA notification dated 14.09.2006 vide no. 5127 dated 01.10.2015 for carrying out mining of minor minerals (sand) @ 89,980 TPA in an area of 1.92 Hain the revenue estate of Village Kishana, Tehsil Kahnuwan, District Gurdaspur, subject to certain conditions including the following condition:

"The Mining Officer may apply for transfer of environmental clearance under EIA notification dated 14.09.2006 to the contractor/lessor finalized by the Department of Industries & Commerce to SEIAA, Punjab. However, no activity shall be undertaken by the lessor/contractor till the environmental clearance is transferred in his name and he is lawfully bound to comply with the conditions of the environmental clearance".

The Executive Engineer - cum- District Mining Officer, Gurdaspur vide letter no. 1568-71 dated 16/10/2019 has requested to transfer the Environmental Clearance for the above noted mining site in the name of M/s Prime Vision Industries Private Limited, 312, 3<sup>rd</sup> Floor, Vishal Chamber, P-1, Sector- 18, Noida – 201301 (UP).

The contractor namely M/s Prime Vision Industries Private Limited has submitted request dated 25.09.2019 for transfer of the said Environmental Clearance in its name. Following documents have been submitted by the contractor along with the request:

Sr. No.	Documents	Remarks
1	Copy of Environmental Clearance granted vide no. 5128 dated 01.10.2015.	Submitted
2	Copy of request submitted by Executive Engineer - cum- District Mining Officer, Gurdaspur vide letter no. 1568-71 dated 16/10/2019. (Received later)	Submitted
3	Copy of Provisional Acceptance Letter for mining of Block no 4 comprising of District Gurdaspur E-Auction dated 29.07.2019.	Submitted
4	Resolution of the company regarding the authorized signatory.	Submitted
5	Affidavit to the effect that the promoter company will comply with conditions as imposed by SEIAA.	Submitted
6	Memorandum of Articles of Association	Submitted



7	Fee @ Rs. 2000/- per hectare	Rs. 3840/- vide DD No. 225055, Dated-04.10.2019
8	Site Demarcation on AksSajra Plan with report of the Mining and Revenue Department.	Undertaking to the effect that the same will be submitted at the time of meeting.
9	CER plan as per Office Memorandum dated 01/05/2018	Undertaking to the effect that the same will be submitted at the time of meeting.

The case was considered by SEIAA in its 155<sup>th</sup> meeting held on 14.11.2019, which was attended by the following:

- (i) Sh. Harkesh Singh, representative of the contractor namely M/s Prime Vision Industries Pvt. Ltd.
- (ii) Sh. Arun Kumar Yadav, CEO, M/s Overseas Min-Tech Consultants.
- (iii) Sh. Sushminder Singh, State Geologist, Department of Mines & Geology, Punjab.
- (iv) Sh. S.S. Bhullar (SE, Mining), Department of Mines & Geology, Punjab.
- (v) Sh. I.G.Goyal (SE, Mining), Department of Mines & Geology, Punjab.
- (vi) Sh. J.S. Bhinder, Executive Engineer, Water Resources Department, Punjab.
- (vii) Sh. Paras Mahajn, Assistant Geologist, Department of Mines & Geology, Punjab.

The Environmental Consultant of the contractor presented the salient features of the project and requested to transfer the Environmental Clearance in the name of the contractor. Copy of presentation was taken on record.

To the queries of SEIAA, SE (Mining) submitted a joint demarcation report dated 09.10.2019 made by the Revenue Department in the presence of the contractor, villagers & mining department and absolute elevation (Redline) drawing in compliance to the condition no.(ii) of Specific Conditions imposed in the environmental clearance. Both the documents were taken on record by SEIAA.

The SEIAA observed that as per EIA notification dated 14.09.2006, the environmental clearance granted for a specific project or activity to an applicant can be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the State Level Expert Appraisal Committee concerned is necessary in such cases.

Further, as per condition (i) of OM No. 22-27/2015-IA-III dated 12.04.2016 issued by the MoEF&CC, the environmental clearance of the projects which had not completed five (5) years on the date of publication of Notification i.e. 29.04.2015, their validity will stand automatically extended to seven (7) years. Accordingly, in the present case, the validity of environmental clearance of the project will stand automatically extended to seven years.

The SEIAA further observed that the Executive Engineer - cum- District Mining Officer, Gurdaspur has requested to transfer the Environmental Clearance in the name of the contractor for a period of 3 years or the validity period of Environmental Clearance whichever is earlier.



SEIAA observed that as per the MoEF notification dated 14.08.2018, competency to decide the case lies with the SEIAA.

In compliance to said provision of the EIA notification dated 14.09.2006, the SEIAA decided to transfer the Environmental Clearance granted to the General Manager-cum-Mining Officer, Gurdaspur vide no. 5127 dated 01.10.2015 for carrying out mining of minor minerals (sand) @ 89,980 TPA in an area of 1.92 Hain the revenue estate of Village Kishana, Tehsil Kahnuwan, District Gurdaspur, in the name of M/s Prime Vision Industries Private Limited, 312, 3<sup>rd</sup> Floor, Vishal Chamber, P-1, Sector-18, Noida-201301 for a period of 3 years from the date of final approval to be issued by the Govt. for carrying out the mining operations or the validity period of environmental clearance, whichever occurs earlier, subject to the same conditions as mentioned in the Environmental Clearance issued vide letter no. 5127 dated 01.10.2015 and an additional condition that the project proponent shall spend the proposed amount of Rs. 3.6 Lakhs, reserved under the CER activity, as per the OM dated 01.05.2018, considering the local needs of the village.

In compliance with the aforesaid decision, Environmental Clearance was transferred in the name of applicant vide letter no 1074 dated 02.12.2019 for a period upto 30.09.2020 instead of issuing upto 30.09.2022

## **2.0 Present Case**

M/s Prime Vision Industries Pvt. Ltd. vide letter dated 11.06.2021 has now requested to issue corrigendum in the transfer letter issued vide letter no. 1074 dated 02.12.2019 regarding the remaining validity of Environmental Clearance considering the following grounds: -

- (i) As per the MoEF Notification No. S.O. 1141 (E) dated 29.04.2015, the prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects [ item 1 (c) of the Schedule], project life as estimated by the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and seven years in the case of all other projects and activities.
- (ii) Executive Engineer - cum- District Mining Officer, Gurdaspur vide letter no. 1568-71 dated 16.10.2019 has requested to transfer the Environmental Clearance in the name of the contractor for a period of 3 years i.e. **15.10.2022**.
- (iii) Provisional acceptance of quarry to the allottee vide letter no. 720/E-auction dated 31.07.2019 for mining block no. 4 comprising of District Hoshiarpur, Gurdaspur E-auction dated 29.07.2019 subject to fulfilment of certain terms & condition including the term of concession shall be three years which shall be counted from the completion of all formalities including taking Environmental Clearance or 4 months from award of contract, whichever is earlier i.e., **30.11.2022** ( 04 months after the issuance of Provisional acceptance of quarry to allottee).
- (iv) However, the Environmental Clearance was transferred in the name of contractor M/s Prime Vision Industries Pvt. Ltd. for a period up to 30.09.2020 instead of 30.09.2022

In view of the above, it is requested that corrigendum in the transferred letter 1055 dated 02.12.2019 may please be issued by extending the validity of Environmental Clearance up to 30.09.2022.

## **3.0 Deliberations during 184<sup>th</sup> meeting of SEIAA held on 28.06.2021**

The case was considered by SEIAA held on 28.06.2021 but no one attended the meeting on behalf of the project proponent.

SEIAA perused the Notification No. S.O. 2944 (E) dated 14.09.2016 regarding the “Validity of Environmental Clearance”, wherein in it has been mentioned as under:

“The “Validity of Environmental Clearance” is meant the period for which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub-paragraph (iii) of paragraph 8, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects [item 1(c) of the Schedule], project life as estimated by the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and seven years in the case of all other projects and activities.”

SEIAA observed that the project proponent has not submitted the compliance of conditions of earlier Environmental Clearance granted to it.

After detailed deliberations SEIAA decided to defer the case and direct the project proponent to submit compliance of the conditions of Environmental Clearance earlier granted vide letter no. 5172 dated 01.10.2015 and later on transferred vide letter no. 1074 dated 02.12.2019.

In compliance with the aforesaid decision, Project proponent has been requested vide letter no. 4517 dated 13.07.2021 to submit the compliance of the conditions of Environmental Clearance earlier granted to it.

Accordingly, the project proponent has submitted compliance report of the conditions of earlier EC granted to it, which is annexed as Annexure-3 of Agenda.

### **3.0 Deliberations during 188<sup>th</sup> meeting of SEIAA held on 23.08.2021.**

The case was considered by SEIAA in its meeting held on 23.08.2021 which was attended by Mohammad Sharique, Authorised Signatory on behalf of M/s Prime Vision Industries Pvt. Ltd. SEIAA perused the compliance report of conditions of the earlier Environmental Clearance and observed that project proponent has made general remarks like “Being Complied with” or “Will be submitted in next report” which is unacceptable since specific compliance is to be furnished in the 6 monthly compliance status reports. In addition, the compliance of the following has also not yet been submitted:

- i) Amount spent on the CER activities and item wise break up.
- ii) Actual expenditure incurred on the Environmental Management Plan.
- iii) Site photographs showing the compliance of the conditions regarding raising plantations etc.

To this, Project proponent replied that updated compliance report including compliance of the aforesaid specific conditions shall be submitted shortly. Project Proponent also assured that they will fully comply with the SSMG 2018 and EMSGM 2020 Guidelines of the MOEF&CC in so far as they relate to the mining lease holders.

After detailed deliberations, SEIAA decided to defer the case and same may be placed before SEIAA after getting the amended compliance status report from the project proponent.

**Item No. 186.05: Application for issuance of TORs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for expansion of Group Housing Project namely "Orchard County" located in the revenue estate of village Sante Majra, Kharar - Landran Road, Kharar, District SAS Nagar, Punjab by M/s Ansal Lotus Melange Projects Pvt. Ltd. (SIA/PB/ NCP/ 22975/2018)**

SEIAA observed as under:

### **1.0 Background**

M/s Ansal Lotus Melange Projects Pvt Ltd. was granted Environmental Clearance vide no 21-686/2007-IA.III dated 23.04.2008 for construction of group housing "Orchard County" at having built-up area 69388.316 sqm in the plot area 48090.24 sqm in the revenue estate of village Sante Majra, Kharar - Landran Road, Kharar, District SAS Nagar, Punjab, subject to the certain conditions by MoEF, New Delhi and for the following proposal: -

- (i) The project proponent had proposed to construct a residential colony with 584 flats (1 Block-56 EWS-16 Blocks-528 flats-2BR-252, 3BR-248, and Penthouse-22).
- (ii) The total water requirement will be 394 KLD (freshwater - 198 KLD).
- (iii) The capacity of STP proposed will be 394 KLD. Treated Wastewater will be used for flushing of toilets - 131 KLD and horticulture - 65 KLD and balance - 158 KLD will be disposed of in local municipal sewers.
- (iv) The total solid waste generation will be 1168 Kg/day (biodegradable - 584 Kg/day, Non-biodegradable - 350 Kg/day and inert waste - 233 Kg/day).
- (v) The total power requirement proposed is 4300 KW. Total parking spaces proposed are for 964 cars (Basement - 601, open -363).
- (vi) The total cost of the project was Rs. 95.03 Crores.

Later on, planning was changed and while submitting the application for expansion, M/s Ansal Lotus Melange Projects Pvt Ltd. submitted as under: -

- (i) The proposed project is located at Village Sante Majra, Kharar - Landran Road, Kharar, District Sahibzada Ajit Singh Nagar (Mohali), Punjab on a plot area of 48090.24 sqm. The total built-up area is approximately 104388.87 sqm
- (ii) The area falls within MC limits of Kharar and is under residential use as per the Master Plan of the area.
- (iii) They had increased the built-up area more than the area mentioned in environmental clearance granted to the project. Further, the validity of environmental clearance has also been expired.
- (iv) They had expanded the production beyond the limit of EC.

Being a case of violation of the provisions of EIA notification dated 14.09.2006 and as per amendment notification vide No S.O. 804 (E) dated 14-03-2017, they had submitted an online application for issuance of TORs for obtaining Environmental Clearance vide proposal no. IA/PB/NCP/ 69078/ 2017 to MOEF&CC on 13/09/2017

MoEF&CC issued amended notification dated 08.03.2018 and the gist of relevant paras (2), (4) and (5) of the notification, is reproduced as under: -

Para (2) For category B projects, the appraisal, and approval thereof shall vest with the State or Union territory level Expert Appraisal Committees and State or Union territory Environment Impact Assessment Authorities in different States and Union territories, constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.

Para (4) The cases of violations will be appraised 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.

Para (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

In view of the above, MoEF&CC has transferred the project to SEIAA vide proposal no. no. SIA/PB/NCP/22975/2018 on 28/03/2018.

### **1.1 Deliberation during 167<sup>th</sup> meeting of SEAC held on 26.05.2018**

The matter was considered by SEAC in its 167<sup>th</sup> meeting held on 26.05.2018, wherein, after detailed deliberations, SEAC decided to defer the case and ask the project proponent to submit a hard copy of the application. Till such time his case will not be taken up for consideration.

The project proponent submitted a hard copy of the application on 23.10.2019.

## 1.2 Salient Features of the project

The project proponent applied for issuance of TORs. The summary of the project is as under:

Sr.No.	Item	Details
1	Name & Location of the project	Group Housing Project "Orchard County" Village Sante Majra, Kharar - Landran Road, Kharar, District Sahibzada Ajit Singh Nagar (Mohali), Punjab
2	Project/activity covered under item of scheduled to the EIA Notification,14.09.2006	8(a) 'Building & Construction Project'
3	Copy of the Master plan duly marked with the project site	Not Submitted
4	Pre-feasibility report as per Ministry of Environment & Forests, Circular dated 30.12.2010.	Not submitted.
5.	Proof of ownership of land	Not Submitted
6.	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
7	Proposed ToRs (based on the standard ToRs)	Not submitted
8	Does it attract the general condition? If yes, please specify	No
9	Whether the proposal involves approval/clearance under the Forest (Conservation)Act,1980	No
10	Does the project cover under PLPA, 1900	No
11	Whether the proposal involves approval/clearance under the Wildlife (Protection)Act, 1972?	No
12	Classification/Land use pattern as per Master Plan	Not submitted. However, it has mentioned that the area falls within MC limits of Kharar and is under residential use as per the Master Plan of the area.
13	Cost of the project	200 Crores.

14.	TORs Fee details		NA as the application submitted on 10.09.2017 i.e., before the date of Notification 27.06.2019	
15.	Detail of various components			
	SN	Description	Particulars	Unit
	1	Plot Area (11.88 acres)	48090.24	SQM
	2	Proposed Built Up Area	104388.87	SQM
	3	Number of Building Blocks (9 Res+1EWS)	10(9+1)	NOS
	4	Total no of Saleable DU's (708+72EWS)	780	NOS
	5	Max Height of Building	50.3	M
	6	Max No of Floors (Residential Tower)	G+15	NOS
	7	Expected Population	4012	PERSONS
	8	Permissible Ground Coverage Area (35%)	16831.584	SQM
	9	Proposed Ground Coverage Area (24.325%)	11698.205	SQM
	10	Permissible FAR Area (2.00)	96180.48	SQM
	11	Proposed FAR Area (1.94)	93613.32	SQM
	12	Non-FAR & Other areas	8635.84	SQM
	13	Proposed Built Up Area	104388.87	SQM
	14	Water to be supplied	GMADA	-
	15	Total Water Requirement	397	KLD
	16	Freshwater requirement	246	KLD
	17	Wastewater Generation	280	KLD
	18	Proposed STP Capacity	340	KLD
	19	Treated Water Available for Reuse	224	KLD
	20	Recycled Water	151	KLD
	21	Surplus treated water	73	KLD
	22	Rain Water Harvesting Potential	14934.82	CUM
	23	No of RWH of Pits Proposed	12	NOS
	24	Proposed Total Parking	756	
	25	Surface Parking	379	ECS
	26	Basement Parking	377	ECS
	27	Required Green Area	4106.336	SQM
	28	Proposed Green Area (36.85%)	17704.465	SQM
	29	Municipal Solid Waste Generation	2.01	TPD
	30	Quantity of E-Waste Generation-Kg/Day	13.0	KG/DAY

	31	Quantity of Hazardous Waste Generation	Oil =0.3	LTS/DAY
	32	Quantity of Sludge Generated from STP	56	KG/DAY
	33	Total Power Requirement	5800	KW
	34	DG set backup	1050	KVA
16	Municipal wastes (domestic and or commercial wastes)	<p>(i) Solid waste generated from the residential block and other areas will be collected daily on door-to-door basis by the dedicated and trained housekeeping staff. Twin bin systems will also be provided for segregation at sources. Recyclable wastes will be sold to vendors and non- recyclable wastes will be disposed of through authorized agencies to the municipal waste disposal site.</p> <p>(ii) Biodegradable waste will be treated in an organic waste converter and will be used as a manure for horticulture development.</p> <p>(iii) MSW including horticulture waste will be handled as per the Municipal Solid Waste Management &amp; Handling Rules, 2016</p>		
17	Detail of DG sets	<p>DG set of 1050 KVA (1 X 300+ 1 X 750) is being used as a power backup during power failure. HSD (low sulfur variety as per availability) fuel is being used for DG sets.</p>		
18	Air pollution control	<p>(i) Chimney on DG sets (ii) Generators will be placed either in acoustic chambers or a canopy.</p>		
19	Hazardous wastes (as per Hazardous Waste Management Rules)	<p>(i) Waste oil from DG sets is only hazardous waste generation from the project. This waste oil is being carefully stored in HDPE drums in isolated covered space and sold to recyclers authorized by CPCB/SPCB.</p> <p>(ii) Suitable care is being taken to prevent spills/leaks of used oil from storage.</p>		
20	Give details of the water requirements met from water harvesting? Furnish details of the facilities create	<p>(i) The rainwater collected from the rooftop, green area, and other paved areas will be collected through the network of stormwater drainage lines &amp; conveyed to the RWH system.</p>		

		(ii) RWH system shall consist of de-silting cum filter chamber, oil and grease separator and pits are designed to store 15 minutes peak hour rainfall, for recharge into ground aquifer & to prevent flooding in the complex
21	Energy Requirements & Saving	The building envelop materials shall comply with ECBC norms on the whole building performance basis. The energy-saving shall be more than base capacity based on ECBC norms.

**1.3 Complete details of the case, are summarised as under:**

1	Proposal No	SIA/PB/NCP/22975/2018
2	Date of submission of application	13.09.2017
3	Date of acceptance of application	22.05.2018
4	Meeting of SEAC in which case was considered	167 <sup>th</sup> meeting held on 26.05.2018
5	ADS 14.06.2018	Submit a hard copy of the application.
7	Reply received in reference to ADS	The project proponent submitted the hard copy of the application on 23/10/2019
6	ADS 05.05.2020	<p>1. As to whether the list of persons responsible for the violation has been submitted.</p> <p>2. As to whether the project has been constructed at a site that under prevailing law is permissible. if yes, has the project proponent submitted any documentary proof in this regard.</p> <p>3. Whether permission has been obtained for the abstraction of the groundwater from the CGWA or not?</p> <p>4. Whether any specific ToRs for the project on assessment of ecological damage, remediation plan and natural and community resources augmentation plan have been submitted?</p>
8	Reminder	<p>A reminder was issued through email 06.05.2020 wherein it was requested to submit the reply online to the observations immediately, otherwise, it will be presumed that the project proponent has nothing to say and the project will be delisted in light of the OM dated 30.10.2012.</p> <p>However, no reply has been received so far.</p>



## **2.0 Deliberation during 190<sup>th</sup> meeting of SEAC held on 27.06.2020**

The case was considered by SEAC in its 190<sup>th</sup> meeting held on 27.06.2020 through video conference which was attended by Sh. Sandeep Garg, EIA Co-ordinator, M/s Eco Laboratories & Consultants Pvt. Ltd on behalf of the project proponent.

SEAC was apprised that this case is a violation case and was applied in the window given by the MoEF vide Notification dated 14.03.2017 & 08.03.2018.

SEAC was further apprised that the project proponent vide letter dated 25.06.2020 had intimated that he was not able to attend the meeting and sought time to submit the reply of Additional Details Sought (ADS) by SEAC due to the present situation of Covid-19.

SEAC observed that the project proponent was not taking interest in pursuing the application in the past also. However, SEAC also recognized the current situation due to Covid-19.

## **3.0 Recommendation of SEAC**

After detailed deliberations, SEAC decided as under:

- a) SEIAA be requested to issue a direction under Section 5 of the Environment (Protection) Act, 1986 to the Project Proponent as under: -
  - i) It shall not carry out any further construction activity at its project site namely "Orchard County" Village Sante Majra, Kharar - Landran Road, Kharar, District Sahibzada Ajit Singh Nagar till it obtains environmental clearance under EIA notification dated 14/9/2006.
  - ii) It shall neither execute any sale deed within the project area nor create any third-party interest in the project till it obtains the environmental clearance under EIA Notification dated 14.09.2006.
- b) SEIAA be requested to ask PPCB to provide the details of the legal action taken against the responsible persons of the project as per the Clause 3 of MoEF & CC Notification dated 14.03.2017 (as amended on 08.03.2018) in response to SEIAA letter no 354 dated 02.04.2019 along with construction status of the project (completed/not completed, if not completed then % of built-up area completed as on .....)
- c) Simultaneously, the SEAC may ask the project proponent to submit the reply to ADS raised on 05.05.2020, within 15 days and to attend the meeting as and when the case is placed before SEAC. In case, the project proponent fails to submit the reply & appears in the meeting of SEAC, it will be presumed that the project proponent is not taking the matter seriously and the case will be delisted without any further communication.
- d) The case be placed again before SEAC after getting the reply to ADS from the project proponent and prosecution status from the PPCB.

In compliance with the decision taken at a) & b), the case is placed before SEIAA for consideration.

#### **4.0 Deliberation during 167<sup>th</sup> meeting of SEIAA held on 31.07.2020**

The case was considered by the SEIAA in its 167<sup>th</sup> meeting held on 31.07.2020. SEIAA perused the deliberations made during the 190<sup>th</sup> meeting of SEAC held on 27.06.2020.

After detailed deliberations, SEIAA decided to accept the recommendation of SEAC mentioned at Sr. No. 'a' & 'b' and to take action as proposed by the SEAC. Further, it was directed that separate letters be written to the Board mentioning all the previous correspondence for asking the construction status report and action taken report against the responsible person as per the Clause 3 of MoEF & CC Notification dated 14.03.2017 and as amended on 08.03.2018.

In compliance with the aforesaid decisions, the following actions have been taken:

- (i) Direction u/s 5 have been issued vide letter no. 1925 dated 08.09.2020 to the Project proponent and a copy of the same has been endorsed vide letter no. 1926 dated 08.09.2020 to MS, PPCB for ensuring the compliance.
- (ii) The Member Secretary, PPCB has been requested vide letter no. 1923 dated 08.09.2020 to launch prosecution against the responsible persons and send the construction status report vide letter no. 1924 dated 08.09.2020.

No report has been received from the PPCB, so far.

#### **5.0 Deliberations during 176<sup>th</sup> meeting of SEIAA held on 19.02.2021.**

The case was considered by SEIAA in its 176<sup>th</sup> meeting held on 19.02.2021 wherein, SEIAA observed that no report from the PPCB has been received so far. SEIAA took a serious view of this being a major and long pending violation case.

After detailed deliberations, SEIAA decided to issue a reminder to the PPCB for sending the report in the matter. It was also decided that the matter be taken up with the Chairman, PPCB through e-office file.

In compliance with the aforesaid decision, PPCB has been issued a reminder vide 3622 dated 09.03.2021. The matter was also put up on the e-office on 26.02.2021. Another reminder was also sent to the PPCB vide letter no. 3676 dated 07.04.2021.

M/s Lotus Melange Projects Pvt. Ltd. vide letter dated 14.04.2021 has now intimated regarding the stay/recall of the proceedings, execution, summon and warrants against the Ansal Lotus Melange Projects Pvt. Ltd. and its Directors in pursuance of court order in view of the order dated 07.04.2021 passed by NCLT, New Delhi under section 9 and section 14 of insolvency and bankruptcy code, 2016. A copy of the said letter which was annexed as Annexure-4 of Agenda.

The promoter company has requested that since insolvency proceedings have been commenced against the company Ansal Lotus Melange Projects Pvt. Ltd. by NCLT and it has stayed all judicial proceedings against the corporate debtor including **execution of any judgement, decree or**

**order in any court of law, tribunal, arbitration panel or other authority**, so no proceedings can be initiated against the said company and its directors in view of the submissions made above.

**6.0 Deliberations during 180<sup>th</sup> meeting of SEIAA held on 26.04.2021.**

The case was considered by SEIAA in its 180<sup>th</sup> meeting held on 26.04.2021 through Video Conference, which was attended by Sh. Parvir Singh, DGM Projects, M/s Ansal Lotus Melange Projects Pvt. Ltd. and Dr. Sandeep Garg, M/s Eco Laboratories & Consultant Pvt. Ltd., Environmental Consultant on behalf of the promoter company.

To a query by SEIAA regarding the occupancy in the project, Sh. Parvir Singh, DGM Project informed that about 400 plots have already been handed over by them and occupied by the allottees. It was also informed that an auditor has been appointed for the start of liquidation process of the project.

SEIAA was also apprised that Sh. Ravdeep Singh, Assistant Environmental Engineer of the Regional Office, PPCB, Mohali was contacted telephonically who informed that a complaint u/s 15 & 16 read with section 19 of the Environmental (Protection) Act, 1986 has already been filed in the Hon'ble Court of Law.

SEIAA observed that M/s Ansal Lotus Melange Projects Pvt. Ltd. has failed to complete the project and insolvency proceedings have been commenced against the company by Hon'ble National Company Law Tribunal, Principal Bench, New Delhi and that the Tribunal vide order dated 07.04.2021 has stayed all proceedings against the corporate debtor including execution of any judgement, decree or order in any court of law, tribunal, arbitration panel or other authority.

After detailed deliberations, SEIAA decided to send the matter to Senior Advocate for taking the legal opinion with respect to the following aspects:

- (i) Can criminal proceedings u/s 15 & 16 read with section 19 of the Environmental (Protection) Act, 1986 be initiated / continued against the violators when the Hon'ble National Company Law Tribunal, Principal Bench, New Delhi has stayed all proceedings vide order dated 07.04.2021 against the corporate debtor including execution of any judgement, decree or order in any court of law, tribunal, arbitration panel or other authority?
- (ii) What legal action can be taken by the SEIAA in the matter, under the provisions of the EIA Notification, 14.09.2006 as amended time to time since this project was started without obtaining prior Environmental Clearance under the provisions of EIA Notification, 14.09.2006?

In compliance with the aforesaid decision, Sh. Sandeep Khunger, Sr. Advocate has been requested to provide the legal opinion vide letter 4115 dated 11.05.2021. However, the reply is yet awaited.

Member Secretary, PPCB vide letter no. 2464 dated 03.05.2021 (Annexure-5 of agenda) informed that the project site was visited by the officers of the Board on 26.02.2021 to verify the construction status of the project. During visit, it was observed as under:

- (i) The project proponent has completed construction work of 516 flats and about 200-250 families are residing in these flats.
- (ii) The promoter company has proposed to construct additional 128 flats of (G+15) and 64 flats of (G+ 15) storied building. During visit, no construction activity was going at the site and the construction status remain same as observed earlier in the year 2018. The detail of construction status of the project at the site is as under:

Configuration	No. of Towers	No. of flats	Construction status
G+9	8no.	40 flats each i.e., total 320 flats	Construction work completed and families are residing.
G+9 (8 <sup>th</sup> / 9 <sup>th</sup> pent house)	8 no.	34 flats each i.e., total 320 flats	Construction work completed and families are residing.
G+3	2 no.	34 flats each i.e., total 68 flats	Construction work completed and families are residing.
G+15	1 no.	128 flats	Roof of 3 <sup>rd</sup> floor has been casted.
G+15	1 no.	64 flats	Roof of basement has been casted and column work above basement has been completed.
G+3 (EWS)	1 Block	72 flats	Civil construction work has been completed and finishing work is to be started.
Total flats		780	

- (iii) The project proponent has installed STP and the same was in operation at the time of visit.
- (iv) Prosecution has been launched u/s 15, 16 read with section 19 of the Environment (Protection) Act, 1986 against the project proponent and the responsible persons in the court of JMIC, Kharar. The case is now fixed for hearing on 15/6/2021.

#### **7.0 Deliberations during 182<sup>nd</sup> meeting of SEIAA held on 24.05.2021.**

The case was considered by SEIAA in its 182<sup>nd</sup> meeting held on 24.05.2021 through Video Conference, which was attended by Sh. Parvir Singh, DGM Projects, M/s Ansal Lotus Melange Projects Pvt. Ltd. and Dr. Sandeep Garg, M/s Eco Laboratories & Consultant Pvt. Ltd., Environmental Consultant on behalf of the promoter company.

SEIAA noted that the original EC had been issued in favour of M/s Ansal Lotus Melange Projects Pvt. Ltd but as per their own representation, proceedings had been initiated by NCLT under section 14 of Bankruptcy and Insolvency Code, 2016, against this firm. The Locus standi of M/s Ansal Lotus Melange Projects Pvt. Ltd to submit the application for issue of TOR's was, therefore, questionable. This basic issue could not be replied to satisfactorily by either the Project Proponent or their Environmental Consultant.

SEIAA was also apprised as under:

- (i) Website of M/s Ansal API, has been scrutinised and it was observed that Orchard County is a project of M/s Ansal API.
- (ii) M/s Ansal Lotus Melange Projects Pvt. Ltd. is a Joint Venture of M/s Ansal API and M/s Lotus Melange.
- (iii) The application bearing proposal no. SIA/PB/NCP/22975/2018 for issuance of Terms of Reference for expansion of Group Housing Project Namely "Orchard County" has been submitted by M/s Ansal Lotus Melange Pvt. Ltd against which proceedings have been initiated by NCLT under section 14 of Bankruptcy and Insolvency Code, 2016.

It is evident from Sr. No's (i), (ii) & (iii) above that the project proponent has either attempted to mislead SEIAA by submitting the wrong name of applicant i.e., M/s Ansal Lotus Melange Pvt. Ltd. or the information available on the website of M/s Ansal API regarding Orchard County being a project of M/s Ansal API, is incorrect. To this, Environmental Consultant has sought some time to clarify the same.

SEIAA observed that in the absence of basic clarity regarding the very ownership of the project, application submitted by the project proponent is required to be delisted.

After detailed deliberations, SEIAA decided to defer the case and issue show cause notice for delisting the Project to the Project Proponent affording a final opportunity to file their reply clarifying the ownership of the project as also their locus standi for seeking issue of TOR's after commencement of the insolvency proceedings initiated by the NCLT, New Delhi, within 30 days, failing which their application would be delisted.

In compliance with the aforesaid decision, show cause notice was issued to the Project Proponent for delisting vide letter no. 4232-4234 dated 07.06.2021. Notice was also emailed to the project proponent on 08.06.2021. No reply has been received from the project proponent till date.

## **2.0 Deliberations during 186<sup>th</sup> meeting of SEIAA held on 29.07.2021**

The case was considered by SEIAA in its 186<sup>th</sup> meeting held on 29.07.2021, which was attended by the following through Video Conference:

- (i) Mr. Parvir Singh, DGM Projects, M/s Ansal Lotus Melange Projects Pvt. Ltd.
  - (ii) Ms. Simran and Ms. Priyanka Madan, Environment Consultant of the project proponent.
- SEIAA informed the project proponent that no reply has been received to the show cause notice issued by SEIAA vide letter no. 4232-34 dated 07.06.2021 to the Project proponent for delisting the Project. It was again observed in the meeting that without clarifying the ownership and present legal standing of the project and further keeping in view the fact that insolvency proceedings have already commenced against the Project Proponent, additional specific TOR cannot be issued to the project unless all aspects of the show cause notice are properly replied to.

SEIAA therefore advised the Environmental Consultant to provide proper guidance to the project proponent and ensure that legally correct and clear reply is submitted to the show cause notice. To this, Environmental Consultant assured that necessary guidance shall be provided to the project proponent and they will submit the detailed and clear reply to the show cause notice.

After deliberations, SEIAA decided to defer the case and provide last opportunity to submit the reply to the show cause notice within 07 days failing which case shall be delisted.

In compliance with the aforesaid decision, Project proponent has been asked vide letter no. 4616-4618 dated 10.08.2021 to submit the reply to the show cause notice. Accordingly, project proponent vide letter dated 17.08.2021 has submitted reply to the show cause notice which is annexed as Annexure-3A of the agenda.

### **3.0 Deliberations during 188<sup>th</sup> meeting of SEIAA held on 23.08.2021**

The case was considered by SEIAA in its 188<sup>th</sup> meeting held on 23.08.2021, which was attended by Sh. Devendra Umrao, Interim Resolution Professional and Dr. Sandeep Garg, Environmental Consultant of the Promoter Company.

SEIAA perused the reply of the show cause notice submitted vide letter dated 17.08.2021 and observed as under:

- (i) Name of the project "Orchard County" which was on the website of M/s Ansal API, has been removed.
- (ii) The project Orchard County belongs to M/s Ansal Lotus Melange Pvt. Ltd. against which proceedings of insolvency have been initiated by NCLT, New Delhi.
- (iii) Mr. Devendra Umrao has been appointed as the IRP (Insolvency Resolution Professional) in the matter of M/s Ansal Lotus Melange Projects Pvt. Ltd. by the Hon'ble NCLT New Delhi, Bench vide order dated 07.04.2021. A copy of court order was submitted. IRP has been directed to take charge of the CD's (Corporate Debtor) management, immediately. As such, all the approvals will be taken in the name of M/s Ansal Lotus Melange Projects Pvt. Ltd. through Devendra Umrao.

SEIAA took the aforesaid reply on record.

To a query by SEIAA regarding responsibility of implementation of the Environmental Management Plan (EMP), Sh. Devendra Umrao informed that in accordance with established legal process for such cases, he will act as CEO of the Company and will be responsible for the implementation of EMP till the new company takes over or liquidation process is completed. As EIA approval is mandatory for the project, necessary funds shall be allocated for the implementation of Environmental Management Plan.

To another query of SEIAA Dr. Sandeep Garg informed that he will continue as the Environmental Consultant to the project till the grant of Environmental Clearance. He requested to proceed further for issuance of Terms of Reference as the issue of the ownership has now been resolved. SEIAA was satisfied with the reply of Show cause notice issued to the project proponent.

SEIAA noted that SEAC had forwarded the case to SEIAA in its 190<sup>th</sup> meeting held on 27.06.2020 in which it had recommended that directions u/s 5 of EPA, 1986 may be issued to the project proponent and PPCB may be asked to provide the details of legal action taken against the

responsible person of the project. SEIAA observed that action on both the recommendations of SEAC has been taken. Further, Member Secretary, PPCB vide letter no. 2464 dated 03.05.2021 has already sent the status of prosecution launched u/s 15, 16 read with section 19 of the Environment (Protection) Act, 1986 against the project proponent and the responsible persons but has not sent the compliance status of the directions issued u/s 5 of EPA, 1986 to the project proponent as requested vide letter no. 1926 dated 08.09.2020.

SEIAA further observed that Clause No's 4 and 5 of Notification dated 08.03.2018 regarding the permissibility of site under prevailing law and recommendation of Specific Terms of Reference are required to be examined. After detailed deliberations, SEIAA decided as under:

- (i) PPCB be requested to send the compliance status of the directions issued u/s 5 of EPA, 1986 to the project proponent as requested vide letter no. 1926 dated 08.09.2020 directly to SEAC.
- (ii) Case be remanded to SEAC for examining the case under "Violations" category in accordance with MOEF&CC directions dated 14.03.2017 / 08.03.2018 and sending its detailed recommendations with respect to the following:
  - a) Permissibility / Suitability of the site in light of MOEF&CC Notifications dated 14.03.2017 as amended on 08.03.2018 and recommendation of specific Terms of Reference in case site is deemed suitable;
  - b) Reply to the observations of SEAC submitted by the Project Proponent for which additional details were sought by SEAC on 05.05.2020.
  - c) Compliance made by Project Proponent in respect of the directions issued by SEIAA vide letter no. 1925 dated 08.09.2020 u/s 5 of the Environment (Protection) Act, 1986.

Meeting ended with a vote of thanks to the Chair.

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