

Minutes of 136th meeting of State Environment Impact Assessment Authority, Haryana held in the office of SEIAA, Haryana, Bay's No. 55-58, Sector-2, Panchkula on 02nd March, 2022 under the Chairmanship of Sh. Sameer Pal Srow, IAS (Retd.), Chairman, SEIAA, Haryana.

All the Items of 135th meeting are confirmed except the Item No. 13 which is given as under:

Item No. [13] EC for proposed Clinker Grinding Unit with Cement production capacity of 5.0 MTPA at village Jhanswa, Tehsil; Matanhail, Distt Jhajjar Haryana by M/s Wonder Cement Ltd.

Decision printed in MoM of 135th meeting:

After detailed deliberations; the Authority decided to issue notice for withdrawal/abeyance to PP for 15 days. Further, the Authority decided to refer the case to MoEF& CC, Gol to seek clarification in this regard.

May be now read as under (as "for 15 days" has been got mentioned, inadvertently due to typographical/ slip mistake).

After detailed deliberations; the Authority decided to issue notice for withdrawal/abeyance to PP. Further, the Authority decided to refer the case to MoEF& CC, Gol to seek clarification w.r.t. the Notification S.O. 4272 (E) dated 16.08.2021 issued in regard to Eco Sensitive Zone.

Item No.[1] EC for Expansion of Warehouse building at Village Patali, Hazirpur, Gurgaon, Haryana by M/s Umang Leasing & Credit Co Ltd.

The recommendations of SEAC was lastly taken up in the 129th meeting of SEIAA held on 08.10.2021 and the Authority after detailed deliberations decided to constitute a committee consisting of Sh.A. K. Mehta, Member and Sh. Hitender Singh, Member, SEAC to conduct a spot inspection for "Fact Finding".

Report of Sub-committee has been received and submitted the following conclusion:

"The committee is of the view that the construction at site is less than the area of 43253.30 sqm for which EC was accorded but the PP failed to adhere to the conditions of provision of 5KLD STP, providing 3 rain water harvesting pits no CTO/CTE was taken by the PP as per EC condition and had not taken OC of the building block at site. The area where now additional construction is proposed is lying vacant. The lease agreement of the said warehouse is of the year 2017 which is prior to the validity of EC."

The case was taken up in 136th meeting of SEIAA held on 02.03.2022, upon examination of record, perusal of Sub-committee's report & recommendations of SEAC; *the Authority gathered that no mention of volume of construction taken place finds its place in the "Visit Report". Authority further observed that as PP has failed to comply with the condition of "EC" to install STP of 5 KLD capacity which tantamount to "Violation".*

Therefore, the case is referred back to SEAC & the committee is advised to take a holistic view and submit clear cut recommendations after going through all the facts.

Item No.[2] EC for Expansion of Affordable Group Housing Colony project at Village Behrampur, Sector 63-A, Gurugram, Haryana by M/s CZAR Buildwell Pvt. Ltd.

The recommendation of SEAC was lastly taken up in the 129th meeting of SEIAA held on 13.10.2021; the Authority decided to send a team comprising of Sh. A. K. Mehta & Mr. Hitender Singh, Member, SEAC to carry out the spot inspection and submit the report in next 15 days.

Report of sub-committee has been received and submitted the following conclusion:

"The applicant has made construction only in the basement for which EC was earlier obtained. Further since they have requested the withdrawal of application for revised EC the same may be confirmed in the SEIAA office"

The case was taken up in 136th meeting of SEIAA held on 02.03.2022 and after due deliberations on the report of Sub-committee, the Authority decided to allow the PP to withdraw the proposal of expansion as earlier recommended by SEAC.

Item No.[3] Environment Clearance for the modernization of the Common Biomedical Waste Treatment Facility located at Khasra No. 43/114-15/672 at village Hetampura, District-Bhiwani by M/s Maruti Bio-Medical Waste Plant.

The case was lastly taken up in 131st Meeting of SEIAA held on 03.12.2021 and Authority decided to ask RO, HSPCB, Bhiwani along with Mr. A. K. Mehta & Dr. S. N. Mishra to carry out the spot inspection to get the current status of project & submit the report within 3 week period and the case is deferred till the report is submitted.

Report of sub-committee has been received with the following conclusion:

“The project is working without prior Environment clearance as per mandate of EIA notification as amended from time to time. The HSPCB has issued CTO/Authorization under BMW Rules and Authorization under HWM rules to the unit valid till 30.09.2025. The SEIAA may take action, under the mandate of EIA notification against PP.”

The case was taken up in 136th meeting of SEIAA held on 02.03.2022 and it came to notice that PP has applied for extension of ToR through offline mode and Authority advised PP to apply online as per the current guidelines issued vide letter F. No 22-37/2018-IA.III dated 19.04.2021 by MOEF & CC, GOI, in this regard.

Authority deliberated that the case was taken up in 131st Meeting of SEIAA held on 03.12.2021, where Authority found that the validity of “Terms of Reference” has expired & therefore decided to get the “Spot Inspection” conducted.

After going through the conclusion of report, Authority found that the unit is running without the relevant “EC”, should it be construed as a case of violation of EIA notification.

Therefore, Authority decided to refer back the case to SEAC to go through the “Visit Report” and examine the case on its merits, appraise & recommend accordingly.

Further, Authority observed that PP needs to make online proposal instead of offline proposal submitted earlier regarding extension of TOR.

Item No.[4] EC for construction of Group Housing Colony in the revenue estate of village Kadarapur & Maidawas, District Gurgaon Sector-63 A Gurgaon by M/s Mahamaya Exports Pvt. Ltd.

The case was lastly taken up in 131st SEIAA meeting held on 03.12.2021 and decided to defer this case with the decision that RO, HSPCB, Sh. V.K. Gupta, Chairman, SEAC and Dr. S. N. Mishra, Member SEAC shall visit the site for current status of Project and shall submit the report within 3 weeks period.

Further, the Authority decided to issue Final Show-Cause Notice to PP stating that why the case should not be de-listed as he is not responding to the communications since long.

The case was again taken up in 136th meeting of SEIAA held on 02.03.2022 and it was observed that sub-committee has not submitted the report. The Authority decided to request Member Secretary, HSPCB to nominate concerned RO, HSPCB (Convener of sub-committee) along with Dr. Rajbir Singh Bondwal, IFS (Retd.) to carry

out the spot inspection to get the current status of project & submit the report within 10 days. Accordingly, the case is referred back to SEAC to make recommendations after perusing the report of Sub-committee as and when received.

Item No.[5] Environment Clearance for Expansion of “KLJ Group Housing Colony” located at village Neemka, Sector77, Faridabad by M/s KLJ Developers Pvt. Ltd.

The Project was submitted on 30.04.2018 and the same was considered in 168th meeting of SEAC held on 11.05.2018, but the PP has not attended the meeting and the case was sent back to SEIAA on 06.09.2018 as the term of the Authority was lapsed on 20.08.2018. A show-cause Notice was issued to PP vide letter dated 10.05.2019 by SEAC. The PP has submitted his reply by stating that he has carried out construction as per EC granted and decided not to go for expansion. Accordingly, the case was sent back to SEIAA for withdrawal.

The case was lastly taken up in 131st Meeting of SEIAA held on 03.12.2021 and decided to defer this case with the decision that RO, HSPCB, Sh. V.K. Gupta, Chairman, SEAC and Sh. S. N. Mishra, Member SEAC shall visit the site for current status of Project and shall submit the report within 3 weeks period.

Report of sub-committee received and submitted the following conclusion:

“The Committee visited the Pocket C of the Project as per the layout of the Project attached herewith which was referred in the application for expansion of the project. It was found that the said area is lying vacant, although there is boundary wall for whole of the Pocket C. Therefore the committee is of the view that the PP may be allowed to withdraw the case. The PP further assured that they will apply fresh for expansion of the Project area as and when the planning of vacant Pocket C is finalized”.

The case was taken up 136th meeting of SEIAA held on 02.03.2022 and after due deliberations on the report of the Sub-committee, Authority decided to agree with the recommendations of SEAC and that of the Sub-committee constituted in this matter to allow the proponent to withdraw her application.

Item No.[6] EC for replacement of one 24 stations carousel by one 72 stations carousel at BPCL Piyala LPG Plant, Faridabad, Haryana by Bharat Petroleum Corporation Limited.

The case was lastly taken up in 132nd meeting of SEIAA held on 21.12.2021 and after detailed deliberations; the Authority decided to constitute a sub-committee comprising of Sh. V. K. Gupta, Chairman, SEAC, Dr. S. N. Mishra, Member SEAC and RO,

HSPCB of the concerned area to carry out the spot inspection, and submit its report within 10 days through Member Secretary, HSPCB.

Report of Sub-committee has been received and submitted the following conclusion:

"Project proponent stated that as per the amended EIA notification of 13.06.2019 issued by MoEF & CC, GOI, there is no requirement of Environmental clearance (EC) for the said project. "Therefore, in view of the amended EIA notification dated 13.06.2019 and it may be considered for exemption & delisting."

The case was taken up 136th meeting of SEIAA held on 02.03.2022 and after due deliberations; Authority decided to refer back this case to SEAC to appraise the report of Sub-committee and specifically examine the claim of PP with regard to "exemption" sought in light of amended EIA notification dated 13/06/2019.

Item No.[7] Environment Clearance for warehouse project in the revenue estate of village Pathrari, Gurgaon by M/s Sunsat infotech Pvt. Ltd.

The case was taken up in 131st SEIAA meeting held on 03.12.2021; after going through the report of the sub-committee the Authority decided to defer this case for the next meeting and before that a self- contained note mentioning all the facts of the case will be submitted in the next meeting.

The matter was again considered in the 135th meeting of SEIAA held on 25.01.2022 and after detailed deliberations; the Authority opined that this is a clear-cut case of violation and to ascertain the facts a committee of Mr. V.K. Gupta (Chairman, SEAC) & Mr. A.K. Mehta (Member, SEAC) is being constituted. The committee will submit the report within next 7 days.

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

Accordingly, the case is referred back to SEAC to make the recommendations after appraising the report of sub-committee as and when received.

Item No.[8] Amendment of Environmental Clearance for M/S Sarvodaya Hospital & Research Centre (A Unit of Anshu Hospitals LTD.) at site No. 1 Sector - 08 at Faridabad, Haryana by M/s Sarvodaya Hospital & Research Centre.

The case was lastly considered in 129th meeting of SEIAA held on 14.10.2021 and Authority decided to withdraw the "Provisional EC granted on 22.07.2021" vide letter dated 16.12.2021 while asking the project proponent to restore to the capacity for which earlier "EC" has been granted.

Authority further decided to send a team comprising of Mr. A. K. Mehta, Dr. S. N. Mishra and Mr. Vivek Saxena (IFS) Members of SEAC & the concerned RO, HSPCB for spot inspection and to verify the compliance of earlier accorded "EC".

Report of Sub-committee received and submitted the following conclusion:

"The green belt needs to be increase to the extent as approved in their EC letter. In addition the treated Effluent should not be allowed to be mixed with treated sewage".

The case was taken up in 136th meeting of SEIAA held on 02.03.2022 and it was observed that Sub-committee has not submitted the complete report w.r.t. the number of beds and the new/additional construction made by PP. It is deemed appropriate to draw attention of SEAC regarding variation and mismatching of details as mentioned in EC and documents placed on record.

"Data" pertaining to "Accorded EC" and details shown in documents, reflected glaring gaps, mismatchings and anomalies.

- In regard to Land & built-up area:

S.No.	Documents	Plot Area	Built-up Area
1	MoM of 203 rd meeting of SEAC	20231.2 sq. yards	32487.144 sq. mt.
2	CTO granted	15835 sq. mt.	4200 sq. mt.
3	Pg. no. 51 of annexure attached with report	32892.5 sq. mt.	16931.04 sq. mt.

As mentioned in MoM of 203rd SEAC meeting, initially OC was granted for 20231.2 sq. mt. dated 22nd July, 2008, shows that PP has not provided the updated data needed for CTO.

- In 213th SEAC meeting, in reply to queries raised during 127th SEIAA meeting PP submitted the capacity of 220 KLD vis-à-vis 170 KLD mentioned in granted "EC".

The submitted report shows the present capacity at 240 KLD. As per the report the 150 beds are not operational but capacity of STP has been enhanced construing that there is definite increase in consumption & discharge of "Water".

- Under the pt. "Y", report states that the "HVAC" is "Air Cooled" & uses the "Treated Water", 100% of this water would not be lost in evaporation, presently how PP is treating this water which must be rich in salts and how the rejects are being handled does not find any mention in the stated report. The capacity of HVAC should be checked against the stated capacity in accorded "EC", same stands for the no. & capacity of installed DG sets.
- Report states that "Project" is achieving "ZLD" by reusing & sprinkling the treated water, "ZLD" could only be achieved by installing RO, SO in conjunction with Multi-effect evaporator as per the scheme submitted by PP against Sr. No. 5 reply to the query of SEIAA, visible in MoM of 213th SEAC meeting. The present quantity & usage of water should be matched with the appraised "Water Balance Chart" mentioned in the accorded "EC".
- The report depicts that the "Green Area" is less than the "Green Area" mentioned in "EC", construing that either the built-up area is more than the built-up area mentioned in "EC" or the paved area is increased. Both ways the "Incremental Run-off" will increase leading to increase in no. of "RWH Pits".
 - a) If there is an increase in built-up area why should it not be considered as "Expansion" carried out without getting the "EC for Expansion".
 - b) If Paved area has been increased may be due to increase in Vehicular activities, increase in anticipated emission.
- Another concern shown in report is in terms of "Treated Water" of "ETP" being mixed with "STP", should not Multi-effect evaporator be installed to take care.

Authority after perusal of relevant record and holding deliberations decided to refer back the case to SEAC with the advisory that SEAC should thoroughly check the facts & figures submitted by the proponent with the available records at our end. Authority, further stated that the recommendations/appraisal to be made taking above suggested/mentioned points, visit report into consideration and those to be truly in the light of SOPs/guidelines of MoEF & CC.

The Meeting ended with vote of thanks to the Chair.
