

Minutes of 147th meeting of SEIAA, Haryana, held on 10.10.2022 under the Chairmanship of Sh. Sameer Pal Srow, IAS (Retd.), Chairman, State Environment Impact Assessment Authority (SEIAA), Haryana at Panchkula

NOTE: Presently, total 17 Number of Violation Cases (applied through Violation Window during 2017 & 2018 or otherwise out of the Window Period) are pending for decision (8 Cases are with SEAC & 9 Cases with SEIAA). Out of the 17 Violation Cases, 9 Cases are listed as Agenda Item in the 147th Meeting of SEIAA, Haryana.

The Authority deem it appropriate to decide & direct that any other/similar category/ nature case(s), which has escaped the attention or has not got figured / mentioned in the list of Pending 17 Violation Cases, shall also be treated as part of the decision taken in the 147th Meeting, for the purpose of action to be initiated in all such cases within the scope & meaning of Standard Operating Procedures (SOPs) dated 07.07.2021 & EIA Notification dated 14.09.2006.

List of participants is annexed as *Annexure-A*.

At the outset, the Chairman SEIAA welcomed the Member and Member Secretary of the SEIAA and advised the Member Secretary to give brief background of this meeting.

Minutes of the 146th Meeting of SEIAA are confirmed. *The project proposals as recommended by SEAC for Environmental Clearance or otherwise and listed in the Agenda of 147th Meeting of SEIAA were discussed and following decisions were taken:*

Item No. [01]: EC under violation category for the Residential cum Commercial Complex located in Sector 79, Omaxe City Centre, Faridabad, Haryana by M/s Robust Buildwell Pvt. Ltd.

Proposal No: SIA/HR/MIS/121687/2019

Earlier, the case was considered in 143rd meeting of SEIAA held on 14.07.2022. After due deliberations and perusal of relevant records, the Authority deemed, it appropriate to refer the case to Learned L.R., Haryana, for seeking legal opinion and guidance as to whether **“The SOPs guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said**

SOPs". (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

This was being initiated to obtain more clarity and to further ensure compliance of certain observations made by Hon'ble Supreme Court (Civil Appeal Nos. 7576, 7577 of 2021) vide Order dated 09.12.2021, in the Case of Electro Steels Limited versus Union of India and others.

The matter was again taken up in 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority held detailed discussions/deliberations on the legal opinion dated 04.10.2022 received from Learned Legal Remembrancer, Haryana through AD, (Environment & Climate Change Department, Haryana).

Accordingly, The Authority decided to refer back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The Authority further directs the State Expert Appraisal Committee (SEAC) to hold a special meeting during this month to appraise all such pending cases, applied under the Violation Category within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 & EIA Notification dated 14.09.2006.

Item No. [02]: EC under violation notification dated 14.03.2017 for Group Housing Project "EDGE TOWER" at Ramprastha City, Sector-37 D, District-Gurgaon, Haryana by M/s Ramprastha Promoters & Developers Pvt. Ltd.

Proposal No: SIA/HR/MIS/43144/2017

Earlier, the case was considered in 143rd meeting of SEIAA held on 14.07.2022. After due deliberations and perusal of relevant records, the Authority deemed, it appropriate to refer the case to Learned L.R., Haryana, for seeking legal opinion and guidance as to whether **"The SOPs guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs"**. (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

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Item No.[03]: EC under violation category for Project Expansion of Commercial Office Complex 'Signature Tower III' at Sector 15 Part-II, Gurugram by M/s Unitech Limited.

Proposal No: SIA/HR/MIS/226633/2021

Earlier, the case was considered in 143rd meeting of SEIAA held on 14.07.2022. After due deliberations and perusal of relevant records, the Authority deemed, it appropriate to refer the case to Learned L.R., Haryana, for seeking legal opinion and guidance as to whether **"The SOPs guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs"**. (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

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Item No. [04]: EC under violation category for Integrated Residential Colony Plotted and Group Housing Sushant City Royale at Sector 35/36 Karnal Haryana by M/s Ansal Landmark (Karnal).

Proposal No: SIA/HR/MIS/56727/2017

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Item No. [05]: EC for Warehouse Project at Village Binola, Manesar, Gurgaon Haryana by India Land and Space Logistics Pvt. Ltd.

Proposal No: SIA/HR/MIS/149371/2020

Earlier, the case was considered in 143rd meeting of SEIAA held on 14.07.2022. After due deliberations and perusal of relevant records, the Authority deemed, it appropriate to refer the case to Learned L.R., Haryana, for seeking legal opinion and guidance as to whether **“The SOPs guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs”.** (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

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Item No. [06]: EC of project Institutional Office Building located at plot No. 6, Sector 32, Gurugram, Haryana by M/s Focus Energy Ltd. (Under violation).

Proposal No: SIA/HR/MIS/189290/2020

Earlier, the case was considered in 143rd meeting of SEIAA held on 14.07.2022. After due deliberations and perusal of relevant records, the Authority deemed, it appropriate to refer the case to Learned L.R., Haryana, for seeking legal opinion and guidance as to whether **“The SOPs guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs”.** (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

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Item No. [07]: EC under violation category for Expansion of Residential Project 'Lavanya Apartment' at Sec 81, Village Nawada Fatehpur, Gurgaon by M/s Graphic Research Consultants (India) Private Ltd.

Proposal No: SIA/HR/MIS/123774/2019

Earlier, the case was considered in 143rd meeting of SEIAA held on 14.07.2022. After due deliberations and perusal of relevant records, the Authority deemed, it appropriate to refer the case to Learned L.R., Haryana, for seeking legal opinion and guidance as to whether **“The SOPs guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs”.** (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

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Item No. [08]: EC under violation notification dated 14.03.2017 for Group Housing Residential Colony Project “Vipul Gardens” located in Sector-1, village Dharuhera (NH-8), District-Rewari, Haryana by M/s Mudra Finance Ltd.

Proposal No: SIA/HR/MIS/105550/2019

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Standard Operating Procedures (SOPs) dated 07.07.2021 & EIA Notification dated 14.09.2006.

Item No. [09]: EC under Violation for Project “Corporate Office” at Plot No. 13, Sector 32, Urban Estate Gurugram-II, Haryana by M/s Padmini Technologies Ltd.

Proposal No: SIA/HR/MIS/278481/2022

Earlier, the case was considered in 146th meeting of SEIAA held on 21.09.2022. After due deliberations and perusal of relevant records, the Authority deemed, it appropriate to refer the case to Learned L.R., Haryana, for seeking legal opinion and guidance as to whether **“The SOPs guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs”.** (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

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The meeting ended with a vote of thanks.

List of Participants

1. Prof. R. Baskar, Expert Member
FGGS School of Sciences.
IGNOU, Delhi

2. Shri Pardeep Kumar, IAS Member Secretary
Director, Environment & Climate Change
Department, Haryana

