

Proceedings of 189th meeting of State Expert Appraisal Committee held on 28/05/2020 at 10:30 am in the Conference Hall No 2, at Ist Floor, MGSIPA Complex, Sector-26, Chandigarh.

The 189th meeting of SEAC was held on 28.05.2020 through video conference on VIDYO APP in light of Covid 19. In the meeting, the following members were present:

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Sr. No.	Name of SEAC Member	Designation in SEAC
1.	Er. Yogesh Gupta	Chairman
2.	Sh. Pardeep Garg	Secretary
3.	Er. Parminder Singh Bhogal	Member
4.	Er. Nirmal Singh Kahlon	Member, through online mode
5.	Sh. A.K. Bhatia	Member, through online mode
6.	Dr. Pawan Krishan	Member, through online mode
7.	Sh. Deepak Sethi	Member, through online mode
8.	Dr. Manpreet Singh Bhatti	Member, through online mode

At the outset, Secretary, SEAC welcomed the members of the State Expert Appraisal Committee (SEAC) and informed that the detailed agenda of the meeting, has already been circulated to all the members through e-mail. Further, it was informed that all the observations sent by the members had already been conveyed to the project proponent through Email for a prompt reply. Thereafter, the agenda was taken up item wise for consideration.

Item No. 01 Confirmation of the proceedings of 187th and 188th meetings of State Level Expert Appraisal Committee held on 26.02.2020 and 04.03.2020, respectively.

SEAC was apprised that the proceedings of 187th & 188th meeting of State Level Expert Appraisal meeting held on 21.09.2019 were circulated to all the members of SEAC vide email dated 19.03.2020 and 01.04.2020 respectively, with a request to send the comments/observations if any, within 3 days. However, no comments were received from any of the members. Accordingly, the minutes have been uploaded on the web portal of the SEAC.

SEIAA was also apprised that in the item no 187.10 of 187th meeting of SEAC that recommendation no (ii) was inadvertently mentioned as under: -

"Northern Regional Office, MoEF Chandigarh be requested to send compliance report of the conditions of Environmental Clearance granted to the project proponent earlier in compliance to OM dated 07.09.2017"

Therefore, the above recommendation shall be considered as deleted.

As such, the SEAC confirmed the proceedings of said meetings with the aforesaid ratification.

Item No. 02: Action taken on the proceedings of the 187th and 188th meeting of State Level Expert Appraisal Committee held on 26.02.2020 and 04.03.2020 respectively.

Noted.

Item No. 189.01: Application for issuance of ToRs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for establishment of Group Housing Project namely "Sunny Heights" located in the Sector 125, Tehsil Kharar, District- SAS Nagar by M/s Bajwa Developers Ltd. (SIA/PB/NCP/22973/2018)

SEAC observed that:

1.0 Background

M/s Bajwa Developers Ltd. has submitted an application for issuance of ToRs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for establishment of Group Housing Project namely "Sunny Heights" located in Sector 125, Tehsil Kharar, District- SAS Nagar. The project proponent submitted as under: -

- i) Total 07 Blocks is being constructed at the project site comprising 406 Flats, 45 EWS, School, and Meeting Hall. About 60% of the construction work has been completed on-site.
- ii) The total land area for the project is 25,600.36 sqm. (6.33 acres) and the built-up area of the project is 56,872.19 sqm

- iii) Municipal Council, Kharar vide letter no: 1638 dated 23/2/2012 approved the layout plan.
- iv) They had started the construction without getting Environmental Clearance.

Since it is 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, violation cases even of category "B" projects which are granted Environmental Clearance by SEIAA, are to appraised for grant of Environmental Clearance only by the EAC and granted at the central level.

Accordingly, the project proponent has submitted an online application for issuance of TORs for obtaining Environmental Clearance vide proposal no. IA/PB/NCP/ 69083/ 2017 on 13/09/2017 to MOEF&CC.

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 subparagraph (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 /22973/2018 on 28/03/2018.

Deliberation during 167th meeting of SEAC held on 26.05.2018

The matter was considered by SEAC in its 167th meeting held on 26.05.2018. In the said meeting, 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. 922 dated 29/10/2019

Deliberation during 185th meeting of SEAC held on 29.11.2019

The case was considered by SEAC in its 185th 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 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the Environmental Clearance.

SEAC raised the following observations to the project proponent:

1. As to whether a hard copy of the application 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 stated that a hard copy of the application has been submitted. However, a reply to the ADS is yet to be submitted. He sought time to comply with the other 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 1431 dated 03.02.2020. However, reply to the said letter is yet awaited.

2.0 Present Case

2.1 Summary of the project

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

S.No.	Item	Details
1	Name & Location of the project	Sunny Heights Sector 125, Tehsil Kharar, District- SAS 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	Submitted
4	Pre-feasibility report as per Ministry of Environment & Forests, Circular dated 30.12.2010.	Not Submitted
5.	Proof of ownership of land	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.	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	Residential Zone
13	Cost of the project	90 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	TOTAL
	Total Area	25600.36 sqm
	Built-up Area	56872.19 sqm
	There are total Seven Blocks constructed at the project site comprising 406 Flats, 45 EWS, School, and Meeting Hall. The layout plan has been approved by the "Municipal Council – Kharar" vide drawing no. DRG. NO. 01. Letter for approval of layout plan has been obtained from the office of Municipal Council, Kharar vide letter no: 1638 dated 23/2/2012.	
16.	Estimated Population	2200 persons
17.	Source of water supply	Ground Water (Tubewell)
18.	Total water demand	440 KLD
19.	Waste Water generation	352 KLD The Sewage treatment will be done in the common STP of capacity 5MLD proposed at Sunny Enclave. The Treated water will be used for flushing (99 KLD), green area (21.67 KLD) and remaining will be disposed off to the sewer
20	Effluent utilization	Recycled Water-121 KLD , i) Flushing-99 KLD, ii) Plantation & Irrigation-22KLD iii) Excess water discharged into Sewer
21	Proposed Green Area	15.4 % i.e. 3941 sqm
22.	Rainwater harvesting	7 number of rainwater harvesting pits provided at the site instead of required 04 pits for stormwater of quantity 355 cum/hr
23	Air pollution control	Chimney on DG sets
24	Solid waste	About 880 kg/day solid waste will be generated in the project. The biodegradable

		waste (30% i.e 211 kg/day) will be converted into manure by mechanical composter and the non-biodegradable waste (70% i.e 493 kg/day) generated will be handed over to the authorized local vendors. The waste will be disposed of as per Solid Waste Management Rules, 2016.
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	<ul style="list-style-type: none"> i) The total power requirement during operation phase is 1429 KW and will be met from PSPCL, Punjab ii) 3 DG Sets equipped with canopies (Capacity- 500KVA each) will be installed as stand-by arrangements. iii) 28 KW energy will be saved by using 7W LED lamps instead of using 15W CFL lamps. iv) 30% of the rooftop area space is proposed to set up the 198 KW f solar power generation plant.

2.2 Complete details of the case are summarised as under:

1	Proposal No	SIA/PB/NCP/22973/2018
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 th meeting held on 26.05.2018
5	Observations	As mentioned above
6	Date of ADS & its reply	14.06.2018 & Reply submitted on 14.02.2020, which was found incomplete. ADS raised on 05.05.2020 as per the decision of the 185 th meeting held on 29.11.2019.
7	Details of notice issued, if any	Issued vide no. 922 dated 29/10/2019

8	Reply to the notice received or not	Project proponent attended the 185 th meeting of SEAC.
9	Lastly, the case was considered by SEAC	185 th meeting held on 29.11.2019
10	Observations	As mentioned above
11	Observation conveyed to the Project Proponent	Vide no 1431 dated 03.02.2020.
12	Reply in reference to letter no 1431 dated 03.02.2020	The project proponent has not submitted a reply to the observations so far.
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. The Project Proponent submitted a reply through email on 21.05.2017.

3.0 Deliberation during 189th meeting of SEAC held on 28.05.2020

The meeting was attended by the following through video conference:

1. Sh. Rajesh Gupta, GM, representing the Project Proponent.
2. Ms. Daksha Gupta, EIA Coordinator, M/s Shivalik Solid Waste Management Ltd., Environment Consultant of the project proponent.

The SEAC, after going through the presentation submitted by the Project Proponent observed lot of discrepancies in the documents submitted by the Project Proponent regarding the details of the directors of the company & list of persons responsible for the violation of the EIA notification dated 14.09.2006, w.r.t signatures of the authorized signatory and the documents were without date & reference number. The Committee took serious note of this on part of the Environmental Consultant of project proponent and desired that his explanation be called.

SEAC further observed that 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 section 19 of Environment (Protection) Act,1986.

It was apprised to the SEAC that SEIAA vide letter no 354 dated 02.04.2019 had sent a list of 13 violation projects including the name of this project to PPCB to deal these cases in accordance with the provisions of MoEF&CC Notification dated 14.03.2017 & 18.03.2018.

After detailed deliberations, SEAC decided that following action be taken:

- a) SEIAA be requested to ask the PPCB to provide the details of the legal action taken against the responsible persons of the project in response to SEIAA letter no 354 dated 02.04.2019 and the construction status of the project (completed/not completed, if not completed then % of built-up area completed as on)
- b) Project proponent be asked to submit a copy of Memorandum of Article & Association/partnership deed/undertaking of sole proprietorship/ List of Directors and names of other persons (with designation & complete address) responsible for the violation of the EIA Notification 14.09.2006, verified signature of the authorized signatory and other documents (with date & reference number) duly signed by the EIA Coordinator & the project proponent.
- c) Explanation of the Environmental Consultant of the project proponent i.e. M/s Shivalik Solid Waste Management Ltd., be called in light of discrepancies found in the documentation work.

Item No. 189.02: Application for issuance of ToRs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for the establishment of area development Project namely "Sunny Enclave (177.72 Acres)" located in the revenue estate of Village Jandpur, Sihanpur & Hasanpur, Sector 120,123, 124 & 125 Kharar, Distt SAS Nagar by M/s Bajwa Developers Ltd. (SIA/PB/NCP/23385/2018).

SEAC observed that

1.0 Background

M/s Bajwa Developers Ltd. has submitted an application for issuance of ToRs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for the establishment of area development Project namely "Sunny Enclave (177.72 Acres)" located in the revenue estate of Village Jandpur, Sihanpur & Hasanpur, Sector 120,123, 124 & 125 Kharar, Distt SAS Nagar. The project proponent submitted as under:-

- 1) The project site is having a spread of 7,19,235.04 sqm. (177.726 Acres) falls under the Residential land use as per Master Plan. The net planned area for the project site is 6,64,162.2 sqm (164.11 acres).
- 2) The plan for the project is divided into Plot area, Group Housing, EWS. This comprises a park Area of 53,168 sqm. and roads, open spaces & other utilities area of 2,98,014.35 sqm. for adequate parking spaces with modern infrastructure facilities.
- 3) Approval of revised layout plan of Mega residential project falling in Sector-120,123,124 and 125 has been obtained from Chief Town Planner, Punjab vide letter no: 1685 CTP (Pb)/MPR-23 Dated 06-04-2016
- 4) About 30% of the construction has been completed at the site without getting Environmental Clearance under EIA Notification, 14.09. 2006.

As per amendment 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, are to appraised for grant of Environmental Clearance only by the EAC and granted at the central level.

Accordingly, the project proponent has submitted an online application for issuance of TORs for obtaining Environmental Clearance vide proposal no. IA/PB/NCP/69083 /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 subparagraph (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.

Now, the MoEF&CC has transferred the project to SEIAA vide proposal no. SIA /PB/NCP /22973/2018 on 03/04/2018.

Deliberation during 167th meeting of SEAC held on 26.05.2018

The matter was considered by SEAC in its 167th 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. 921 dated 29/10/2019

Deliberation during 185th meeting of SEAC held on 29.11.2019

The case was considered by SEAC in its 185th 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 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the Environmental Clearance.

SEAC raised the following observations to the project proponent:

1. As to whether a hard copy of the application 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 stated that a hard copy of the application has been submitted. However, a reply to the ADS is yet to be submitted. He sought time to comply with the other 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 1432 dated 03.02.2020 However, reply to the said letter is yet awaited.

2.0 Present Case

2.1 Summary of the project

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

S.No.	Item	Details
1	Name & Location of the project	Sunny Enclave (Area-177.72 Acres) Village Jandpur, Sihanpur & Hasanpur, Sector-120,123,124 & 125, Tehsil Kharar, District SAS Nagar.
2	Project/activity covered under item of scheduled to the EIA Notification,14.09.2006	8(b) Townships and Area Development projects.
3	Copy of the Master plan duly marked with the project site	Submitted
4	Pre-feasibility report as per Ministry of Environment & Forests, Circular dated 30.12.2010.	Not Submitted
5.	Proof of ownership of land	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.	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	Residential Zone, Letter for approval of Revised layout plan obtained from Punjab urban planning & Development Authority, Puda Bhawan, Sector 62 SAS Nagar

		vide letter no. 1685 CTP(PB)/MPR-23 Dated 06.04.2016	
13	Cost of the project	312.79 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, etc.		
	Sr.No	Particulars	Area (m ²)
	1.	TOTAL AREA	7,19,235.04
	2.	E.W.S Area	36,785.92
	3.	Area Reserved for Kajauli water line	11,318.24
	4.	Reserved Area	6,968.68
	5.	NET PLANNED AREA	6,64,162.2
	6.	Residential Area	2,70,096.5
	7.	Commercial	14,940.99
	8.	Education	15,814.71
	9.	Public Building	12,127.61
	10.	Park Area	53,168
	11.	Road, Open Spaces, Parking & Utilities & Reserved Area	2,98,014.35
	12.	Total Number of Plots	1,322
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16.	Estimated Population	17376 persons	
17.	Source of water supply	Ground Water (1 no. Tubewell)	
18.	Total water demand	3.311 MLD	
	Freshwater demand	2.246 MLD	
19.	Waste Water generation	2.516 MLD The Sewage treatment will be done in the STP of capacity 3 MLD based on MBBR technology. The Treated water will be used for flushing (1065 KLD), green area (292.4 KLD) and remaining will be disposed off to MC sewer	
20	Effluent utilization	i) Flushing-1.065 MLD ii) Plantation & Irrigation-293 KLD iii) Excess water discharged into Sewer	
21	Proposed Green Area	53168 sqm	
22.	Rainwater harvesting	9 number of rainwater harvesting pits provided at the site	

23	Air pollution control	Chimney on DG sets
24	Solid waste	About 6739 kg/day solid waste will be generated in the project. Biodegradable wastes & Non-Bio degradable waste will be disposed of according to Solid Waste Management Rules, 2016.
23	Hazardous waste	There will be no generation of hazardous waste in the project.
22.	Energy Requirements & Saving	The total demand load is estimated at 9,345 KW which will be supplied by Punjab State Power Corporation Limited.

2.1 Complete details of the case are summarised as under:

1	Proposal No	SIA/PB/NCP/23385/2018
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 th meeting held on 26.05.2018
5	Observations	As mentioned above
6	Date of ADS	14.06.2018 Reply submitted on 14.02.2020, which was found incomplete. ADS raised on 05.05.2020 as per the decision of the 185 th meeting held on 29.11.2019.
7	Details of notice issued, if any	Issued vide no. 921 dated 29/10/2019
8	Reply to the notice received or not	Project proponent attended the 185 th meeting of SEAC.
9	Lastly, the case was considered by SEAC	185 th meeting held on 29.11.2019
10	Observations	As mentioned above
11	Observation conveyed to the Project Proponent	Vide no 1432 dated 03.02.2020.
12	Reply in reference to letter no 1432 dated 03.02.2020	The project proponent has not submitted a reply to the observations.

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. The Project Proponent submitted a reply through email on 21.05.2017.
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3.0 Deliberation during 189th meeting of SEAC held on 28.05.2020

The meeting was attended by the following through video conference:

1. Sh. Rajesh Gupta, GM, representing the Project Proponent.
2. Ms. Daksha Gupta, EIA Coordinator, M/s Shiwalik Solid Waste Management Ltd., Environment Consultant of the project proponent.

The SEAC, after going through the presentation submitted by the Project Proponent observed lot of discrepancies in the documents submitted by the Project Proponent regarding the details of the directors of the company & list of persons responsible for the violation of the EIA notification dated 14.09.2006, w.r.t signatures of the authorized signatory and the documents were without date & reference number. The Committee took serious note of this on part of the Environmental Consultant of project proponent and desired that his explanation be called.

It was apprised to the SEAC that SEIAA vide letter no 354 dated 02.04.2019 had sent a list of 13 violation projects including the name of this project to PPCB to deal these cases in accordance with the provisions of MoEF&CC Notification dated 14.03.2017 & 18.03.2018.

It was apprised to the SEAC that SEIAA vide letter no 354 dated 02.04.2019 had sent a list of 13 violation projects including the name of this project to PPCB to deal these cases in accordance with the provisions of MoEF&CC Notification dated 14.03.2017 & 18.03.2018.

After detailed deliberations, SEAC decided that following action be taken:

- a) SEIAA be requested to ask the PPCB to provide the details of the legal action taken against the responsible persons of the project in response to SEIAA letter no 354 dated 02.04.2019 and the construction status of the project (completed/not completed, if not completed then % of built-up area completed

as on)

- b) Project proponent be asked to submit a copy of Memorandum of Article & Association/partnership deed/undertaking of sole proprietorship/ List of Directors and names of other persons (with designation & complete address) responsible for the violation of the EIA Notification 14.09.2006, verified signature of the authorized signatory and other documents (with date & reference number) duly signed by the EIA Coordinator & the project proponent.
- c) Explanation of the Environmental Consultant of the project proponent i.e. M/s Shivalik Solid Waste Management Ltd., be called in light of discrepancies found in the documentation work.

Item No. 189.03: Application for issuance of ToRs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for the establishment of area development Project namely "Sunny Enclave (139.376 Acres)" located in the revenue estate of Village Jandpur, Hasanpur & Manana, Sector 123, Tehsil Kharar, District SAS Nagar by M/s Bajwa Developers Ltd. (SIA/PB/NCP /23386 /2018)

SEAC observed that:

1.0 Background

M/s Bajwa Developers Ltd. has submitted an application for issuance of ToRs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for establishment of Group Housing Project namely "SUNNY ENCLAVE (139.376 Acres)" located in the revenue estate of Village Jandpur, Hasanpur & Manana, Sector 123, Tehsil Kharar, District SAS Nagar. The project proponent submitted as under:-

- 1) The project plan has been segmented into the area for Plots, for Group Housing, for EWS, for Commercial, for Educational, etc.
- 2) The proposed project is a township project, which is spread over a land of 5,64,034.66 Sq.m. (139.376 Acres).
- 3) The proposed project comprises a Green Area of 34,209.69sq.m. and roads, open spaces & other utility areas of 1,65,282.92 sqm. for adequate parking spaces with modern infrastructure facilities.
- 4) About 30% of the construction has been completed at the site without getting Environmental Clearance under EIA Notification, 14.09.2006.
- 5) Letter for approval of Revised layout plan obtained from Greater Mohali Area Development Authority vide Memo No: GMADA/DTP/2016/1358 dated 06.04.2016 & letter of correction of date vide Memo No: GMADA/STP/2017/260 dated 30.01.2017.

As per amendment 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, are to appraised for grant of Environmental Clearance only by the EAC and granted at the central level.

Accordingly, project proponent had submitted an online application for issuance of TORs for obtaining Environmental Clearance for the project vide proposal no. vide proposal no. IA/PB/NCP/68632/2017 on 12/09/2017.

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 subparagraph (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 /22973/2018 on 03.04.2018.

Deliberation during 167th meeting of SEAC held on 26.05.2018

The matter was considered by SEAC in its 167th meeting held on 26.05.2018. In the said meeting, 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. 920 dated 29/10/2019

Deliberation during 185th meeting of SEAC held on 29.11.2019

The case was considered by SEAC in its 185th 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 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the Environmental Clearance.

SEAC raised the following observations to the project proponent:

1. As to whether a hard copy of the application 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 stated that a hard copy of the application has been submitted. However, a reply to the ADS is yet to be submitted. He sought time to comply with the other 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 1433 dated 03.02.2020 However, reply to the said letter is yet awaited.

2.0 Present Case

2.1 Summary of the project

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

S.No.	Item	Details
1	Name & Location of the project	Sunny Enclave (Area-139.76 Acres) Village Jandpur, Hasanpur & Manana. Sector-123, Dist. SAS Nagar
2	Project/activity covered under item of scheduled to the EIA Notification,14.09.2006	8(b) Townships and Area Development projects.
3	Copy of the Master plan duly marked with the project site	Submitted
4	Pre-feasibility report as per Ministry of Environment & Forests, Circular dated 30.12.2010.	Not submitted.
5.	Proof of ownership of land	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.	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	Residential Zone, Letter for approval of Revised layout plan obtained from Greater Mohali Area Development Authority vide Memo No: GMADA/DTP/2016/1358 dated 06.04.2016 & letter of correction of date vide Memo No:

		GMADA/STP/2017/260	dated
13	Cost of the project	231.36 Crores.	30.01.2017.
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, etc.		
	Sr. No	Particulars	Area (m ²) Area (Acres)
	1.	Total Site Area (A)	5,64,034.66 139.376
	2.	Area Excluded from Site (B)	10,958.88 2.708
	3.	Net Area (C)= (A-B)	5,53,075.77 136.668
	4.	Area under Revenue Rasta (D)	13,832.15 3.418
	5.	Total Area of the scheme(E)= (C+D)	5,66,907.92 140.086
	6.	Area transferred to Govt. free of cost 2.5% under Punjab Govt. Policy dated 02.06.2015 of Sector Road) (F)	13,826.89 3.4167
	7.	Area Not including scheme(G)	22,060.62 5.4513
	8.	Net Planned Area(H)=[E-(F+G)]	5,31,015.10 131.2167
	9.	Residential Area (Plotted)	2,01,469.5 49.7842
	10.	Group Housing Area	16,996.79 4.2
	11.	EWS Area	61,536.9 15.2061
	12.	Commercial	11,110.64 2.7455
	13.	Education	21,228.19 5.2456
	14.	Public Buildings	13,330.74 3.2941
	15.	Green Area	34,209.69 8.4534
	16.	Reserved Area	5,849.73 1.4455
	17.	Road, Open Spaces, Parking and Utilities	1,65,282.92 40.8423
	18.	Total Number of Plots	985 --
16.	Estimated Population	23562 persons	
17.	Source of water supply	Ground Water (Tubewell)	
18.	Total water demand	3.4 MLD	
	Freshwater demand	2.4 MLD	
19.	Waste Water generation	2.7 MLD	

		The Sewage treatment will be done in the common STP of capacity 7 MLD based on MBBR technology. The Treated water will be used for flushing and remaining will be disposed off to green area and sewer
20	Effluent utilization	Waste Water available at the outlet of STP -2.5 MLD, i) Flushing- 1.0 MLD ii) Plantation & Irrigation-188.15 KLD iii) Excess water discharged into Sewer
21	Proposed Green Area	34209.69 sqm
22.	Rainwater harvesting	8 number of rainwater harvesting pits provided at the site
23	Solid waste	About 9199 kg/day solid waste will be generated in the project. Biodegradable wastes & Non-Bio degradable waste will be disposed of according to Solid Waste Management Rules, 2016.
24	Hazardous waste	There will be no generation of hazardous waste in the project.
25.	Energy Requirements & Saving	The total demand load will be supplied by Punjab State Power Corporation Limited.

2.1 Complete details of the case are summarised as under:

1	Proposal No	SIA/PB/NCP/23386/2018
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 th meeting held on 26.05.2018
5	Observations	As mentioned above
6	Date of ADS & its reply	14.06.2018 Reply submitted on 14.02.2020, which was found incomplete. ADS raised on 05.05.2020 as per the decision of the 185 th meeting held on 29.11.2019.
7	Details of notice issued, if any	Issued vide no. 920 dated 29/10/2019

8	Reply to the notice received or not	Project proponent attended the 185 th meeting of SEAC.
9	Lastly, the case was considered by SEAC	185 th meeting held on 29.11.2019
10	Observations	As mentioned above
11	Observation conveyed to the Project Proponent	Vide no 1433 dated 03.02.2020.
12	Reply in reference to letter no 1433 dated 03.02.2020	The project proponent has not submitted a reply to the observations.
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. The Project Proponent submitted a reply through email on 21.05.2017.

3.0 Deliberation during 189th meeting of SEAC held on 28.05.2020

The meeting was attended by the following through video conference:

1. Sh. Rajesh Gupta, GM, representing the Project Proponent.
2. Ms. Daksha Gupta, EIA Coordinator, M/s Shiwalik Solid Waste Management Ltd., Environment Consultant of the project proponent.

The SEAC, after going through the presentation submitted by the Project Proponent observed a lot of discrepancies in the documents submitted by the Project Proponent regarding the details of the directors of the company & list of persons responsible for the violation of the EIA notification dated 14.09.2006, w.r.t signatures of the authorized signatory and the documents were without date & reference number. The Committee took serious note of this on part of the Environmental Consultant of project proponent and desired that his explanation be called.

SEAC further observed that 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 section 19 of Environment (Protection) Act,1986.

It was apprised to the SEAC that SEIAA vide letter no 354 dated 02.04.2019 had sent a list of 13 violation projects including the name of this project to PPCB to deal these cases in accordance with the provisions of MoEF&CC Notification dated 14.03.2017 &

18.03.2018.

After detailed deliberations, SEAC decided that following action be taken:

- a) SEIAA be requested to ask the PPCB to provide the details of the legal action taken against the responsible persons of the project in response to SEIAA letter no 354 dated 02.04.2019 and the construction status of the project (completed/not completed, if not completed then % of built-up area completed as on)
- b) Project proponent be asked to submit a copy of Memorandum of Article & Association/partnership deed/undertaking of sole proprietorship/ List of Directors and names of other persons (with designation & complete address) responsible for the violation of the EIA Notification 14.09.2006, verified signature of the authorized signatory and other documents (with date & reference number) duly signed by the EIA Coordinator & the project proponent.
- c) Explanation of the Environmental Consultant of the project proponent i.e. M/s Shiwalik Solid Waste Management Ltd., be called in light of discrepancies found in the documentation work.

Item No. 189.04: 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-II" located in the revenue estate of Village Gazipur, Zirakpur, Tehsil Derabassi, District SAS Nagar, Punjab by M/s Mona Township Pvt. Ltd. (SIA/PB/NCP/22970/2018).

SEAC observed that

1.0 Background

The project namely Mona Green -II was started in 2013 & the built-up area of the project was less than 20,000 Sqm and thereafter, they got the plan revised and the built-up area has been increased which is more than 20000 Sqm i.e. 21711 sqm. They had started the construction without getting Environmental Clearance.

As per amendment 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, are to appraised for grant of Environmental Clearance only by the EAC and granted at the central level.

Accordingly, the project proponent had submitted the online application vide proposal no. IA/PB/NCP/69246/2017 on 13/09/2017 for issuance of TORs for obtaining Environmental Clearance to MOEF&CC,

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/22970/2018 on 28/03/2018.

Deliberation during 167th meeting of SEAC held on 26.05.2018

The matter was considered by SEAC in its 167th meeting held on 26.05.2018. In the said meeting, 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. 917 dated 29/10/2019

Deliberation during 185th meeting of SEAC held on 29.11.2019

The case was considered by SEAC in its 185th 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 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.

Sh. Rishi Kapoor, 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 1429 dated 03.02.2020. However, no reply has been received so far.

2.0 Present Case

2. Summary of the project

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-II" located in the revenue estate of Village Gazipur, Zirakpur, Tehsil Derabassi, District SAS Nagar, 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. However MC, Zirakpur issued certificate vide letter no 2116 dated 15.04.2013 regarding land use to the effect that site is located within MC limit and as per the master plan of

		Zirakpur, project site falls in the residential zone and therefore, as per the guidelines issued by the Govt vide memo no 9/59/08-5/LG(3)/1166 dated 16.07.2008, CLU for the project, is not required.
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	32 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	10060 sqm	-	10060 sqm
	Built-up Area	17398 sqm	19850	21711 sqm
	Flats	157	30	187
	* Note: CTE was issued by the PPCB vide No. O14SASCTE637267 dated 02.01.2014, which was valid up to 31.1.2014 for the establishment of a group housing project named as "Mona Green-II" in an area measuring 10065 sqm. having 157 flats (built-up area of 17398 sqm.) at Village Gazipur, Zirakpur, Tehsil Dera Bassi, Distt. SAS Nagar.			
16.	Source of water supply	Ground Water (Tubewell)		
17.	Total water demand	126 KLD		
18.	Waste Water generation	100 KLD Treatment: -STP of 110 KLD Capacity		
19.	Effluent utilization	Recycled Water-15KLD, i) Uses- Flushing-7KLD, ii) Plantation & Irrigation-8KLD		
20.	Rainwater harvesting	Rooftop rainwater of buildings will be collected in 3 RWH tanks of total 50KLD capacity for harvesting after filtration		
21	Air pollution control	Chimney on DG sets		
22	Solid waste	About 0.37 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 1050 KW and will be met from PSPCL, Punjab ii) Proposed energy-saving measures would save about 18 % of power		

2.2 Complete details of the case are summarised as under:

1	Proposal No	SIA/PB/NCP/22970/2018
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 th 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. 917 dated 29/10/2019
8	Reply to the notice received or not	Project proponent attended the 185 th meeting of SEAC.
9	Lastly, the case was considered by SEAC	185 th meeting held on 29.11.2019
10	Observations	As mentioned above
11	Observation conveyed to the Project Proponent	Vide no 1429 dated 03.02.2020.
12	Reply received in reference to letter no 1429 dated 03.02.2020	The project proponent has not submitted its reply online to the ADS.
13	Reminder	A reminder was issued through email 06.05.2020 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. The Project Proponent submitted a reply through Email on 21.05.2017.

3.0 Deliberation during 189th 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 SEAC, after going through the presentation submitted by the Project Proponent observed document submitted by the Project Proponent regarding the details of the directors of the company & list of persons responsible for the violation of the EIA notification dated 14.09.2006 was not duly signed & stamped by the EIA consultant & the project proponent.

It was apprised to the SEAC that SEIAA vide letter no 354 dated 02.04.2019 had sent a list of 13 violation projects including the name of this project to PPCB to deal these cases in accordance with the provisions of MoEF&CC Notification dated 14.03.2017 & 18.03.2018.

After detailed deliberations, SEAC decided that following action be taken:

- a) SEIAA be requested to ask the PPCB to provide the details of the legal action taken against the responsible persons of the project in response to SEIAA letter no 354 dated 02.04.2019 and the construction status of the project (completed/not completed, if not completed then % of built-up area completed as on)
- (ii) Project proponent be asked to submit a copy of Memorandum of Article & Association/partnership deed/undertaking of sole proprietorship/List of Directors and names of other persons (with designation & complete address) responsible for the violation of the EIA Notification 14.09.2006 duly signed by the EIA Coordinator & him and verified signature of the authorized signatory duly signed by the EIA Coordinator & the project proponent.

Item No. 189.05: Application for issuance of ToRs for carrying out EIA study for obtaining Environmental Clearance under EIA notification dated 14.09.2006 for expansion of 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)

SEAC 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 167th meeting of SEAC held on 26.05.2018

The matter was considered by SEAC in its 167th 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 185th meeting of SEAC held on 29.11.2019

The case was considered by SEAC in its 185th 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 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.

Sh. Rishi Kapoor, 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.

2.0 Present Case

2.1 Summary of the project

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. has now been proposed.			
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	<p>i) The total power requirement during operation phase is 2800 KW and will be met from PSPCL, Punjab</p> <p>ii) Proposed energy-saving measures would save about 18 % of power</p>

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 th 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 th meeting of SEAC.
9	Lastly, the case was considered by SEAC	185 th 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 189th 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.

Item No. 189.06 Application for extension in validity & amendment in environmental clearance granted under EIA Notification, 14.09.2006 for Township & area development project namely "Imperial Golf Estate" located at Village Mullanpur, Ludhiana, Punjab by M/s Spark Buildcon Pvt. Ltd. (Proposal No. SIA/PB/NCP/28432/2011).

SEAC observed as under:

1.0 Background

M/s Spark Buildcon Pvt. Ltd was granted environmental clearance vide no. 31028 dated 28.07.2011 for Township & area development project namely "Imperial Golf Estate" located at Village Mullanpur, Ludhiana. The total plot area of the project is 279.98 acres (11,33,073.70 sq.m), out of which 80.3 acres are meant for the golf course, 197.91 acres for residential, 13.91 acres for housing for EWS, 1.76 acres for the widening of roads and remaining is meant for parking of vehicles having a total built-up area of the project is 5,42,744 sqm. The said environmental clearance was granted for five years, which was valid up to 27.07.2016.

As per circular dated 12.04.2016 issued by MoEF, 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. Therefore, the project was having environmental clearance valid up to 27.07.2018.

The project proponent submitted an online application on 26.07.2018 i.e. within the validity of environmental clearance. The background of the case has already been given in the agenda circulated to the committee through an email dated 18.01.2019.

Deliberation during 175th meeting of SEAC held on 22.01.2019

The case was placed in the 175th meeting of SEAC held on 22.01.2019. The item could not be taken up due to paucity of time as the meeting was forced to wind up by 5:30 pm due to bad weather conditions in the State. The SEAC decided to convene a special meeting at short notice to place the pending items of the 175th meeting to consider these cases on priority.

Deliberation during 176th meeting of SEAC held on 05.02.2019

The case was placed in the 176th meeting of SEAC held on 05.02.2019 and the same was attended by Dr. Sandeep Garg, MD, M/s ECO laboratories & Consultants Pvt. Ltd., Environment consultant of the promoter company. He stated that the project proponent is not able to attend the meeting due to some unavoidable circumstances and requested to consider the case in the next meeting of SEAC. An email dated

04.02.2019 was also received from Sh. Paras Kumar Jain, Authorized Signatory of M/s SPARK Buildcon Pvt. Ltd. wherein, he has mentioned that due to unavoidable circumstances, he will not be able to present his case in 176th meeting of SEAC & has requested to consider the case in next meeting.

SEAC accepted the request of the project proponent & decided to defer the case in light of the request submitted by the project proponent and OM dated 25.02.2010 of MoEF&CC and ask the project proponent to attend the next meeting as and when called for.

Deliberation during 178th meeting of SEAC held on 15.04.2019

The case was placed in the 178th meeting of SEAC held on 15.04.2019 and the same was attended by Dr. Sandeep Garg, MD, M/s ECO laboratories & Consultants Pvt. Ltd., Environment consultant of the promoter company. He stated that the project proponent is not able to attend the meeting due to some unavoidable circumstances and requested to consider the case in the next meeting of SEAC. An email dated 10.04.2019 was also received from Sh. Paras Kumar Jain, Authorized Signatory of M/s SPARK Buildcon Pvt. Ltd. wherein, he has mentioned that due to unavoidable circumstances, he will not be able to present his case in 178th meeting of SEAC & has requested to consider the case in next meeting in June 2019.

SEAC observed that the project proponent is continuously asking for deferment from the past two meetings, it seems, the project proponent is not interested in pursuing the case. SEAC took a serious note and observed that this results in wastage of precious time of SEAC. After detailed deliberations, SEAC decided to recommend the case to SEIAA for issuance of notice to the project proponent proposing to delist the application as per the OM dated 30.10.2012 issued by MoEF&CC.

Deliberation during 149th meeting of SEIAA held on 05.07.2019

The case was considered by SEIAA in its 149th meeting held on 05.07.2019. But no one on behalf of the project proponent attended the said meeting. SEIAA also observed that there is no facility available for transferring the online application from the portal of SEAC to SEIAA in delisting mode.

After detailed deliberation, SEIAA decided that case be remanded to SEAC for issuing the notice to delist the project giving project proponent a last opportunity to appear before SEAC failing which project be delisted from the web-portal of SEAC.

Deliberation during 185th meeting of SEAC held on 29.11.2019

The matter was considered in the 185th meeting of SEAC held on 29.11.2019. After detailed deliberation, it was decided that a notice for delisting the application be issued

to the project proponent. In case, the project proponent fails to submit a reply, within the stipulated time, the case of the project proponent to be placed in the SEAC meeting for delisting. Accordingly, Notice was issued to the project proponent vide letter no SEAC/2020/1462/195 dated 06.02.2020.

In response, the project proponent submitted the reply vide ref no. NKG/ELIPL/2020/064 dated 21.02.2020 and informed that vide order dated 02.01.2020 passed by Hon'ble National Company Law Tribunal, New Delhi Bench (NCLT), Emerald has been admitted to corporate insolvency resolution process ("CIRP") and in terms of the provisions of Insolvency and Bankruptcy Code, 2016 ("Code"). He requested as under: -

- i) Kindly take note of the order dated 02.01.2020 and refrain from canceling/delisting any license of the Emerald during the CIRP of Emerald as the intent of the Code is to keep the company as a going concern and in case the project is 'delisted, it will create hindrance incomplete the corporate insolvency
- ii) Please grant adequate time to purse the application for proponent.

3.0 Deliberation during 189th meeting of SEAC held on 28.05.2020

SEAC was apprised about the MoEF & CC OM dated 30.10.2012 regarding the procedure to be adopted for delisting of various cases and the relevant part of the same is given as under:

- i) All projects where additional information desired has not been submitted even after 6 months of the Expert Appraisal Committee (EAC) meeting should be delisted from the list of pending projects.
- ii) For the projects pending between 3 to 6 months of the EAC meeting for want of information, a reminder may be sent seeking information within a month. If the information is not received within this period, even these projects may be de-listed.

Since the project proponent was not pursuing the case since the beginning and was pending for more than six months. Thus, it is a fit case to be delisted as per the OM dated 30.10.2012. Further, the maximum period up to which the validity of the Environmental Clearance could be extended had also been expired on 27.07.2018. Thus, no action is required to be taken by SEAC.

SEAC decided to recommend the case to SEIAA for delisting the application in light of the provisions of OM dated 30.10.2012, issued by MoEF&CC.

Item No189.07: Request regarding transfer environmental clearance granted under EIA notification dated 14.09.2006 to General Manager-cum-Mining Officer, Nawan Shahar for mining of minor minerals (Sand) in the revenue estate of Village Burj Tehal Dass, Tehsil Nawan Shahar, District SBS Nagar in the name of Sh. Jagvirinder Singh S/o Sh. Gulsher Singh R/o VPO Railon Khurd, Distt. Rupnagar. (SIA/PB/MIN /17572/2014)

SEAC observed as under:

1.0 Background

Earlier, the General Manager-Cum-Mining Officer, Nawanshahar was granted environmental clearance under EIA notification dated 14.09.2006 vide no. 7593 dated 31.01.2014 for carrying out the mining of minor minerals (Sand) @ 1,00,310 Ton/year in River Sutlej in an area of 21.50 Hectares in the revenue estate of Village Burj Tehal Dass (Hadbast no. 292), Tehsil Nawan Shahar, District S.B.S. Nagar, subject to certain conditions,

Sh. Jagvirinder Singh S/o Sh. Gulsher Singh R/o VPO Railon Khurd, Distt. Rupnagar, submitted an online application (proposal no SIA/PB/MIN/17572/2014) on 17.10.2016, in amendment category with a request to transfer environmental clearance earlier granted to General Manager-cum-Mining Officer, Nawan Shahar on his name. The said application was accepted by SEAC on 18.10.2016.

Sh. Jagvirinder Singh had also submitted another request (off-line) separately to SEIAA regarding the transfer of the Environmental Clearance on his name. The said offline request was placed before SEIAA in its 116th meeting of SEIAA held on 20.10.2016, wherein authority decided to transfer the environmental clearance in the name of Sh. Jagvirinder Singh s/o Sh. Gulsher Singh, for the remaining validity period of environmental clearance i.e. up to 30.01.2019.

Accordingly, the said environmental clearance was transferred vide letter no. 3537 dated 07.11.2016 in the name of Sh. Jagvirinder Singh s/o Sh. Gulsher Singh r/o VPO Railon Khurd, Distt. Rupnagar, for the remaining validity period of environmental clearance i.e. up to 30.01.2019 subject to the same conditions.

2.0 Present Case

Application (Proposal No SIA/PB/MIN/17572/2014) regarding the amendment, is still pending online before the SEAC. However, the request of the applicant regarding the transfer of environmental clearance has already been decided by SEIAA in its 116th meeting and the transfer letter has already been issued to the applicant vide letter no. 3537 dated 07.11.2016.

In view of the above, online application (Proposal No SIA/PB/MIN/17572/2014), be recommended to SEIAA for delisting as no further action is required to be taken by SEAC

3.0 Deliberation during 189th meeting of SEAC held on 28.05.2020

SEAC observed that the Environmental Clearance was already transferred in the name of the project proponent based on offline application and thus the online application submitted by the project proponent has become infructuous and no action is required to be taken.

SEAC decided to recommend the case to SEIAA for delisting the application (proposal no. SIA/PB/MIN /17572/2014).

Item No.189.08: Application for issuance of TOR under EIA notification dated 14.09.2006 for area development project namely "Urban Estate - Gurdaspur" in the revenue estate of Village Nabipur & Revenue Estate of Gurdaspur, Punjab. by M/s Amritsar Development Authority (ADA) (Old Proposal No. SIA/PB/NCP/17049/2016)

SEAC observed as under:

1.0 Background

Old Proposal No. SIA/PB/NCP/17049/2016 dated 03.10.2016

M/s Amritsar Development Authority (ADA), had applied for issuance of TOR under EIA notification dated 14.09.2006 for area development project namely "Urban Estate - Gurdaspur" at Village Nabipur & Revenue Estate of Gurdaspur, Punjab. The project was covered under category 8 (b) of the Schedule appended to the said notification.

The case was considered by the SEIAA & SEAC in various meetings. As the term for last SEIAA & SEAC was coming to an end on 05.05.2017, the status of pending cases was discussed in the 123rd meeting of SEIAA held on 04.05.2017 wherein, it was decided that list of the EC application (with online application no. and project name) of the violation cases which were deferred in 121st meeting of SEIAA held on 20.04.2017 be forward to the MoEF&CC, New Delhi and the project proponents be informed to approach the MoEF&CC, New Delhi.

In compliance with the decision taken by SEIAA in its 123rd meeting of SEIAA held on 04.05.2017, being a violation cases, record file of the case was sent vide letter no. 840 dated 05.05.2017 to the MoEF&CC, New Delhi, and the project proponent was requested vide letter no. 844 dated 05.05.2017 to approach the MoEF&CC, New Delhi for further action on the pending EC application.

Thereafter, MoEF&CC, New Delhi vide its letter No. 19-184/2017-IA-III(Pt.) dated 26.03.2018 had transferred the record file of the case back to the SEIAA, Punjab.

New proposal No. SIA/PB/NCP/23387/2018 on 03.04.2018

The project proponent had submitted a new application vide proposal no. IA/PB/NCP/68537/2017 on dated 12.09.2017 to MoEF for issuance of TORs for obtaining Environmental clearance in compliance with the MoEF&CC amended notification dated 08.03.2018. The said proposal has been transferred to SEIAA vide proposal No. SIA/PB/NCP/23387/2018 on 03.04.2018.

The case was considered by the SEAC in its 166th meeting held on 24.05.2018, wherein SEAC decided to recommend to SEIAA as under:-

- (i) Punjab Pollution Control Board may be requested to send the latest status report of the court case filed u/s 15 & 16 read with section 19 of the Environmental (Protection) Act, 1986 against the project proponents.
- (ii) The project proponent may be asked to withdraw old application (proposal no. SIA/PB/NCP/17049/2016) submitted online for obtaining Environmental clearance as the new proposal submitted for obtaining Terms of Reference in line with the notification dated 14.03.2017 as amended on 08.03.2018 is being considered.
- (iii) Issue "Terms of Reference" along with additional specific TOR in line with the notification dated 14.03.2017 to the project proponent as amended on 08.03.2018

The case was considered by the SEIAA in its 133rd meeting held on 06.07.2018 wherein SEIAA decided as under: -

- (i) To accept the recommendations of SEAC and approved Terms of Reference for undertaking detailed EIA & EMP Additional specific TORs in line with the notification dated 14.03.2017 as amended on 08.03.2018 as finalized by SEAC along with obtaining reports from Punjab Pollution Control Board and asking the project proponent to withdraw its old application.
- (ii) To issue a letter to the Administrator of the Amritsar Development Authority requesting that in future a sufficiently senior officer with proper Authority letter should be deputed for attending the meetings of SEIAA & SEAC failing which the case will not be heard.

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

- (i) ToRs have been issued to the project proponent vide letter No. 992 dated 16.07.2018.
- (ii) Punjab Pollution Control Board was requested vide letter No. 848 dated 16.07.2018 to send the latest status report of the court case filed u/s 15 & 16 read with section 19 of the Environmental (Protection) Act, 1986 against the project proponents
- (iii) Decision of SEIAA as at Sr No. (ii) has been conveyed to the Amritsar Development Authority vide letter No. 849 dated 16.07.2018.

2.0 Present Case

While deciding the new case (Proposal No. SIA/ PB/NCP/23387/2018), the project proponent was asked to withdraw his old case (Proposal No. SIA/PB/ NCP/ 17049/2016), But the project proponent has not withdrawn the old case till date and the same is pending before SEIAA/SEAC.

3.0 Deliberation during 189th meeting of SEAC held on 28.05.2020

SEAC observed that since ToRs have already been issued to the project proponent based on online application submitted vide proposal no. SIA/ PB/NCP/23387/2018 and the project proponent had not withdrawn the earlier application submitted in the same case having proposal no. SIA/PB/ NCP/ 17049/2016. Thus, the earlier application submitted by the project proponent becomes infructuous and no action is required to be taken on the earlier application.

SEAC decided to recommend the case to SEIAA for delisting the application (proposal no. SIA/PB/MIN /17049/2016).

Item No. 189.09: Application for obtaining Environmental Clearance (EC) under EIA notification dated 14.09.2006 for the establishment of a Group Housing Project located at Village Radiala and Daun Majra, Distt. SAS Nagar by M/s GBP Camellia Rise. (Proposal No. SIA/PB/MIS/95481/2019).

SEAC observed as under:

1.0 Background

The project proponent has submitted an application for the establishment of a group housing project having built up 1,21,335 sqm & land measuring 39098 sqm located at village Radiala and Daun Majra, Distt. SAS Nagar. The details of the project as given in Form 1, Form 1A and other documents are as under:

S.No.	Item	Details
1.	Online Proposal No.	SIA/PB/MIS/95481/2019
2.	Name and Location of the project	Project Name GBP Camellia Rise" located at Daun majra & Radiala, Kharar
3.	Latitude & Longitude	30.463223 76.371959
4.	Project/activity covered under item of scheduled to the EIA Notification, 14.09.2006	8a
5.	Whether the project is in a critically polluted area or not.	None
6.	Does the project involve the diversion of forest land?	No
7.	Does the project covered under PLPA,1900?	No
8.	Does the project fall within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary?	No
9.	Classification/Land use pattern as per Master Plan	Residential and CLU attached
10.	Cost of the project	98 Crores.
	Detail of Fee.	The Project proponent has not deposited the EC fee due to the reason that application has been submitted on 21/06/2019 and no notification has been issued at that time

11.	Total Plot Area, Built-up Area, and Green area	Description		Area		
		Land		39098 Sqm		
		Green		8350 Sqm		
		Built-up area		121335 Sqm		
		Total no of flats & shops		1260 flats & 10 Shops		
12.	Population (when fully operational)	6320 Nos.				
13.	Water Requirements & source in Construction Phase	10-15 KLD septic tank further the treated wastewater will be used for green area				
14.	Break up of Water Requirements & source in Operation Phase (Summer, Rainy, Winter):					
	Sr. No.	Season	Fresh Water		Reuse water	
			Domestic	Freshwater) KLD	For Flushing purposes KLD	Green Area KLD
	1	Summer	851	567	284	46
	2	Winter	851	567	284	13
3	Rainy	851	567	281	9	
15.	Source of Water	Purposes Source Domestic Groundwater For Flushing Purposes & Treated wastewater Green Area				
16.	Treatment & Disposal arrangements of wastewater in Construction Phase	Septic Tank of capacity 10 KLD and treated wastewater will be discharged in the green area				
17.	Disposal Arrangement of Wastewater in Operation Phase	Total =612 KLD, which will be treated in the STP of capacity 1000 KLD to be installed in the project premises.				
		Sr.No.	Season	For Flushing purposes (KLD)	Green Area sqm (KLD)	MC Sewer if any (KLD)
		1.	Summer	284	46	282
		2.	Winter	284	13	315
3.	Rainy	284	9	319		
18.	Rainwater recharging detail	20386 m ³ /year rainwater will be collected and/or 10 no. of recharging pits will be provided to recharge the rooftop rainwater of buildings after treatment through oil & Grease traps				
19.	Solid waste generation and its disposal	a)2524 kg/day				

		b) Solid wastes will be appropriately segregated (at source. by providing bins) into recyclable, Bio-degradable Components, and non- biodegradable.									
20	Hazardous Waste & EWaste	1) Cat 5.1 Qty 25 ltr. 2) Any other Category Used oil from DG sets will be sold to registered recyclers and E-waste will be disposed of as per the E-waste (Management) Amendment Rules, 2018.									
21	Energy Requirements & Saving	a) 6700 KW from PSPCL. b) 1x 500 KVA, 2x240 & 2x 125 KVA (silent DG sets) Energy Saving measures: <ul style="list-style-type: none"> • Solar Light 20 No = 30 KWHD • Common area (800) light bulbs replaced with LED = 432 KWHD • Total Energy saved/day 30+432 = 462 KWHD 									
22	Environment Management Plan along with Budgetary break-up phase-wise and responsibility to implement	During the construction phase, GM will be responsible and during the operation phase, Director Will be responsible for the implementation of the EMP. <table border="1" data-bbox="810 1160 1410 1357"> <thead> <tr> <th>Description</th> <th>Capital Cost (Rs)</th> <th>recurring Cost (Rs)</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td>168 lac</td> <td>13.9</td> </tr> <tr> <td>Operation</td> <td></td> <td>18.4</td> </tr> </tbody> </table>	Description	Capital Cost (Rs)	recurring Cost (Rs)	Construction	168 lac	13.9	Operation		18.4
Description	Capital Cost (Rs)	recurring Cost (Rs)									
Construction	168 lac	13.9									
Operation		18.4									
23	CER activities along with budgetary break-up and responsibility to implement	Director will be responsible for the implementation of the CER activities. The details of the various CER activities, fund allocated and its completion schedule is as under: Widening of road in the vicinity of the project <ul style="list-style-type: none"> ▪ Government College Derabassi will be adopted. ▪ Rs 60 Lac will be utilized for all activities given above and other related activities. 									
24	Other important facts	a) It has been reported that all the environmental monitoring parameters are within permissible limits prescribed for such type of projects.									

		b) GMADA letter for sewer connection is attached to the effect that at this stage the application for sewer connection can not be entertained as the CLU has not even issued.
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Deliberation during 184th meeting of SEAC held on 21.09.2019

The case was considered by the SEAC in its 184th meeting held on 21.09.2019, which was attended by the authorized representative of the project proponent and Environmental Consultant.

The Committee was apprised that PPCB vide letter no 5582 dated 17/09/2019 informed that no construction activity has been started by the project proponent and site is conforming to the siting guidelines as laid down by the Govt of Punjab, Department of Science, Technology, and Environment vide order dated 25/07/2008 as amended on 30/10/2009. Further, SEAC was apprised that GMADA has issued a letter wherein it has been mentioned that at this stage the application for sewer connection cannot be entertained as the CLU has not been issued.

Before allowing the presentation, SEAC queried to the project proponent regarding the maximum quantity of treated wastewater to be discharged in the sewer & arrangement proposed for the disposal of treated wastewater as no municipal sewer facility is available. In reply, the project proponent informed that 319 KLD (max.) treated wastewater will be discharged into the sewer and in the absence of sewer, it will be utilized for the construction purposes for their sister concerns project. SEAC was not satisfied with the reply of the project proponent.

After detailed deliberations, SEAC decided to defer the case and asked the project proponent to submit a firm proposal for disposal of treated wastewater in consultation with GMADA. The observations (ADS) were conveyed to the project proponent through the online portal on 05/11/2019. However, no reply has been received from the project proponent, till date.

It is relevant to mention here that: -

MoEF & CC has issued an OM dated 30.10.2012 regarding the procedure to be adopted for delisting of various cases and the relevant part of the same is given as under:

- i) All projects where additional information desired has not been submitted even after 6 months of the Expert Appraisal Committee (EAC) meeting should be delisted from the list of pending projects.

- ii) For the projects pending between 3 to 6 months of the EAC meeting for want of information, a reminder may be sent seeking information within a month. If the information is not received within this period, even these projects may be de-listed.

Since the case is pending for more than six months with the project proponent, the project can be considered for the delisting as per the OM dated 30.10.2012 issued by the MoEF.

3.0 Deliberation during 189th meeting of SEAC held on 28.05.2020

SEAC observed that since the project proponent is not responding to the observations raised by the SEAC for more than six months. Thus, the case can be delisted in light of the provisions of the OM dated 30.10.2012.

SEAC decided to recommend the case to SEIAA for delisting the application (proposal no. SIA/PB/MIS /95481/2019) in light of the provisions of OM dated 30.10.2012 issued by MoEF&CC.

Item No. 189.10: Application for issuance of ToRs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for expansion (Construction of Super Specialty Block) of existing Rajindra hospital Patiala located at Sangrur-Patiala Road Patiala, Punjab (Proposal no. SIA/PB/NCP/22981/ 2018).

SEAC observed as under:

1.0 Background

Rajindra Hospital, Patiala has applied for issuance of ToRs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for expansion (Construction of Super Specialty Block) of the existing hospital located at Sangrur-Patiala Road Patiala Punjab.

As per amendment 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, are to appraised for grant of Environmental Clearance only by the EAC and granted at the central level

Accordingly, they had submitted the online application for issuance of ToRs for obtaining environmental clearance vide proposal no. IA/PB/NCP/68281/2017 on 10/09/2017.

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/22981/2018 on 28/03/2018.

Deliberation during 167th meeting of SEAC held on 26.05.2018

The matter was considered by SEAC in its 167th meeting held on 26.05.2018. In the said meeting, the SEAC was apprised that Dr. Vinod Kumar Dangwal after marking attendance left the venue with a message that he could not appear before SEAC due to some emergency in the hospital. The SEAC was further 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. 932 dated 29/10/2019

Deliberation during 185th meeting of SEAC held on 29.11.2019

The case was considered by SEAC in its 185th 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 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the Environmental Clearance.

SEAC 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 any additional land has been acquired by the project proponent and the construction has been completed?
4. Whether permission has been obtained for the abstraction of the groundwater from the CGWA or not?
5. 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 informed that no additional land has been procured, however, sought time to comply with the other 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 no1428 dated 03.02.2020.

Accordingly, the project proponent submitted its online reply vide letter dated 28.04.2020 on 30.04.2020.

2.0 Present Case

2.1 Summary of the project

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	Rajindra Hospital Patiala, located at Sangrur-Patiala Road Patiala, 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	Submitted
4	Pre-feasibility report as per Ministry of Environment & Forests, Circular dated 30.12.2010.	Submitted along with a conceptual plan.
5.	Proof of ownership of land	Not Submitted
6.	Copy of Memorandum of Article & Association/partnership deed /undertaking of sole proprietorship/list of Directors	Submitted

	and names of other persons responsible for managing the day-to-day affairs of the project.			
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	Not submitted. However, it has mentioned that the site is allotted for Hospital by Govt. of Punjab. No further change in land use is required.		
13	Cost of the project	103.61 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.	Total Plot Area, Built-up Area, and Green area			
	DESCRIPTION	EXISTING	ADDITIONAL	TOTAL
	Total Area	44.53 acres	-	44.53 acres
	Built-up Area	1,12,949	19850	1,32,799 sqm
	Indoor Beds	1097	NIL	1097
16.	Source of water supply	Ground Water Supply		
17.	Quantity of water	1.2 MLD		
18.	Waste Water generation	0.950 MLD		
19.	Effluent utilization	Gardening/ Plantation: 300 KLD & Public Sewer: 650 KLD		
20.	Rainwater harvesting	32007m ³ /annum		
21	Air pollution control	Chimney on DG sets		
22	Solid waste	5200kg/day Bio-degradable: 1260Kg/day Re-cycle		

		able: 3120kg/day Inert/e-waste: 820kg/day
23	Hazardous waste	Used oil-500ltr/annum- to authorized reyclers BMW- 900kg/day- to CBMWTF
22.	Energy Requirements & Saving	6.0 MW from the P.S.P.C.L 04 DG sets (900 KVA) as power backup i) Total Plot Area : 1, 80,244 m2 ii) Roof Top Area: 57155 m2 iii) The area marked for utilization of solar @30%: 5715 m2 iv) Area required for 1KW solar power generation: 15 m2 v) Total Solar power generation from the project: 381KW vi) Project Proponent will provide the 381 KW solar power generation plant.

2.2 Complete details of the case are summarised as under:

1	Proposal No	SIA/PB/NCP/22981/2018
2	Date of submission of application	10.09.2017
3	Date of acceptance of application	22.05.2018
4	Meeting of SEAC in which case was considered	167 th 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	vide no. 932 dated 29/10/2019
8	Reply to the notice received or not	Not received but attended the 185 th meeting of SEAC.
9	Lastly, the case was considered by SEAC	185 th meeting held on 29.11.2019
10	Observations	As mentioned above
11	Observation conveyed to the Project Proponent	Vide no 1428 dated 03.02.2020.
12	Reply received in reference to letter no 1428 dated 03.02.2020	The project proponent submitted its reply online to the ADS on 30.04.2020.

3.0 Deliberation during 189th meeting of SEAC held on 28.05.2020

The meeting was attended by the following through video conference:

- i) Dr. Paras Pandey, Medical Superintendent, Rajindra Hospital Patiala.
- ii) 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.

SEAC observed that document submitted by the Project Proponent regarding the details of the directors of the company and list of persons responsible for the violation of the EIA notification dated 14.09.2006 was not duly signed and stamped by the EIA Coordinator & the project proponent.

Dr. Paras Pandey, Medical Superintendent informed the SEAC that the list of persons responsible for violation submitted by the Hospital Authority as part of the reply vide letter dated 28.04.2020 was not correct and the revised list in this regard be submitted shortly.

SEAC further observed that 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 section 19 of Environment (Protection) Act,1986.

It was apprised to the SEAC that SEIAA vide letter no 354 dated 02.04.2019 had sent a list of 13 violation projects including the name of this project to PPCB to deal these cases in accordance with the provisions of MoEF&CC Notification dated 14.03.2017 & 18.03.2018.

After detailed deliberations, SEAC decided that following action be taken:

- a) SEIAA be requested to ask the PPCB to provide the details of the legal action taken against the responsible persons of the project in response to SEIAA letter no 354 dated 02.04.2019 and the construction status of the project (completed/not completed, if not completed then % of built-up area completed as on)
- b) Project proponent be asked to submit a copy of Memorandum of Article & Association/partnership deed/undertaking of sole proprietorship/List of Directors and names of other persons (with designation & complete address) responsible for the violation of the EIA Notification 14.09.2006 duly signed by the EIA Coordinator & him and verified signature of the authorized signatory duly signed by the EIA Coordinator & the project proponent.

Meeting ended with a vote of thanks to the Chair.
