

State Level Environment Impact Assessment Authority, Rajasthan

4, Institutional Area, Jhalana Doongri, Jaipur-302004

No. F.8 (5)/EIA/Env./2006

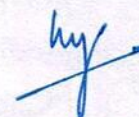
Jaipur, Dated: 03.11.2022

CORRIGENDUM

Following corrections are made in the **Minutes of the 5.48th Meeting of SEIAA** issued vide this Authority letter no. F.8(5)/EIA/Env./2006-V. dated 27.10.2022:-

S.No.	As per issued Minutes dated 27.10.2022	Amended Minutes
4.	<p>SEAC-2 in its 5B.25th meeting has recommended to grant of EC and endorse a copy of EC to the RSPCB for taking action against the PP. SEAC-2 has also imposed a penalty of Rs. 36.35 Lacs (half of the Remediation Plan amount) as the violation declaration has been done suo-moto. SEAC-2 has also recommended to deposit a Bank Guarantee of Rs. 72.65 Lacs with RSPCB for remediation Plan. The Authority deferred this proposal in its 5.46th meeting for a detailed understanding of the proposal and presentation to be made by the PP. The case was re-scheduled in 5.48th meeting of SEIAA and communication was sent on 21.10.2022 for the same.</p> <p>The PP and the consultant both made a detailed presentation and satisfactorily replied to the queries raised by SEIAA during the presentation.</p> <p>The Authority was of the view that SEAC has erred in calculation</p>	<ol style="list-style-type: none">1. SEIAA in its 5.48th meeting dated 27/10/2022 had imposed a penalty of Rs. 52.50 lakhs on the project proponent for violation, (50% of 1% of the project cost, considering it as a suo moto case, based on the presumption of total project cost of Rs. 105 crores.2. The project proponent has submitted a representation that while calculating the amount of penalty the Authority has erred in its calculation. As per procedure laid down in MoEF&CC SOP dated 07.07.2021 vide clause no. 12, which states the penalty provisions for violation cases and applications, it is clearly mentioned that 1% of the total project cost <u>incurred up to the date of filling of application</u> will be levied as penalty. As per clause 12.2 the percentage rate shall be halved if the project proponent suo moto reports such violation. The PP has submitted a certificate from Chartered Accountant that an amount of Rs. 72.65 Crores has

<p>of penalty to be imposed on the project proponent for violation while considering it as a suo-moto case. The total project cost is Rs. 105 crores. The PP has submitted a certificate from CA that no turnover has been achieved in the project.</p> <p>Hence, the Authority decided to grant EC to this proposal subject to deposition of penalty amount of Rs. 52.50 Lakhs (50% of 1% of project cost, considering it as a suo-moto case, as per procedure laid down in MoEF&CC SOP dated 07.07.2021) by online/Demand Draft mode and also submit the Bank Guarantee of Rs. 72.65 Lacs towards remediation plan with RSPCB within 15 days of the receipt of the letter in this regard failing which action shall be initiated to stop this project.</p>	<p>been incurred on this project and that no turnover has been achieved in the project.</p> <p>3. SEAC-2, in its 5.25th meeting has recommended the penalty amount of Rs. 36.325 lakhs as per the clause 12.2 of MoEF&CC SOP dated 7th July, 2021 considering it as a suo moto case.</p> <p>4. The Authority examined the documents submitted in the file, in light of the MoEF&CC SOP dated 07.07.202. The contention of the PP was found to be valid. Accordingly, it was decided that a corrigendum to the minutes of the 5.48th meeting dated 27/10/2022 be issued wherein the penalty amount is re-determined as Rs. 36.325 Lakhs, and all other conditions stated therein will remain the same.</p>
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(P. K. Upadhyay)
Member Secretary,
SEIAA

Copy to the following for information and necessary action:-

1. Rajeeva Swarup, IAS (Retd.), Chairman, SEIAA, Room No. 101, Aravalli Bhawan, Jhalana Institutional Area, Jaipur.
2. Dr. Suresh Chandra, IFS (Retd.), Member, SEIAA, Room No. 103, Aravalli Bhawan, Jhalana Institutional Area, Jaipur.

Member Secretary, SEIAA