

Minutes of 144th meeting of SEIAA, Haryana, held on 08.08.2022 & 09.08.2022, in the office of SEIAA, Haryana, Bays No. 55-58, Sec-2, Panchkula

The 144th meeting of State Environmental Impact Assessment Authority (SEIAA) was held under the Chairmanship of Sh. Sameer Pal Srow, IAS (Retd.), Chairman, SEIAA, Haryana. Prof R Bhaskar, Member, SEIAA and Sh. S. Narayanan, IFS, Member Secretary of SEIAA, attended the meeting. **All the Items of 143rd meeting were confirmed.** The Project Proposals as recommended by SEAC for Environmental Clearance or otherwise and listed in the Agenda were discussed and following decisions were taken.

Item No. 01. : Issuance of ToR for the proposed Logistic Park at 23/5, Milestone, Delhi-Mathura Road, Ballabgarh, District Faridabad, Haryana by M/s Apeejay Global Industrial and Logistic Park.

The case was lastly taken up in 242nd meeting of SEAC. The PP submitted reply to the site visit report and submitted as under:

Background of the project

a. The first building plan was approved on 30th January, 2015 by Municipal Corporation Faridabad Ballabhgarh Zone for Existing/Proposed Factory building.

b. The site plan for the said unit was approved vide memo no. 43 dated 03.04.2017 by Municipal Corporation Faridabad Ballabhgarh Zone stating the components in the said unit which includes industrial support zone also.

c. The partial occupation certificate of Block A was received on 12/06/2018 which confirms the construction on the site was as per approved plan.

d. The name of Project proponent was changed to Apeejay Global Industrial and Logistic Park Limited on 15/03/2018.

e. The construction of Block B was started in June 2018 and completed in June 2019 and OC for second block was applied on 31/05/2021.

f. CTO issued in the name of M/S Oriental Spun Pipe Company Limited vide letter no. HSPCB/Consent/: 329993520FDBBCTO6947745 dated 1/12/2020 for 4 KLD trade effluent.

g. CTO issued in the name of M/S Super engineering company vide letter no HSPCB/Consent/:2809517FDBBCTO3572700 dated 6/01/2017 for 2.5 KLD trade effluent.

h. Our case falls under Regional officer HSPCB Ballabhgarh Region and HSPCB has already issued two CTO's which is still valid both having trade effluent. Trade effluent is generated in industrial project means it is proved it's a industrial shed. Member has already mentioned the same in their site visit report.

i. Domestic effluent which is generated by the worker / employee who are working in the premises / factory and sewerage is being treated in on site STP having capacity 40 KLD.

j. Both factory M/S Oriental Spun Pipe Company Limited and M/S Super engineering company not comes under the preview of environment clearance. CTO of the same proved EC is not required and same was mentioned in the site visit report.

k. The Conveyance deed was signed between M/S Oriental Spun pipe Company Limited and Secretary to Government of Haryana (industrial department) on 12th January 1972 which clearly states that the land was allotted for setting the industrial units for the manufacture of:

- a. Pharmaceuticals injectable liquids and tablets
- b. Breakfast food
- c. Biscuits
- d. Chocolates and confectionery
- e. Vegetable Ghee
- f. Food products like tinned fruits, squashes, jelly etc.
- g. Chemicals
- h. And also any other industry approved by the government

It was further submitted by PP that keeping in the view of above facts background note, it is sufficient proof that project comes under industrial shed. The PP has further prayed that:

- a. Our case was submitted for granting ToR dated 16/09/2021
- b. SEIAA refer to SEAC for TOR recommendation dt 16/11/2021
- c. ToR recommended by SEAC, Haryana dt. 04.12.2021
- d. SEIAA form a three member committee dt. 20.12.2021
- e. Committee visited dt. 13th January 2022
- f. SEAC received report listed in agenda dt.25.03.2022
- g. SEAC MoM posted on PARIVESH portal and shared the committee report for our reply.

It was further submitted that this project falls under industrial shed and there is a plan to increase the built-up area more than 1.5 lac sqm for which the project requires ToR and EC as per MoEF notification 3252(E) dated 22/12/2014 and further requested to review the site visit report of sub-committee.

SEAC, after examination of the case, has reiterated its previous decision submitted to SEIAA vide MoM of 228th SEAC meeting for granting ToR to the project.

The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 602614 dated 09.11.2021 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The recommendations of SEAC were considered in the 143rd meeting of SEIAA held on 16.07.2022 and after due deliberations, the Authority decided to defer this case for next meeting. The case was again considered in the 144th meeting of SEIAA held on 08.08.2022. A detailed examination of documents was done by SEIAA. The following facts were considered.

(i) The unit did not apply for EC since the area was only industrial sheds, in the industrial area, and that the built up area was less than 1.5 lakh sq m, which are exempted from EC requirement.

(ii) Since the PP is proposing to construct industrial sheds, whose cumulative built up area is expected to be more than 1.5 lakh Sq. Meters, he now falls under the ambit of EIA Notification 2006.

The case was taken up in the 144th meeting of SEIAA held on 08.08.2022. The Authority after perusal of relevant record, deliberations and consideration of a site visit report dated 17.01.2022 arrived at the conclusion to grant Terms of Reference (ToR) to the project proponent.

Further, the Authority deemed it appropriate to convey that the project proponent shall not establish/carry out any activities of the type of Category-‘A’ industry project within the scope of EIA Notification, 2006.

Project proponent, if opts to set up “Category A type industry” in the proposed project/premises, requisite process and procedure as required under EIA Notification, 2006 shall be followed by the project proponent, accordingly.

Item No.02 : EC for Proposed Residential Plotted Colony Project at Sector 92, 93 and 95 at Village Wazirpur, District Gurgaon, Haryana by M/s Ramprastha Estates Private Limited.

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/57409/2018 dated 26.05.2020 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The TOR was granted to the project on 10.05.2019.

The case was again taken up in the 212th meeting held on 26.03.2021 but the PP requested vide letter dated 18.02.2021 for the deferment of the case which was considered and acceded by the SEAC appeared and requested for deferment as the PP is not unable to attend the meeting. The committee deliberated the request and decided to defer the case for the last time and next time the case will be dealt as per the existing notification/OM of MOEF&CC.

A sub committee comprising of Sh. Mehar Chand and Dr. S. N. Mishra was constituted by SEIAA vide order dated 1.07.2021 and they have submitted the report to SEIAA, However, the copy is submitted to SEAC (placed on record). The Committee inspected the site on 27.08.2021. Shri AnupKaul, General Manager, Shri Suresh Kaul, Senior Project Manager, Shri Aman Sharma, VardanEnviroNet (Consultant) were present from the PP side. The case was presented by PP giving the details of area in possession which is less than 50 hectares. Brief of details submitted by the project proponent is as follows:

- That the project has been granted license N. 44 of 2010 with Endst. No. 5DV-V- 2010/LC-2098-Vol-III/7533 dated 11.06.2010 for a total area of 128.594acres.
- That we have sold 2 acres area of commercial complex to JMS Buildtech Pvt. Ltd. and conveyance deed was done through Vasika no. 1073 dated14.10.2015
- That as per information obtained M/s JMS Buildtech Pvt. Ltd. has already got EC from SEIAA, Haryana. EC was issued in the name of Ramprastha
- That we have sold 1 acres area of school site to Ms. Himani W/o Sh. Yogesh Bansal and Ms. Sangeeta W/o Sh. Karan Singh and Conveyance deed was done through Vasika No. 1925 dated18.10.2017
- Further we have surrendered 5.025 acres of Land from our possession and got the permission for delicensing from DTCP through Endst. No. LC-1634/Asstt (AK)/2020/10538 dated22.06.2020.
- At present net land in possession with us is 120.5687 acre (48.792Ha).

The committee also observed that laying of sewerage services and road is being carried out by project proponent in approximately 5-6 acres of land (see attached photographs). It appears that laying of services started just in recent past. Presently, the total licensed area in the name of Ramprastha is 123.5687 acres that including the area of JMS Buildtech and School also. The committee deliberated on the report of sub-committee constituted and decided to recommend to SEIAA for following: -

The State Government/SPCB to take action against the project proponent under the provisions of the section 19 of the Environment (Protection) Act, 1986, and further no Consent to Operate or Occupancy Certificate to be issued till the project is granted EC.

Facts of the case:

1. The project proponent applied for seeking Environment Clearance for proposed Residential Plotted Colony of 128.594 acres.
2. Shri Shashank Gupta S/o Laxmi Narayan Gupta filed a complaint dated 09.04.2021 and intimated that the project proponent has started construction activity

at the project site without obtaining environment clearance.

3. A show-cause Notice was served to PP vide letter dated 25.05.2021 and a team was also constituted vide letter dated 01.07.2021.

4. PP has submitted his reply vide letter dated 16.08.2021 and denied to the allegations raised regarding violations.

5. Thereafter, constituted sub-committee submitted its report as also referred by SEAC.

Observations

Case was taken up in 134th meeting of SEIAA and the Authority decided to get the request of PP verified by constituting a committee of two ROs of HSPCB to be nominated by HSPCB for site inspection to submit the report at the earliest.

The case was taken up in the 137th meeting of SEIAA held on 26.03.2022; after deliberations; the Authority decided to issue a reminder letter to Member Secretary, HSPCB for seeking the report from the concerned Regional Officer and also decided to refer back this case to SEAC to make recommendations after the receipt of report from the concerned agency.

The case was taken up in 243rd Meeting of SEAC, Haryana. This case was referred back by SEIAA vide letter dated 07.04.2022 to make recommendations after the receipt of report from the concerned agency. The spot inspection report received from concerned agency and circulated among the members. The PP presented the case and given the information as under:

- That M/s Ramprastha Estates Pvt. Ltd. is the developer of Residential Plotted Colony for which permission was granted by Director General Town & Planning (license No.44 of 2010 with Endst.No.5DP-V-2010/LC-2098- Vol-III/7533 Dated 11.06.2010 for 128.594 acres.
- That the project has been granted License No.44 of 2010 with Endst. No.5DP-V-2010/LC-2098-Vol- III/7533 Dated 11.06.2010 for a total area of 128.594 acres.
- That PP surrendered 5.025 acres of land from our possession and got the permission for de-licensing from DTCP through Endst. No.LC-1634/Asstt (AK)/2020/10538 dated 22.06.2020.
- That PP sold 2 acres area of commercial complex to JMS Buildtech Pvt. Ltd. and conveyance deed was done through Vasika No.1073 dated 14.10.2015.
- That as per information obtained M/s JMS Buildtech Pvt. Ltd. has already got EC from SEIAA, Haryana.
- Further we have sold 1 acres area of school site to Ms Himani W/o Sh Yogesh Bansal and Ms Sangeeta W/o Sh Karan Singh and conveyance deed was done through Vasika No.1925 dated 18.10.2017.

- At present net land in possession with us is 120.5687 acre (48.792.Ha).

After going through the report of concerned Regional Officer, HSPCB, Gurgaon, it was revealed that the net land in possession of PP is 48.792 Ha. which is less than 50 Ha. After detailed deliberations, the committee is of the unanimous view that project does not fall under the preview of EIA notification 2006. Therefore, it was decided to recommend the case to SEIAA to withdraw the case in view of the report dated 11.04.2022 of two Regional Officers of Haryana State Pollution Control Board as the project does not fall under the preview of EIA notification 2006.

The recommendations of SEAC were considered in the 143rd meeting of SEIAA held on 17.07.2022 and after due deliberations, the Authority decided to defer this case for next meeting.

The case was again taken up in the 144th meeting of SEIAA held on 08.08.2022. After having gone through the relevant details placed on the record, the Authority observed that:

- (i) That project proponent initially obtained the license for setting up of “**Area Development Project**” having an area of 128.594 Acres (**52.040 Hectares**) from the competent authority. Later the project proponent claimed to have surrendered 5.025 acres out of 128.594 Acres. (Thus reducing the size of the project from initial 128.594 Acres to 123.569 Acres i.e. 50.0066 Hectares).
- (ii) Project proponent sold 2 acres (**Two Acres**) of land to JMS Buildtech Pvt. Ltd. for setting up of commercial complex (**through Vasika No.1073 dated 14.10.2015**). Further, PP sold 1 acres of land (**through Vasika No.1925 dated 18.10.2017**).
- (iii) As per the PPs version, net land possession remains 120.5687 Acre (48.792 Ha) in this case.

In view of the above, project proponent claimed that since the size of the project has been truncated/reduced below 50 hectares, henceforth, PP is not required to have EC for the said project.

Whereas, the claim of the project proponent seeking exemption from obtaining Environmental Clearance is without justification, substance and out of the purview and scope of the EIA Notification, 2006, and accordingly the same is declined.

As per the EIA Notification, 14.09.2006 and subsequent amendments, project proponent was required to obtain Environmental Clearance for the said project. Whereas, it appears that a deliberate attempt has been made by the project proponent to avoid the compliance of obtaining the EC, under the alibi/pretext of reduced/truncated size of the project to make it fall and look outside the preview of required size for obtaining the EC.

In view of the above, it is amply clear that the project proponent has carried out activities without obtaining Environmental Clearance from the

competent authority. The recommendations of SEAC appears to be out of place and not aptly justified as the project proponent has indulged and committed violations under the provisions of the EIA Notification, 2006.

Thus, the Authority deem it appropriate to reject the application of the project proponent and categorize this act of project proponent as violation under the EIA Notification dated 14.09.2006.

In view of above, Town and Country Planning Department, Environment & Climate Change Department and Haryana State Pollution Control Board to initiate appropriate action as may be required for the violations against the project proponent and further project proponent is directed not carry out any activities in the said project.

Item No.03: EC for Gravel and Sand mining project at Shamtoo-1 Block/PKL B-11” over an area of 46.5 ha for a peak production of 4,00,000 TPA at Village- Shamtoo&Rattewali, District – Panchkula, Haryana by M/s Starex Minerals.

The application was submitted to the SEIAA vide online Proposal No. SIA/HR/MIN/73813/2018 on dated 15.03.2022 for obtaining Environmental Clearance under Category 1(a) of EIA Notification 14.09.2006. The PP has submitted the scrutiny fee of Rs.1,50,000/- of DD No. 710114 dated 28.03.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021

The case was taken up in 243rd meeting of SEAC. The PP presented its case and submitted as under:

- That the letter of intent was issued by the Department of Mines & Geology, Haryana in favor of M/s Starex Minerals on 23.2.2018 vide letter no-DMG/HY/Cont/Shamtoo-1 Block/BKL-11/2018/904.
- That the mining plan of proposed Mining Area has been approved with 3 meter depth of extraction of Minor Minerals of 1800000 TPA. The mining plan is approved based on replenishment study of the area of mining done from time to time.
- That District Survey Report for District Panchkula has been approved in the meeting held on 02.04.2018 under the chairmanship of DC, Panchkula (Copy of the approved DSR Attached).
- That the SEIAA was dissolved therefore nonexistence on 23-02-2018, when we got LOI, therefore we had applied for ToR on 29-03-2018 to MoEF& CC New Delhi, The ToR was issued by MoEF& CC on 18-12-2018 after the gap of 9 month of submission of the ToR application.
- That the PP had applied for amendment of ToR to MoEF& CC, because the ToR issued by MoEF& CC; it had allowed only 1 meter of depth for extraction of Minor Minerals against the approved Mining Plan of 3-meter

Depth by Geology and mining department But our request of amendment was rejected by MoEF& CC.

- That after constitution of SEIAA, Haryana PP again applied for Amendment of TOR which was considered by SEAC, Haryana during its 193rd Meeting held on 23rd-24th December 2019 wherein the SEAC agreed with the TOR issued by MoEF&CC, New Delhi.
- That 3 meter depth of mining has been allowed/approved in all mining plan approved by Geology and mining department in the upward and downward stretch of mining adjoining our area of 46.50 ha of Dangri River at Village Shamtoo & Rattewaali, District Panchkula. Accordingly Environmental Clearance has also been granted in those area/cases. Environmental Clearance of M/S R M Secure Services Pvt. Ltd Dated 08.04.2021 which is situated approximately 5 KM downstream for the site of PP.
- That the PP had conducted a replenishment study in 2018 and the same was submitted to the Geology & Mining Department, Haryana. The same was submitted to SEAC & SEIAA, Haryana along with the final EIA report.
- That the PP made several representations but no heed was given to his requests by Geology & Mining Department. However, under the One Time Settlement scheme of Geology and mining department, the total amount lease has been reduced from Rs.6,90,00,000 to Rs.3,45,00,000 (50% of original lease amount, whereas loss of the material was more than 75%.
- That the PP made submission to SEIAA, Haryana for Environmental Clearance 15-03-2022 after Public Hearing held on 4-02-2022.
- That the case has been referred back to SEAC by SEIAA Haryana with the observation "After detailed deliberations on the requirement of replenishment study in compliance with directions passed by the Hon'ble NGT, the Authority decided to direct SEAC to make its recommendations w.r.t the directions passed by the Hon'ble Tribunal. "
- That the NGT Order is against the appeal of the Environmental Clearance granted in the river Yamuna at Village Jairampur Block YNR/B-6 (ML Area-33.85 ha) Village Jairampur Jagir Tehsil Jagadhari, District Yamuna Nagar Haryana by M/S Balajee Infra R but this project's location is quite different as it is on Dangri River located at Village Shamtoo&Rattewali, District-Panchkula Area 46.50 Ha & Depth of Mining is 1 meter instead of 3 meter as in case of M/S Balaji Infra. Therefore, NGT order is not applicable in this case.
- That under the one time settlement with Geology and Mining Department and accordingly PP has paid Rs.56,51,000 in May 2022 & Rs.56,51,000 in the month of June 2022 without starting of mining and further they have to pay an amount of Rs.56,51,000 in the month of July 2022 and Rs.56,51,000 in the month of August 2022.

- That no mining has been done in the stretch of mining area of over LOI from the last 5 year, so there is sufficient quantity is available to extract and conduct Replenishment Study for the submission of Geology and mining department as well to SEIAA.

The Committee discussed on the submissions of PP as well as the order dated 24.05.2022, passed by Hon'ble NGT in Appeal No.19/2022 titled as Junaid Ayubi & Anrs. Vs. State of Haryana &Ors.

After thoroughly discussed on the self-contained noted submitted by the PP. After detailed deliberations the committee decided that in view of the facts noted above, the case be sent again to SEIAA for granting EC to this project as recommended vide MoM 241st Meeting of SEAC. .

The recommendations of SEAC were considered in the 143rd meeting of SEIAA held on 17.07.2022 and after due deliberations, the Authority decided to defer this case for next meeting. A communication was again received by Chairman, SEIAA, from Department of Mines & Geology, vide its letter dated 19.07.2022, wherein the Department informed that the Replenishment Study was submitted by the project proponent which was found to be in order and the same was accepted. The same was forwarded to SEAC vide letter dated 19.07.2022 for appraisal and comments, which was taken up in 244th meeting of SEAC held on 25.07.2022. SEAC, after examination, recommended the case to SEIAA for grant of EC.

The case was taken up in the 144th meeting of SEIAA held on 08.08.2022. After having gone through the relevant records alongwith replenishment study and Mining Plan approved and accepted by the Director, Mines and Geology Department, Haryana and the recommendations on the same by the SEAC, the Authority decided to grant Environment Clearance, initially, for a period of one year and up to one meter depth under EIA Notification, 2006 and amendments thereof.

Item No.04 : Environment Clearance for Group Housing Colony Project at Sector-82 A, Gurgraon, Haryana by M/s Vatika Ltd.

1. The project was submitted to SEIAA Haryana on **27.12.2016**. Thereafter the case was taken up for appraisal in 147th, 148 & 150th meeting of SEAC held on **31.01.2017, 14. 02. 2017 and 07. 04.2017** Respectively and recommended the case to **SEIAA** for Environmental Clearance.

2. Recommendation of SEAC was considered in the 102nd meeting of SEIAA held on **20.04.2017** and the Authority studied in detail and discussed that the license was valid up to **23.02.2017** the case was referred back to SEAC with the suggestion to visit the site to verify any construction or violation of Environmental norms and same was conveyed to Secretary, SEAC as well as the PP on **01.05.2017**.

3. The case was again consider in **153rd meeting of SEAC held on 07.06.2017** and it was decided to constitute a sub-committee of **Shri Hitender Singh and Shri A.K Bhatia, member of SEAC** to visit the site under intimation to

the PP on dated **16.06.2017** the sub-committee visited the site on 02.06.2018 and submitted the report on **05.06.2018**.

4. The site visit report was placed and considered in the **171th and 172nd** meeting of SEAC held on **07.06.2018** and **03.07.2018** respectively. The sub-committee submit its report stating therein;

1. The super structure of entire project has been completed.
2. This include twin level basement for parking.
3. Two residential tower and EWS block has been erected.
4. Construction work was in progress in site.
5. The photographs of sight attach with the report.

Conclusion

It has been established that the construction has been raised at site prior to grant of EC, and appropriate action as per law may be taken. The case was recommended to SEIAA for further necessary action.

5. The case was again taken up in the **115th meeting of SEIAA held on 25.07 2018** and the Authority decided to issue a Show Cause Notice to PP. Thereafter, the PP replied **vide his letter dated 13.08.2018 and stated as below.**

- The license number 22 of 2011 for developing Group Housing on 11.218 acres in sector 82A of Gurgaon was granted to us on **24.03.2011**. Acquisition of certain area of Sector divider road 82A and 82 connecting our Group Housing was challenged by former against HUDA in Punjab and Haryana High Court vide CWP No 21572 of 2011 and due to this we were not in position to plan any development work or got our building plan approved till February 2017. Therefore, we divided the development/construction work in twophases i.e. phase-I involves construction less than 20000 and the phase-II fresh EC & construction on completed area. We also apply DTCP for exchange 5.125 area of Group Housing license land with our plotted colony for proper connectivity and better service permitted under DTCP policy dated 15.07.2015 (Copy of DTCP policy and correspondence for migration /exchange of land enclose herewith as enclosure 1 & 2 respectively).
- That we applied for EC on the basis of conceptual plan on 12.10.2016. The SEAC in its 150th meeting held on 07.04.2017, recommended the case for grant of EC with a gold rating. Thereafter till end of June, 2017. We had no written communication From SEIAA/SEAC regarding our case for grant of EC hence vide our letter dated 04.07.2017 we informed all concerned about our decision to proceed ahead with development /Construction work as required under the EIA notification 2006.

- That we also submitted 6 monthly compliance reports as per general specific condition attached with SEAC recommendation for grant of EC to our place dated 07.04.2017.
6. Vide aforesaid letter dated **13.08.2018**, PP has requested to the authority to allow him to apply afresh for EC of complete area comprising both Phases, once exchange of 5.125 acre land proposal is approved from DTCP Haryana and till then we undertake we shall not cross construction limit as specified in phase-1 of our project.
 7. Further during November 2019, PP has submitted a letter in continuation to his letter dated 07.04.2017 and again reiterated the facts of letter 13.08.2018 and requested to grant deemed Environmental Clearance to the project w.e.f. 04.07.2017.
 8. On perusal of both the letters dated 13.08.2018 and 07.11.2019, it is revealed that PP is trying to mislead the facts by taking plea that he had submitted letter 04 July 2017 in reference to the 150th meeting of SEAC held on 7 April 2017 as he had not received any communication/ intimation from appraisal committee as well as from the Authority whereas it is pertinent to mention here that the decision of Authorities as well as appraisal committee SEAC were very much communicated/intimated to the PP vide letter Dated 01.05.2017 and 16.06.2017 respectively.
 9. The case was again taken up in the 117th meeting of SEIAA held on 18.04.2019 and the authority decided that Chairman, SEIAA would take the final view at his own level.
 10. The matter was again taken up in 129th meeting on 11.10.2021 of SEIAA and after detailed discussion, the authority found out that some more time is needed to study the case in detail and thus the case was deferred till next meeting.
 11. The matter was placed in 130th meeting of SEIAA dated 16.11.2021; the Authority observed that adequate opportunity has been given to PP but on one or the other pretext PP kept on dragging the issue.
 12. The Authority in its 132nd meeting held on 22.12.2021, wherein it was decided to issue a last and final notice to PP stating that, "In view of recent Hon'ble Supreme Court Judgment dated 09.12.2021 in Civil Appeal No. 7576-7577, why not the violation be considered as liable to be demolished". PP was, therefore, given 15 days reply or otherwise it would be presumed that PP did not have anything to say and the case would be decided *ex-parte*.
 13. Thereafter, the matter was placed before the Authority on 11.01.2022, 24.01.2022, 24.03.2022 and 19.04.2022 for hearing and the PP appeared before the Authority and made his submissions verbal as well as written means.
 14. Meanwhile, a complaint was filed before the Hon'ble NGT vide OA. No. 215 of 2022 titled as Ashish Sardnavs M/s VATika Ltd. The Hon'ble NGT vide order dated 12.04.2022 constituted a sub-committee comprising of SEIAA

Haryana, State PCB and District Magistrate, Gurugram. The sub-committee visited the project site on 04.07.2022 and submitted its report before the Hon'ble NGT on 19.07.2022.

The recommendations of SEAC were taken up in the 144th meeting of SEIAA held on 08.08.2022.

In order to decipher the factual matrix of the claims and counter claims hearing is being provided to the project proponent and complainant both in this case. Report submitted by the field officer in the Hon'ble National Green Tribunal is also being taken on record for finalizing the proceedings in this case.

Project proponent and the complainant in this case are given last but final opportunity to appear before the Chairman, SEIAA on 22.08.2022.

Item No.05: EC for Modification & Expansion of Group Housing Scheme (19.244 acres) Under Mixed Land use at Sector-53, District Gurugram, Haryana by M/s Vipul Limited.

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/74939/2018 dated 09.04.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 436219 dated 08.11.2021 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and recommended case to SEIAA for grant of Environmental clearance.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 08.08.2022. The Authority after discussion and perusal of details placed on record, decided to agree with the recommendations of SEAC to grant Environment Clearance further with the condition that the PP shall install STP of 1,100 KLD capacity.

Item No.06: EC for the Proposed Affordable Group Housing Colony located at Village Hayatpur, Sector-89, Gurugram-Manesar Urban Complex, Gurugram, Haryana by M/s Kiwi Land and Housing Private Limited

The project was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIS/250538/2022 dated 07.01.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 008365 dated 15.04.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and recommended case to SEIAA for grant of Environmental Clearance.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 08.08.2022. The Authority after discussion and perusal of details placed on record, decided to agree with the recommendations of SEAC to grant Environment Clearance further with the condition that the PP shall install STP of 425 KLD capacity.

Item No.07: EC of Affordable Group Housing Colony Project ‘BOTH 79’ at Revenue Estate of Village Naurangpur, Sector 79, Gurugram-Manesar Urban Complex, Haryana by M/s Top Haven Developers Private Limited

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/266567/2022 dated 08.04.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 465998 dated 05.04.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and recommended case to SEIAA for grant of Environmental clearance.

The recommendations of SEAC were taken up in the 144th meeting of SEIAA held on 08.08.2022. After going through the records and recommendations of the SEAC, the Authority observed that the status of ‘Revenue Rasta’ is not clearly defined and discussed with regard to its ownership and current status in the proposal.

The Authority further observed that the capacity of the proposed STP, appears to be inadequate and, therefore, deem it appropriate to increase the proposed installed capacity to 300 KLD for the said project.

In view of above, the Authority decided to refer the case back to SEAC, with the instructions to direct the PP to submit a clear-cut position and status of Revenue Rasta falling in the project site and enhancement of STP capacity.

Item No.08: EC for Affordable Group Housing colony ‘Adore Legend’ at Village Kheri Karan, Sec-84, Faridabad, Haryana by M/s Singhanian Infratech

The project was submitted to the SEIAA vide online proposal No. SIA/HR/MIS/269020/2022 dated 22.04.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 025707 dated 11.04.2022.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and recommended case to SEIAA for grant of Environmental clearance.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 08.08.2022 and after due deliberations, the Authority decided to agree with the recommendations and appraisal of SEAC, to grant EC. Accordingly, proposal considered and grant Environment Clearance to the project.

Item No.09: EC for Mining of Stone along with Associated Minor Minerals (69,00,000 MTPA) mine located at Khasra No. 46 Min, Village Usmapur, District Mahendragarh, Haryana (M.L area 33.10 ha) by M/s Astha Infra Developers Private Limited

The project was submitted to SEIAA vide online proposal No.SIA/HR/MIN/76930/2021 dated 19.05.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category-1(a) of EIA Notification 14.09.2006. The PP submitted the EIA report along with prefeasibility report, approved DSR, approved Mining plan and Mine closure plan on dated 04.07.2022. The PP has submitted Scrutiny Fee amounting to Rs. 1,50,000/- vide DD No. 001081 dated 20.11.2021 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC held on 08.07.2022 and the Committee recommended the case to SEIAA for grant of Environmental Clearance.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 08.08.2022, and after due deliberation, the Authority observed that SEAC has not given its comments on the Conservation Plan submitted by the project proponent. The Authority thus decided to refer back this case to SEAC with following observations for examination/appraisal by the SEAC.

- 1) *PP to provide the actual cost of the project, duly certified by a qualified CA.*
- 2) *SEAC to ensure that the Wildlife Conservation Plan submitted by PP is in order, including the cost norm requirements, the details of works and timelines for implementation of the same and give its recommendations / opinion on the same, for further consideration of the Authority.*

Item No.10: EC for Revision and Expansion of Industrial Warehousing/ Storage/ Logistics Project at Village Faizabad, District Jhajjar, Haryana by M/s Indospace Industrial Park Badli Pvt. Ltd.

The project was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIS/70179/2019 dated 04.06.2022. The project proponent submitted the case to the SEIAA as per check list approved by the SEIAA/SEAC for EC under Category 8(b) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 355320 dated 25.11.2021 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and recommended case to SEIAA for grant of Environmental Clearance.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 08.08.2022. After due deliberations and perusal of relevant record placed on the file, the Authority decided to agree with the recommendations of SEAC to grant Environment Clearance, with the condition that the PP shall enhance the capacity of STP to 450 KLD.

Item No.11: EC for Expansion of Proposed Mixed land use colony under ToD policy on land measuring 15.03125 acres in Sector 113, Gurgaon, Manesar Urban Complex Gurgaon, Haryana by M/s Union Buildmart Pvt. Ltd

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/75100/2018 dated 14.04.2022.as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(b)of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 500411 dated 25.01.2022in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and the Committee recommended the case to SEIAA for grant of EC.

The recommendations of SEAC were taken up in the 144th meeting of SEIAA held on 08.08.2022. After having gone through the records and recommendations of the SEAC, the Authority observed that:

- (i) the status of Revenue Rasta is not clearly defined and discussed relating to the project in the recommendations of SEAC. Therefore, the Authority decided to refer the case back to SEAC, with the instructions to direct the PP to submit necessary permission for the Revenue Rasta from the competent authority.*
- (ii) The authority further observed that the capacity of the STP proposed is inadequate and deem it appropriate to enhance to 1,550 KLD. SEAC may examine/appraise and make recommendations, accordingly.*
- (iii) Considering the fact that a huge quantity of effluent will be generated and the proposal for reusing the entire quantity of water in flushing, gardening and other internal purposes does not seem to be feasible proposition, therefore, it was decided that the PP shall also obtain necessary permission from the competent authority for sewer connections and the same shall be verified by SEAC before recommending the case.*

Item No. 12: EC for proposed Expansion of Plotted Colony on 23.2999 Acres land under DDJAY Scheme at Village Behrampur & Ullawas, Sector-61, Gurugram, Haryana by M/s Commander Realtors Private Limited and others.

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/NCP/57972/2020 on 07.06.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The PP has submitted the scrutiny fee amounting to Rs. 2,00,000/- vide DD No. 701380 dated 06.01.2022.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and recommended case to SEIAA for grant of Environmental clearance.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 08.08.2022 and after due deliberations, the Authority decided to refer back this case to SEAC with following observations for examination;

- 1. As the plot area has been increased, the PP has not increased the green area proportionately in the expansion part and SEAC has also not taken cognizance of the same.*
- 2. The status of Revenue Rasta has not been clearly defined and discussed in the recommendations of the SEAC. SEAC is required to direct the PP to obtain necessary permission for the Revenue Rasta from the competent authority for the said project.*
- 3. Water Balance submitted in the EIA Report (Page 28) needs to be re-examined with reference to the one given in the presentation.*
- 4. The disposal mode of effluent generated, shown in project proposal (nearby construction site) is vague, and not a realistic. Several cases have been reported, where untreated / partially treated effluent are being discharged, illegally through tankers in the nearby drains / rivers / water bodies, causing pollution (foul smell, unhealthy condition). Hon'ble NGT and HSPCB have also taken cognizance of the same and made serious observations on this issue.*

In view of above, SEAC is advised to take note of this issue more attentively and invariably ensure that permission for sewer connections are placed on record with clear-cut marking of location and capacity to be discharge, before recommending the cases of housing and commercial complexes. SEAC may also examine the present mode of disposal in the existing project and offer its comments/recommendations, for further consideration.

In view of above, the case is referred back to SEAC for reappraisal on the issued listed above.

Item No.13 : **EC for Expansion of Expansion Mixed Land Use Colony (70% Residential and 30% Commercial) on the land measuring 14.4125 Acres in Revenue Estate of village Maidawas and Badshahpur, Sector 65 of GMUC, Gurugram, Haryana by M/s Mangalam Multiplex Pvt. Ltd.**

The project was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIS/72534/2022 dated 31.05.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 513317 dated 24.01.2022.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and recommended case to SEIAA for grant of Environmental clearance.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 08.08.2022 and after due deliberation, the Authority decided to refer back this case to SEAC with following observations for examination of SEAC;

- 1) The project proponent does not have a valid license whereas he has produced a copy of application for renewal of license and SEAC has recommended this case for grant of EC without asking valid license. The License was valid till 01.05.2022. This is a serious issue/lapse and amounts to casual approach.*
- 2) Water Balance diagram submitted in the EIA Report on Page No. 29 at figure No. 2.4 is not in consonance with what has been given in the presentation.*

In view of above, the case is referred back to SEAC for reappraisal on the issued listed above.

Item No.14 : **ToR under violation category for Storage of Non Agro Product falling in the Revenue Estate of Village Jatola, District Sonipat, Haryana by M/s Flowtech Industrial Projects Private Limited**

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/77799/2022 dated 04.05.2022 as per check list approved by the SEIAA/SEAC for obtaining ToR (Violation) under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No.525468 dated 30.05.2022.

The PP submitted a letter stating therein that they have applied their project earlier vide proposal no. SIA/HR/MIS/31313/2019 for EC but since their project falls under violation category, they have withdrawn their earlier proposal and applied the again through this proposal (SIA/HR/MIS/77799/2022) for approval of ToR under violation category. During the appraisal in 242nd Meeting of the SEAC, they

informed the above facts to Committee and Committee recommended TOR under violation.

The case was again taken up in 244th meeting of SEAC, Haryana held on 08.07.2022. The Committee discussed the case at length. This case was submitted off line by the PP. The case was taken up in 242nd meeting at Agenda No.242.08 on 24.06.2022 and recommended for ToR under violation category, therefore, it is recommended that the offline submitted proposal be delisted to avoid overlapping/duplicacy and Committee further deliberated that online proposal No.SIA/HR/MIS/77799/2022, taken up in 244th Meeting of SEAC at Agenda No.244.12 on 08.09.2022, should be recommended to SEIAA for granting ToR (under Violation Category) with following conditions:

- The State Government/SPCB to take action against the project proponent under the provisions of the Section 15 read with Section 19 of the Environment (Protection) Act, 1986, and further no Consent to Operate or Occupancy Certificate to be issued till the project is granted EC.
- Detailed SOP dated 07.07.2021 regarding grant of EC to violation cases to be considered on merits. The action may be initiated under section 15 read with section 19 of the EP Act, 1986 against all violations.
- The Project Proponent shall comply with Penalty provision for violation as EC has not been obtained.
- The Project Proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant EC. The quantum shall be recommended by the SEAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC and approval of the regulatory authority.

The Committee recommended the case to SEIAA for approval of TOR under violation and the project proponent will prepare the EIA by using Model Terms of Reference of MoEF & CC with following additional Terms of Reference.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 08.08.2022 and after due deliberation, the Authority decided to agree with the recommendations of SEAC to grant TOR under violation and that the Project Proponent shall prepare EIA by using Model Terms of Reference of MoEF&CC with additional Terms of Reference as recommended by SEAC. Further, SEAC shall ensure credible action against the unit before appraisal, and the agencies concerned (Departments of Environment and TCP and HSPCB) be informed of the violations advising them to initiate action against the violations indicated, and to ensure that no further additional activity be allowed, before EC is granted, it was further decided.

Item No.15: EC for proposed Commercial complex on land measuring 14326.37 Sqm situated at site/ Building No.4, Sector-43, Urban Estate Gurgaon-II, Gurugram by M/s Lekh Buildtech Private Limited.

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/279545/2022 dated 22.06.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 657034 dated 05.06.2022.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and recommended case to SEIAA for grant of Environmental clearance.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022 and after due deliberations, the Authority decided to refer back this case to SEAC with following observations for examination/reconsideration of the SEAC.

1. SEAC in its 244th meeting raised the following queries, i.e., the PP shall submit revised list of proposed species of trees, the PP shall increase solar to 5% of total power demand and, the PP shall maintain 15% of total plot area as landscape in addition with 5% of vertical green. The project proponent has not replied to the queries pertaining to solar energy and SEAC has recommended this case for grant of EC without taking complete reply from the PP and has also recommended the green area to 15% only.

2. Further, the PP has not submitted NOC under Aravali Notification and SEAC has informed that PP has informed that it is not necessary. It is not acceptable that the Expert Committee has relied solely upon the statement of PP and has not justified its stance in its recommendations.

SEAC is advised to re-look into these issues and ensure that its recommendations are complete in all aspects in all such cases.

Item No.16: EC for proposed Commercial complex on land admeasuring 5344.61 situated at site/ Building No.1, Sector-25, Urban estate Gurgaon-II, Gurugram by M/s Lekh Buildtech Private Limited.

The project was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIS/279528/2022 dated 22.06.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 657035 dated 05.06.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and recommended case to SEIAA for grant of Environmental clearance.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022 and after due deliberations, the Authority decided to refer back this case to SEAC with following observations for examination of SEAC.

1. SEAC in its 244th meeting raised the following queries, i.e., the PP shall submit revised list of proposed species of trees, the PP shall increase solar to 5% of total power demand and, the PP shall maintain 15% of total plot area as landscape in addition with 5% of vertical green. The project proponent has not replied to the queries pertaining to solar energy and SEAC has recommended this case for grant of EC without taking complete reply from the PP and has also recommended the green area to 15% only.

2. Further, the PP has not submitted NOC under Aravali Notification and SEAC has informed that PP has informed that it is not necessary. It is not acceptable that the expert committee has relied solely upon the statement of PP and has not justified its stance in its recommendations.

3. The STP capacity proposed is not adequate and SEAC may look into the same.

SEAC is advised to re-look into these issues and ensure that its recommendations are complete in all aspects in all such cases.

Item No.17: EC for proposed expansion of Affordable Residential Plotted Colony Project under DDJAY-2016 located at Village-Dhunela, Sec-33, Sohna, Gurugram by M/s Global Horizon Holdings Pvt. Ltd.

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/279337/2022 dated 22.06.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 1,50,000/- vide DD No. 001837 dated 29.04.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and SEAC recommended the case to SEIAA for grant of Environmental Clearance.

The recommendations of SEAC were taken up in the 144th meeting of SEIAA held on 09.08.2022. SEIAA observed that the unit got an area of 7.89 ac in 2019 and an additional area of 0.256 was obtained in January 2022. It started its building for 16,577.68 Sq m for which the CTE was taken only in December 2021, but within a period of 4 months, the unit applies for EC for an area of 73,592.53 sq m (with an additional area of 57,014.85 sq m). Prima facie it appears to be an attempt to avoid the EC application process in the beginning, and to take up the same after the work is started in a limited area. It is not clear whether the unit has got its plan approved by the competent authority for taking up the work in

such phased manner, considering the short duration of the application of CTE for earlier project and the subsequent EC application. Further, the proposed STP seems to be lesser than the requisite capacity.

After going through the above facts and records, the Authority decided to refer the case back to SEAC for addressing the above issues critically and submit its recommendations for further consideration. Further, it was decided to depute a sub-committee comprising of Dr. Rajbir Singh Bondwal, IFS (Retd.), Member SEAC and a representative of HSPCB to verify the status of construction on ground and to send a comprehensive report within 10 days.

Item No.18 : EC for proposed Expansion of proposed Commercial Colony of area measuring 7.443 Ac in Sec-74, Gurugram, by M/s Prompt Engineering Pvt. Ltd.

The project was submitted to the SEIAA, Haryana vide online proposal no. SIA/HR/MIS/78733/2021 dated 22.06.2022. The project proponent submitted the case to the SEIAA as per check list approved by the SEIAA/SEAC for EC under Category 8(b) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 433968 dated 24.01.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and recommended the case to SEIAA for grant of Environmental clearance.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022 and after due deliberations, the Authority decided to agree with the recommendations and appraisal of SEAC to grant EC subject to the condition that PP shall install the STP with 800 KLD capacity for the said project.

Item No.19 : EC for Proposed 'Affordable Group Housing Colony' in 6.15 ac (Built-up Area: 73,235.380 m) at Kila No. 13, 8/2, 18, 3/2, 7, 8/1,14/1, 17/2, 23/1, 14/2 of Village Badshahpur, Sec-70 Gurugram by M/s Riseonic Realty Pvt Ltd.

The project was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIS/268548/2022dated 20.04.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The case was accepted by SEIAA and forwarded to SEAC on 25.04.2022 which was accepted by SEAC on 23.06.2022. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 322334 dated 20.04.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 and it recommended the case to SEIAA for grant of Environmental Clearance

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022 and after due deliberation, the Authority observed that the STP capacity is not adequate, following the general procedure adopted in similar cases (STP may require to be enhanced to 650 KLD) and the PP has not submitted the permission from the competent authority for their sewer connections. The authority decided to refer back the case to SEAC with the request to examine the above two issues and submit the case for further consideration.

Item No.20 : EC for Proposed Max Super Speciality Hospital at Sector 56, Gurgaon, Haryana by M/s Max Healthcare Institute Limited.

The project was submitted to SEIAA, Haryana vide online proposal No.SIA/HR/MIS/271568/2022 dated 06.05.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. . 564883 dated 04.05.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 09.07.2022 and recommended case to SEIAA for grant of Environmental clearance

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022 and after due deliberation, the Authority decided to refer back this case to SEAC with following observations for examination.

- 1. The PP has submitted only its copy of application for NOC under Aravali Notification and SEAC has accepted the same, which is not acceptable.*
- 2. PP has also submitted a request to SEIAA for changing the conditions for running of DG sets not more than 04 hours a day; whereas, during the appraisal the project proponent has submitted affidavit stating that the operation of DG set shall be considered only for 2 hours in case power failure, hence, operational hours for DG sets shall be considered 02 hours/day. SEAC may examine the above in view of the requirement of a health care facility, where it may not be affordable to operate under such conditions practically.*
- 3. The SEAC is advised to examine the fresh water requirement and mode of discharge carefully.*
- 4. Further, SEAC is also advised to examine the proposal of green area alongwith fire safety arrangements (circular passage for rescue and movement of fire tenders in case of emergency). This is wake of recent major fires incidents in various Hospitals in the country.*
- 5. Size and scope of STP and ETP (keeping in view the requirements in the coming years).*
- 6. SEAC to also examine the scope of facilities for smooth entry and exist of*

movements (for the patients/attendants/professionals) from the premises in case of emergency and storage of gases in the premises.

Item No. 21 : Modification in EC for Hotel, Restaurant, Banquet Hall, Recreational Park and Health Club ‘Noor Mahal located at Village Phusgarh, Sector 32, Karnal, Haryana’ by M/s Jewels Classic Hotels Private Limited

The case was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIS/266086/2022 dated 05.04.2022 for obtaining modification in Environmental Clearance dated 12.08.2021 earlier granted under violation of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 1,50,000/- vide DD No. 007940 dated 16.04.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 09.07.2022 and recommended case to SEIAA for granting modification in EC and revision in Remediation plan and Natural and Community Resource Augmentation plan with cost assessment as proposed by PP.

The recommendation of SEAC was considered in the 144th meeting of SEIAA held on 09.08.2022 and it was observed that the important modification proposed is only in the revision of the Remediation Plan and Natural and Community Resource Augmentation Plan with a minor modification in cost. The Authority decided to refer the case back to SEAC with the request to critically examine the issue properly and also to indicate the progress made in the approved plan so far, alongwith the details of credible actions undertaken against the violations, for further consideration.

Further, a Committee comprising of Dr. Sandeep Gupta, Member, SEAC and Regional Officer, Karnal is constituted to visit the project site and submit report within 10 days regarding the current status/progress with regard to the implementation of conservation plan. Thereafter, the report of the committee shall be appraised by the SEAC with reasoned recommendations.

Item No.22: EC for proposed Non-Agro Warehouse Project in the Revenue Estate of Village Dungarpur & Jaindapur, Palwal, Haryana by M/s V Mart Retail Limited.

The project was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIS/272352/2022 dated 13.06.2022 for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/-vide DD No. 504884 dated 07.04.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 09.07.2022 and recommended case to SEIAA for grant of EC

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022 and after due deliberations, the Authority decided to agree with the recommendations and appraisal of SEAC to grant EC subject to the condition that PP shall install the STP with 100 KLD capacity.

Item No.23 : EC for Proposed Group Housing Buildings in Zone 10, DLF 5 at Sector 54, Gurgaon, Haryana by M/s DLF Limited.

The EIA/EMP report in this case was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIS/76126/2022 dated 28.04.2022 for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/- vide DD No. 520455 dated 09.03.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 09.07.2022 and recommended case to SEIAA for grant of EC.

The project proponent has proposed to discharge domestic effluent into existing 15 MLD capacity functional Common Sewage Treatment Plant which is located in Zone-6, DLF5, Sector-43, Gurugram, Haryana to treat the sewage buildings located in the close vicinity of DLF5. The PP has also submitted the details regarding capacity, location and utilization of the sewage generated. *The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022 and after due deliberations, the Authority decided to agree with the recommendations and appraisal of SEAC to grant EC.*

Item No. 24 : EC for Mining of sand minor mineral from the riverbed of Yamuna River with 36,00,000 MTPA production capacity over an area of 94.09 Hectare located at Village- Dadsiya, Tehsil & District- Faridabad, Haryana by M/s Dev & Div Solutions Pvt. Ltd

The EIA/EMP report was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIN/77692/2021 dated 03.06.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 1(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 1,50,000/- vide DD No.740654 dated 10.11.2021 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 09.07.2022 and recommended the case to SEIAA for grant of EC.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022 and after due deliberation, the Authority decided to refer back this case to SEAC with following observations for examination.

1. SEAC to provide its comments on the mining plan and replenishment study, duly approved and accepted by the Mines and Geology Department, Haryana,

submitted by the project proponent.

2. SEAC may ensure that the Wildlife Conservation Plan submitted by PP is in order, including the cost norm requirements, the details of works and timelines for implementation of the same and give its recommendations / opinion on the same, for further consideration of the authority.

3. The project cost should be certified by a competent/ qualified CA for consideration of cost norms in all such cases and SEAC may take the same into consideration while appraising the cases.

Item No. 25 : EC for Mining of sand minor mineral from the riverbed of Yamuna River with 24,00,000 MTPA production capacity over an area of 66.32 Hectare located at Village Makhanpur, Tehsil & District- Faridabad, and State- Haryana by M/s Dev & Div Solutions Pvt. Ltd.

The EMP/EIA report was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIN/68081/2021 dated 10.06.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 1(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 1,50,000/- vide DD No. 740654 dated 10.11.2021 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 09.07.2022 and recommended case to SEIAA for grant of EC.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022 and after due deliberation, the Authority decided to refer back this case to SEAC with following observations for examination.

- 1. SEAC to provide its comments on the mining plan and replenishment study, duly approved and accepted by the Mines and Geology Department, Haryana, submitted by the project proponent.*
- 2. SEAC may ensure that the Wildlife Conservation Plan submitted by PP is in order, including the cost norm requirements, the details of works and timelines for implementation of the same and give its recommendations / opinion on the same, for further consideration of the authority.*
- 3. The project cost should be certified by a competent/ qualified CA for consideration of cost norms in all such cases and SEAC may take the same into consideration while appraising the cases.*

Item No.26: EC for new Chemical Manufacturing Unit of Formaldehyde and Resin/Glue at Plot No.- 238, Phase-II, Sector-30A, Industrial Estate, Manakpur, Tehsil Bilaspur, District Yamuna Nagar, Haryana by M/s Mak Leon Organics Pvt Ltd

The EIA/EMP report was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/IND3/76131/2021 dated 30.04.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 5(f) of EIA Notification 14.09.2006. ToR was granted to the project by SEIAA on 30.12.2021. The PP has submitted Scrutiny Fee amounting to Rs. 50,000/- vide DD No.091378 dated 24.12.2021 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 09.07.2022 and recommended case to SEIAA for grant of EC.

The recommendation of SEAC was considered in the 144th meeting of SEIAA held on 09.08.2022 and the authority observed that the unit has applied for fresh EC in the industrial area of Manakpur, Bilaspur, Yamuna Nagar. Considering the fact that the Industrial area itself has not obtained EC yet and has applied for EC under violation category, the public hearing for the proposed project cannot be exempted, it was opined. Accordingly, the authority decided to refer the case back to SEIAA to examine the same and submit its recommendations for further consideration. The authority also decided to request the Committee to consider this point in all similar cases, before recommendations and SEIAA Office has been advised to check previous cases where TOR have been granted without public consultation and issue necessary corrigendum, wherever applicable.

Item No.27 : EC for Expansion of Residential Plotted Colony at Village Dhunela & Berka, Sector 29, 30, 32& 33, Sohna, Gurgaon by M/s ST. Patricks Realty Pvt Ltd

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/78040/2022 dated 11.06.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 2,00,000/-vide DD No. 520455 dated 09.03.2022.

The case was taken up in 244th meeting of SEAC, Haryana held on 09.07.2022 and recommended the case to SEIAA for grant of EC

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022. The Authority after due deliberations, agreed to consider the recommendations of SEAC for grant of Environment Clearance with the condition that the PP shall obtain requisite sewer connection/permission from the Competent Authority and HSPCB and TCP Department shall not provide their Consent to Establish/ Occupation Certificate, without the same.

Item No.28 : EC under Violation for Project ‘Corporate Office’ at Plot No. 13, Sector 32, Urban Estate Gurugram-II by M/s Padmini Technologies Ltd

The project was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/278481/2022 dated 17.06.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted Scrutiny Fee amounting to Rs. 1,50,000/- vide DD No. 535727 dated 02.04.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 09.07.2022 and recommended the case to SEIAA for grant of EC under violation category.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 09.08.2022 and made the following observations.

- 1. This case, being considered under violation category, requires to be examined critically in view of the SOPs given. A Certificate is required from the field officers of HSPCB on ‘whether any further violation has been committed, beyond the extent indicated by the PP’ and this has not been done by SEAC.*
- 2. It has been observed that SEAC has not verified the requirement of NOC under Aravali notification and has solely relied upon the statement of the PP that it is not applicable in this case. This stance taken by the expert body is not acceptable and appreciable.*
- 3. A HT line is passing through the project site and SEAC has not made any comments / recommendations / suggestions on the same (PP needs to be directed that 15 meters ROW, both sides needs to be maintained) alongwith other applicable conditions. SEAC comments and recommendations must figure clearly on such issues, invariably in relevant cases.*
- 4. SEAC has recommended this project for grant of EC under violation category subject to condition that SPCB taking action against the PP. Credible action is a crucial part of such violation cases and SEAC may ensure that in all such violation cases, recommendations are made only after satisfying itself of the credible action taken by the competent enforcement authorities concerned against all the violations identified.*

Thus, the case is referred back to SEAC for examination on the above lines and to submit the same for further consideration.

Item No.29: EC for Expansion of Group Housing Colony at Sector 48, Gurugram, Haryana by M/s Sweta Estates Pvt Ltd.

The EIA/EMP report was submitted to the SEIAA, Haryana vide online proposal No. SIA/HR/MIS/68360/2015 dated 03.06.2022 for obtaining Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006.

The PP has submitted scrutiny fee amounting to Rs.2,00,000/- vide DD No.507024 dated 26.11.2021 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

The case was taken up in 244th meeting of SEAC, Haryana held on 09.07.2022 and recommended the case to SEIAA for grant of EC.

The recommendations of SEAC were taken up in the 144th meeting of SEIAA held on 09.08.2022. SEIAA observed that the project proponent has obtained Environmental Clearance of 562141.739 Sq. Meters and now has proposed addition of 8826.641 Sq. Meters in the existing EC already granted by the Government of India. The total built-up area proposed after expansion will be 570968.38 Sq. Meters unit.

After going through the above facts and records, the Authority decided to refer the case back to SEAC to examine the case with respect to the status of construction of existing site with detailed report of FAR and Non FAR areas and status of construction of the proposed expansion and submit its recommendations for further consideration.

Further, it was decided to depute a sub-committee comprising of Dr. Rajbir Singh Bondwal, IFS (Retd.), Member SEAC and a representative of HSPCB to verify the status of existing construction and proposed construction on ground and to send a comprehensive report within 10 days.

Item No. 30: ToR (under violation) for warehouse project at Village Fatehpur, and Sheikhpur, Tehsil Taoru, District Mewat, Haryana by M/s N.D.R Warehousing Private Limited.

The project was submitted to the SEIAA vide online proposal No.SIA/HR/MIS/79622/2022 on dated 05.07.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The PP has submitted scrutiny fee amounting to Rs.1,50,000/- vide DD No.000327 dated 22.06.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021

The case was taken up in 245th meeting of SEAC, Haryana held on 26.07.2022. and committee to recommend the case to SEIAA for approval of ToR (under violation) to the project and the project proponent will prepare the EIA by using Model Terms of Reference of MoEF & CC with Terms of Reference in addition to standard terms of reference.

The recommendations of SEAC were considered in the 144th meeting of SEIAA held on 08.08.2022 and after due deliberation, the Authority decided to agree with the recommendations of SEAC to grant TOR under violation and that the Project Proponent shall prepare EIA by using Model Terms of Reference of MoEF & CC with additional Terms of Reference as recommended by SEAC. Further, SEAC shall ensure credible action against the unit before appraisal, and the agencies concerned (Departments of Environment and TCP and HSPCB) be informed of the violations advising them to initiate action against the violations indicated, and to ensure that no further additional activity be allowed, before EC is granted, it was further decided.

-o0o-