

**Proceedings of the 240<sup>th</sup> meeting of the State Environment Impact Assessment Authority (SEIAA) held on 02.03.2023 (Thursday) in the Conference Hall No. 1 (Room No 311), 2<sup>nd</sup> Floor of MGSIPA at 10:00 AM, MGSIPA Complex, Sector-26, Chandigarh.**

The meeting was attended by the following members:

1. Sh. Hardeep Singh Gujral,  
Chairman, SEIAA
2. Dr. Rupanjali Karthik, IAS,  
Member Secretary, SEIAA
3. Dr. Adarsh Pal Vig, Member SEIAA -cum-  
Chairman, Punjab Pollution Control Board, Patiala

Er Nikhil Gupta, Environmental Engineer along with other supporting staff of SEIAA also attended the meeting.

**Item No. 01: Confirmation of the proceedings of the 239<sup>th</sup> meeting of the State Environment Impact Assessment Authority held on 01.03.2023.**

SEIAA was apprised that the proceedings of 239<sup>th</sup> meeting of the State Environment Impact Assessment Authority held on 01.03.2023 were under preparation. SEIAA took the note of the same.

**Item No. 02: Action taken on the proceedings of 239<sup>th</sup> meeting of State Environment Impact Assessment Authority held on 01.03.2023.**

SEIAA was apprised that action on the decisions taken in the 239<sup>th</sup> meeting of State Environment Impact Assessment Authority held on 01.03.2023 would be initiated after approval of the proceedings of the said meeting. SEIAA took the note of the same.

**Item No. 240.01: Application for amendment in Environmental Clearance for group housing project namely “Noble Callista” located at Plot no. 1, IT City, Sector-66B, SAS Nagar, Punjab by M/s Noble Dream Projects Pvt Ltd (Proposal No. SIA/PB/MIS/296286/2023)**

**Background:**

The project proponent was granted Environmental Clearance vide SEIAA letter No. 4185 dated 20.05.2021 for a group housing project namely “Noble Callista” located at Plot No.1, IT City, Sector-66B, SAS Nagar. The total land area of the project is 27,680.5 sqm (6.84 acres) having built up area of 1,41,340 sqm.

The project proponent has applied for amendment in Environmental Clearance for group housing project namely “Noble Callista” located at Plot no. 1, IT City, Sector-66B, SAS Nagar, Punjab and submitted Form-4, six-monthly compliance report and other relevant documents through Parivesh Portal. The project proponent submitted a copy of layout plan of the project approved from Chief Town Planner, Department of Town & Country Planning, Punjab vide No. 4509CTP(PB)SC-101 dated 06.08.2021. The Project is covered under category 8(a) of the schedule appended with the EIA notification dated 14.09.2006.

The project proponent mentioned in the Form-4 that changes have been made due to change in the approved layout plan. The details of the as per amendment application is as under:

<b>Sr. No.</b>	<b>Description</b>	<b>Existing</b>	<b>Proposed</b>	<b>After amendment</b>
1.	Built up area	1,41,340 sqm	-1308.24 sqm	140031.73 sqm
2.	Green area	7639.20 sqm	-71.31 sqm	7567.89 sqm
3.	Surface Parking and internal Roads	3370.30 sqm	+1613.38 sqm	4983.68 sqm
4.	Area under Pavements	7609.40 sqm	-688.91 sqm	6920.49 sqm
5.	Ground Coverage	9061.60 sqm	-853.16 sqm	8208.44 sqm

The project proponent and Environmental Consultant of the promoter company were not present during the meeting.

The Committee perused the application proposal and was satisfied with the same. After deliberations, SEAC decided to forward the case to SEIAA with the recommendation to grant amendment in Environmental Clearance granted vide letter no. 4185 dated 20.05.2021.

**1.0 Deliberations during 240<sup>th</sup> meeting of SEIAA held on 02.03.2023.**

The case was considered by SEIAA in its 240<sup>th</sup> meeting held on 02.03.2023 which was attended by the following:

- (i) Sh. Manoj Arora, GM Construction, M/s Noble Dream
- (ii) Mr. Arijit and Ms. Shivani, Consultants from Aplinka Solutions.

SEIAA observed that M/s Noble Dream Projects Pvt. Ltd. was issued Environment Clearance vide Letter No. DECC/SEIAA/2021/4185 dated 20.05.2021 for the development of Group Housing Project “Noble Callista” at Plot No. 1, IT City, Sector-68B, SAS Nagar, Mohali, Punjab over a plot area measuring 27,680.50 sqm. having built-up area of 1,41,340 sqm.

To a query by SEIAA regarding the need of amendment at this stage when the EC was issued only recently, the project proponent replied that the EC was issued earlier on the basis of the conceptual plan. However, the site plan of the project was approved by GMADA on 06.08.2021, as per which there have been some changes in the number of dwelling units, building configuration and area details etc as under:

<b>Sr. No.</b>	<b>Particulars</b>	<b>Accorded in EC</b>	<b>As per Approved Site Plan</b>	<b>Changes</b>
1	Built-up Area	1,41,340 sqm	1,40,031.73 sqm	-1,308.24
2	No. of Dwelling Units	413	398	-15
3	No. of Shops	18	20	2

The project proponent further submitted that while obtaining the previous EC, the water requirements of the project were calculated @ 135 LPCD, due to which an STP of 350 KLD capacity was proposed and the same was sanctioned in the Environment Clearance dated 20.05.2021. However, the application for Amendment in Environment Clearance was submitted on the Punjab state portal of Parivesh on 24.01.2023, in which the water requirements of the project were calculated on the basis of consumption @ 86 LPCD due to which the proposed STP capacity has been reduced from 350 KLD to 190 KLD. The case has been recommended by SEAC in its 240<sup>th</sup> meeting held on 20.02.2023 on the basis of revised calculations @ 86 LPCD. Due to the revised calculations, the quantity of wastewater generated as well as the required capacity of the STP have reduced substantially.

However, during the course of presentation before SEIAA, the project proponent submitted that they wish to retain the STP capacity of 350 KLD as sanctioned in the previous Environment Clearance dated 20.05.2021. Accordingly, the project proponent submitted the final water balance details as per the sanctioned calculations and the changed number of dwelling units and

population as per the Approved Site Plan by GMADA but retaining the original capacity of 350 KLD for the STP as under:

<b>Particulars</b>	<b>Accorded in Previous EC</b>	<b>Amendment</b>	<b>Total</b>
Total water demand (KLD)	370	-65	305
Fresh water (KLD)	243	-52	191
Treated water (KLD)	127	-13	114
Wastewater generation (KLD)	296	-43	253
STP capacity (KLD)	350	-	350

The project proponent further submitted that all the other parameters of the project except area details and population density (reduced because of consideration of excess population for club house in previous EC) have remained unchanged. As such, the project proponent sought to obtain amendment in the earlier granted EC as under:

<b>Sr. No.</b>	<b>Description</b>	<b>As per previous EC</b>	<b>Amendment</b>	<b>Total</b>
1.	Total Plot Area	27,680.50 sq. m		
2.	Proposed Ground Coverage	9,061.60 sq. m	-853.16 sq. m	8,208.44 sq. m
3.	Proposed Green Area	7,639.20 sq. m	-71.31 sq. m	7,567.89 sq. m
4.	Built up area	1,41,340.00 sq. m	-1,308.24 sq. m	1,40,031.73 sq. m
5.	Dwelling Units	413	-15	398
6.	Estimated Population	3,261 individuals	-623 individuals	2,638 individuals
7.	Total water requirement	370 KLD	-65 KLD	305 KLD
8.	Fresh water requirement	243 KLD	-52 KLD	191 KLD

9.	Treated water requirement	127 KLD	-13 KLD	114 KLD
10.	Wastewater generation	296 KLD	-43 KLD	253 KLD
11.	STP capacity	350 KLD	-	350 KLD
12.	Total solid waste generated	1,148 Kg/Day	-58 Kg/day	1,090 Kg/Day
13.	Total Project Cost	₹ 325.12 Cr.		
14.	Total power requirement and DG sets	Power requirement: 3,217 kVA DG sets - 1,250 kVA (5 X 250 kVA)		
15.	Rainwater Harvesting	07 No. of Rainwater Harvesting Pits		
16.	Parking	936 ECS	130 ECS	1,066 ECS

SEIAA was satisfied with the presentation submitted by the project proponent and observed that the case has already been recommended by SEAC for issuing amendment in the EC issued earlier vide letter no. 4185 dated 20.05.2021.

After detailed deliberations, SEIAA decided to issue amendment in the EC issued vide letter no. DECC/SEIAA/2021/4185 dated 20.05.2021 as under:

Sr. No.	Description	As per previous EC	Amendment	Total
1.	Total Plot Area	27,680.50 sq. m		
2.	Proposed Ground Coverage	9,061.60 sq. m	-853.16 sq. m	8,208.44 sq. m
3.	Proposed Green Area	7,639.20 sq. m	-71.31 sq. m	7,567.89 sq. m
4.	Built up area	1,41,340.00 sq. m	-1,308.24 sq. m	1,40,031.73 sq. m
5.	Dwelling Units	413	-15	398

6.	Estimated Population	3,261 individuals	-623 individuals	2,638 individuals
7.	Total water requirement	370 KLD	-65 KLD	305 KLD
8.	Fresh water requirement	243 KLD	-52 KLD	191 KLD
9.	Treated water requirement	127 KLD	-13 KLD	114 KLD
10.	Wastewater generation	296 KLD	-43 KLD	253 KLD
11.	STP capacity	350 KLD	-	350 KLD
12.	Total solid waste generated	1,148 Kg/Day	-58 Kg/day	1,090 Kg/Day
13.	Total Project Cost	₹ 325.12 Cr.		
14.	Total power requirement and DG sets	Power requirement: 3,217 kVA DG sets - 1,250 kVA (5 X 250 kVA)		
15.	Rainwater Harvesting	07 No. of Rainwater Harvesting Pits		
16.	Parking	936 ECS	130 ECS	1,066 ECS

**Item No.240.02: Application for Issuance of Terms of Reference for the establishment of Residential Project namely “Bollywood Green City” at Village Landran, Sector 113, District S.A.S. Nagar (Mohali), Punjab by M/s Lark Projects Pvt. Ltd. (SIA/PB/INFRA2/414454/2023)**

**Background:**

The project proponent has filed an application for obtaining environmental clearance under EIA notification dated 14.09.2006 for expansion of Residential Project namely “Bollywood Floors” located at Village Landran, Sector 113, District S.A.S. Nagar (Mohali), Punjab. The case was considered by SEAC in the 168th meeting held on 22.06.2018. Before allowing for the presentation, SEAC asked the project proponent to prove that it is not a case of violation, to which the project proponent submitted reply.

SEAC was not satisfied with the reply submitted by the project proponent and decided to defer the case and asked the project proponent to submit following documents to prove that it is not a case of violation:

1. A Copy of the 8 types of plans submitted to GMADA.
2. Copies of the receipts of fee deposited to GMADA for approval of plans.
3. A copy of the forwarding letter written to GMADA.
4. A copy of the license of the architect who has prepared the drawings.
5. Any other documents to prove that the total built up area of 48 plots is not more than 20000 sqm.

The matter was again considered in 185th meeting of SEAC and no one from the project proponent appeared for attending the hearing. SEAC observed that the project proponent is not interested in pursuing the case and took serious note of the same. After detailed deliberations, SEAC decided to recommend the case to SEIAA to delist the application as per the OM dated 30.10.2012 issued by MoEF&CC.

The matter was considered by SEIAA in its 160th meeting of SEIAA held on 30.01.2020 and SEIAA observed that the project proponent has neither replied to the observations conveyed on 11.07.2018 through online facility of additional detail sought (ADS) available on the web portal nor to the notice issued vide letter no 929 dated 29.10.2019. It was felt that the project proponent was not willing to pursue his case.

SEIAA also observed that as per MoEF, GoI OM dated 30.10.2012 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.

After detailed deliberations, SEIAA decided that case be delisted in light of OM dated 30.10.2012

as no reply has been submitted by the project proponent since more than 6 months and the project proponent be informed accordingly and PPCB should be asked to ensure that there was no violation of EPA in this case.

**Present case:**

The project proponent has applied for Issuance of Terms of Reference under EIA notification dated 14.09.2006 under violation category for the establishment of Residential Project namely “Bollywood Green City” at Village Landran, Sector 113, District S.A.S. Nagar (Mohali), Punjab by M/s Lark Projects Pvt. Ltd. The total land area of the project is 1,28,973.31 sqm (31.87 acres) having built up of 1,38,298.79 sq.m. The Project is covered under category 8(a)- of the schedule appended with the EIA notification dated 14.09.2006.

The project proponent has submitted the checklist, conceptual plan, EMP, Form-I/IA and other additional documents through Parivesh Portal. The project proponent is required to deposit processing fees of Rs. 69,149.39/- (@ 25%). The project proponent has deposited Rs. 69200/- (Rs. 65,925/- through NEFT vide UTR No. 000131167751 dated 11.01.2023 and Rs. 3275/- vide UTR No. 000131274834 dated 13.01.2023). The adequacy of the fee has been checked and verified by the supporting staff of SEIAA.

The project proponent has submitted permission for Change of Land Use (CLU) obtained from Department of Town and Country Planning, Punjab for overall 31.87 acres of land i.e. vide Memo No. 1439-CTP(Pb)/ SP-432 (m) dated 12.04.2012 (for 5 acres) and Memo No. 4039 CTP(PB)SP-432(m) dated 08.06.2011 (for 26.87 acres). Further, layout plan of 31.87 acres has been approved by the Chief Town Planner, Department of Town & Country Planning, Punjab.

The project proponent has mentioned in the application proposal that the promoter company had constructed CFC building and initiated construction on 63 plots for independents floors in October 2022. The detailed development/construction work of the overall project is as under:

<b>Sr. No.</b>	<b>Description</b>	<b>Ownership</b>	<b>Construction Status</b>
1.	<b>48 Residential Plots</b> (Plot no.: 1-10, 26-35, 66-75, 76-84,109-117)	M/s Lark Projects Pvt. Ltd.	Construction done by M/s Lark Projects Pvt. Ltd. after obtaining CTE from PPCB.
2.	<b>45 Residential Plots</b> (Plot no. 11-25, 36-65)	Sold to other company.	Construction done by other Company as well as by individual plot owners.



3.	<b>24 Residential Plots</b> <i>(Plot no. 85-95, 96-97, 98-108)</i>	Sold to other company.	Construction done by other Company as well as by individual plot owners.
4.	<b>63 Plots for Independent Floors</b> <i>(Plot no. 134-196)</i>	M/s Lark Projects Pvt. Ltd.	Construction upto plinth level on some plots has been initiated.
5.	<b>16 Residential Plots</b> <i>(Plot no. 118-133)</i>	Yet to be sold <i>(Plot no. 118-124,127-130 are Hypothecated to GMADA and same will be sold to individual plot owner after the removal of Hypothecation).</i>	No construction done yet.
6.	<b>EWS Site</b>	Yet to be sold	-
7.	<b>Commercial Plots (Showrooms) 21 no.</b>	Being sold to individual plot owner. <i>(Plot no. 1-3 &amp; 5-6 Mortgaged to GMADA and same will be sold to individual plot owner after the removal of Hypothecation)</i>	Only 2 showrooms constructed.
8.	<b>Public Building</b> <ul style="list-style-type: none"> <li>• School Site</li> <li>• CFC (Club House)</li> </ul>	<ul style="list-style-type: none"> <li>• Yet to be sold</li> <li>• M/s Lark Projects Pvt. Ltd.</li> </ul>	<ul style="list-style-type: none"> <li>• No construction done on School Site.</li> <li>• Construction of CFC done and finishing work is going on.</li> </ul>

### 1.0 Deliberations during 240<sup>th</sup> meeting of SEAC held on 20.02.2023

The meeting was attended by the following:

- (i) Mr. Kamaljeet Singh, Director M/s Lark Projects Pvt. Ltd.
- (ii) Mr. Sandeep Garg, EIA Coordinator, M/s Eco laboratories Pvt. Ltd.
- (iii) Mrs. Jyoti Rani, EC Coordinator, M/s Eco laboratories Pvt Ltd.

After detailed deliberations, SEAC decided to forward the case to SEIAA with the recommendation that Terms of Reference (ToR) shall be issued to the project proponent applicable for category 8(a) projects with the direction to complete the impact assessment studies and submit Environmental Impact Assessment (EIA) Report and Environmental Management Plan (EMP). Further, the project proponent shall prepare Damage Assessment, Remedial Plan and Natural & Community Resource Augmentation Plan, in compliance of Ministry of Environment, Forest & Climate Change, Govt. of India Office Memorandum No. 22-21/2020-IA.III dated 7.07.2021 regarding Standard Operating Procedure (SOP) for identification and handling of violation cases under EIA Notification, 2006. The collection and analysis of data for assessment of ecological damage, preparation of Remediation Plan and Natural & Community Resource Augmentation Plan shall be done by an environmental laboratory duly notified under Environment (Protection) Act, 1986, or an environmental laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of a Council of Scientific and Industrial Research institution working in the field of environment.

## **2.0 Deliberations during 240<sup>th</sup> meeting of SEIAA held on 02.03.2023.**

The case was considered by SEIAA in its 240<sup>th</sup> meeting held on 02.03.2023 which was attended by the following:

- (i) Sh. Sanjay Garg, Director of the project proponent.
- (ii) Dr. Sandeep Garg and Ms. Usha Kumari from M/s Eco Paryavaran Laboratories & Consultant Pvt. Ltd.

Environmental Consultant presented the salient features of the project. A copy of the presentation submitted by project proponent was taken on record.

SEIAA noted that as per the recommendations of SEAC, the case falls under the violation category and further action needs to be taken as per OM dated 07.07.2021 issued by the MoEF&CC for handling of violation cases under EIA notification, 2006.

During discussions, representative of the promoter company agreed to take action with respect to specific TORs proposed by SEAC. As such, SEIAA decided to accept the recommendations made by SEAC.

To a query by SEIAA, environmental consultant of the project proponent informed that a separate chapter to define the role and responsibilities of different stakeholders for implementation of the Environmental Management Plan as well as to comply with the conditions of Environmental Clearance to be granted shall be prepared. SEIAA decided to impose an additional TOR in this regard.

SEIAA, therefore, concluded that the case is required to be dealt with as per the MoEF&CC notification dated 07.07.2021. As per the said notification, action has to be taken against the

violator by Punjab Pollution Control Board under the provisions of Sections 15 and 16 read with Section 19 of the Environment (Protection) Act, 1986.

After detailed deliberations, SEIAA decided as under:

- a) Directions u/s 5 of the Environment (Protection) Act, 1986 be issued to PPCB to initiate action against the responsible persons under the provisions of Sections 15 and 16 read with Section 19 of the Environment (Protection) Act, 1986 and send the action taken report to SEIAA, Punjab, within 30 days.
- b) Directions u/s 5 of the Environment (Protection) Act, 1986 be issued to the project proponent as under:
  - (i) That the project proponent shall not undertake any further construction activity under the project or create any further third-party interest in the project till the grant of Environmental Clearance under EIA Notification dated 14.09.2006.
  - (ii) That the project proponent shall pay penalty equivalent to the amount as may be determined based upon notification dated 07.07.2021 at the time of submission of EIA/EMP report.
- c) Terms of reference be issued to the project proponent as recommended by SEAC for carrying out detailed EIA studies and preparation of the EMP with additional TORs as under:
  - (i) Project proponent shall submit a separate chapter defining the role and responsibilities of all stakeholders in the implementation of the proposed Environmental Management Plan as well as for assuring proper compliance of the conditions of Environmental Clearance in case it is granted.
  - (ii) Environmental Consultant shall prepare EIA report keeping in view Office Memorandum dated 07.07.2021 issued by the MoEF&CC, New Delhi.

**Item No.240.03: Application for Terms of Reference for IT Company namely “Netsmartz Tower” at Plot No. I-56, Sector 83, Alpha IT City, SAS Nagar, Punjab by M/s Netsmartz Infotech India Pvt Ltd (Proposal No. SIA/PB/INFRA2/414596/2023).**

**Background:**

- 1) The project proponent has applied for Terms of Reference for the project namely “Netsmartz Tower” at Plot No. I-56, Sector- 83, Alpha IT City, SAS Nagar. The project proponent has submitted layout plan approved from Senior Town Planner, Punjab vide letter no. 754 STP(S)SB-8 dated 19.07.2021. The details of land area, built-up area and configuration as per the approved layout plan are as under:

<b>Sr. No.</b>	<b>Particulars</b>	<b>Area</b>
1.	Plot Area	4046.856 sqm
2.	Built up area	27771.942 sqm
3.	Configuration	Ground + 15 <sup>th</sup> Floor

- 2) The project proponent has submitted request letter, application form, approved plan, proposed ToR along with an undertaking and other documents. The project proponent has deposited Rs. 55,544/- vide UTR No. CMS3036048957 dated 30.12.2022, as checked and verified by the supporting staff of SEIAA. The project is covered under category 8(a) of the schedule appended with the EIA notification dated 14.09.2006.
- 3) The Greater Mohali Area Development Authority (GMADA) vide letter No. GMADA/2021/86397 dated 11.10.2021 has approved proposed plan of the project to be established at plot no. I-56, IT City, Sector-83 Alpha, SAS Nagar in the name of M/s Netsmartz Infotech India Pvt Ltd on certain terms & conditions. A copy of letter of physical possession issued by GMADA for the site no. I-56, Sector-83, Alpha, SAS Nagar in the name of the promoter company vide letter no. 47494 dated 22.10.2018 has been submitted.
- 4) The project proponent has submitted an undertaking to the effect that no litigation is pending against the land on which the project is to be developed and that no clearance is required under the provisions of Wildlife (Protection) Act, 1972 and Forest (Conservation) Act 1980. Further, the project is not covered under any eco-sensitive zone around any wildlife sanctuary.
- 5) The project proponent has also submitted an undertaking that the construction work of the entire building (Ground+ 15 floors) as per the approved layout plan has already been completed.

**Deliberations during 240<sup>th</sup> meeting of SEAC held on 20.02.2023.**

The meeting was attended by the following:

- (i) Sh. Hridul Sharma, Sr. Manager, M/s Netsmartz Infotech India Pvt Ltd.
- (ii) Sh. Deepak Gupta, Environmental Advisor.
- (iii) Sh. Sandeep Singh, Consultant, M/s. Chandigarh Pollution Testing Laboratory.

After detailed deliberations, SEAC decided to forward the case to SEIAA with the recommendation that Terms of Reference (ToR) shall be issued to the project proponent applicable for category 8(a) projects with the direction to complete the impact assessment studies and submit Environmental Impact Assessment (EIA) Report and Environmental Management Plan (EMP). Further, the project proponent shall prepare Damage Assessment, Remedial Plan and Natural & Community Resource Augmentation Plan, in compliance of Ministry of Environment, Forest & Climate Change, Govt. of India Office Memorandum No. 22-21/2020-IA.III dated 7.07.2021 regarding Standard Operating Procedure (SOP) for identification and handling of violation cases under EIA Notification, 2006. The collection and analysis of data for assessment of ecological damage, preparation of Remediation Plan and Natural & Community Resource Augmentation Plan shall be done by an environmental laboratory duly notified under Environment (Protection) Act, 1986, or an environmental laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of a Council of Scientific and Industrial Research institution working in the field of environment.

## **2.0 Deliberations during 240<sup>th</sup> meeting of SEIAA held on 02.03.2022.**

The case was considered by SEIAA in its 240<sup>th</sup> meeting which was attended by the following:

- i) Ms. Hridul Sharma, Senior Manager of the Promoter Company;
- ii) Mr. Sital Singh and Sh. Sandeep Singh, Consultants from CPTL EIA Mohali.

Environmental Consultant presented the salient features of the project. A copy of the presentation submitted by project proponent was taken on record.

SEIAA noted that as per the recommendations of SEAC, the case falls under the violation category and further action needs to be taken as per OM dated 07.07.2021 issued by the MoEF&CC for identification and handling of violation cases under EIA notification, 2006.

During discussions, representative of the promoter company agreed to take action with respect to specific TORs proposed by SEAC. As such, SEIAA decided to accept the recommendation made by SEAC.

To a query by SEIAA, Environmental Consultant of the project proponent informed that a separate chapter to define the role and responsibilities of different stakeholders for implementation of the Environmental Management Plan as well as to comply with the conditions of Environmental Clearance to be granted shall be prepared. SEIAA decided to impose an additional TOR in this regard.

SEIAA, therefore, concluded that the case is required to be dealt with as per the MoEF&CC notification dated 07.07.2021. As per the said notification, action has to be taken against the violator by Punjab Pollution Control Board under the provisions of Sections 15 and 16 read with Section 19 of the Environment (Protection) Act, 1986.

After detailed deliberations, SEIAA decided as under:

- a) Directions u/s 5 of the Environment (Protection) Act, 1986 be issued to PPCB to initiate action against the responsible persons under the provisions of Sections 15 and 16 read with Section 19 of the Environment (Protection) Act, 1986 and send the action taken report to SEIAA, Punjab, within 30 days.
- b) Directions u/s 5 of the Environment (Protection) Act, 1986 be issued to the project proponent as under:
  - (i) That the project proponent shall not undertake any further construction activity under the project or create any further third-party interest in the project till the grant of Environmental Clearance under EIA Notification dated 14.09.2006.
  - (ii) That the project proponent shall pay penalty equivalent to the amount as may be determined based upon notification dated 07.07.2021 at the time of submission of EIA/EMP report.
- c) Terms of reference be issued to the project proponent as recommended by SEAC for carrying out detailed EIA studies and preparation of the EMP with additional TORs as under:
  - (i) Project proponent shall submit a separate chapter defining the role and responsibilities of all stakeholders in the implementation of the proposed Environmental Management Plan as well as for assuring proper compliance of the conditions of Environmental Clearance in case it is granted.
  - (ii) Environmental Consultant shall prepare EIA report keeping in view Office Memorandum dated 07.07.2021 issued by the MoEF&CC, New Delhi.

**Item No. 240.04: Application for Terms of Reference for IT Company namely “Sebiz Tower” at Plot No. I-55, Sector 83, SAS Nagar, Punjab by M/s SE Biz Infotech Pvt Ltd (Proposal No. SIA/PB/INFRA2/414620/2023).**

**Background:**

- 1) The project proponent has applied for Terms of Reference for the already constructed “SE Biz Tower” at Plot No. I-55, Sector- 83, Alpha IT City, SAS Nagar. The project proponent has submitted layout plan approved from Senior Town Planner, Punjab vide letter no. 714 STP(S) dated 06.07.2021. The details of land area, built-up area and configuration as per the approved layout plan is as under:

<b>Sr. No.</b>	<b>Particulars</b>	<b>Area</b>
1.	Plot Area	1.09 Acre
2.	Built up area	27985.242 sqm
3.	Configuration	Ground + 15 Floors

- 2) The project proponent has submitted request letter, application form, approved plan, proposed ToR along with an undertaking and other required documents. The project proponent has deposited Rs. 55,971/- vide UTR No. CMS3036052751 dated 30.12.2022, as checked and verified by the supporting staff of SEIAA. The project is covered under category 8(a) of the schedule appended with the EIA notification dated 14.09.2006.
- 3) The Greater Mohali Area Development Authority (GMADA) vide letter No. GMADA/2021/86391 dated 11.07.2021 approved the proposed plan of plot no. I-55, IT City, Sector-83 Alpha, SAS Nagar in the name of M/ SE Biz Infotech Ltd on certain terms & conditions. A copy of letter of physical possession of the site no. I-55, Sector-83, Alpha, SAS Nagar issued by GMADA in the name of the promoter company vide letter no. 31220-22 dated 30.05.2019 has also been submitted.
- 4) The project proponent has submitted an undertaking to the effect that no litigation is pending against the land on which the project is to be developed and that no clearance is required under the provisions of Wildlife (Protection) Act, 1972 and Forest (Conservation) Act 1980. Further, the project is not covered under the eco-sensitive zone.
- 5) The project proponent has also submitted an undertaking that the construction work of the entire building (Ground+ 15 floors) as per the approved layout plan has already been completed.

**1.0 Deliberations during 240<sup>th</sup> meeting of SEAC held on 20.02.2023.**

The meeting was attended by the following:

- (i) Sh. Hridul Sharma, Sr. Manager, M/s Netsmartz Infotech India Pvt Ltd.

(ii) Sh. Deepak Gupta, Environmental Advisor.

(iii) Sh. Sandeep Singh, Consultant, M/s. Chandigarh Pollution Testing Laboratory.

After detailed deliberations, SEAC decided to forward the case to SEIAA with the recommendation that Terms of Reference (ToR) shall be issued to the project proponent applicable for category 8(a) projects with the direction to complete the impact assessment studies and submit Environmental Impact Assessment (EIA) Report and Environmental Management Plan (EMP). Further, the project proponent shall prepare Damage Assessment, Remedial Plan and Natural & Community Resource Augmentation Plan, in compliance of Ministry of Environment, Forest & Climate Change, Govt. of India Office Memorandum No. 22-21/2020-IA.III dated 7.07.2021 regarding Standard Operating Procedure (SOP) for identification and handling of violation cases under EIA Notification, 2006. The collection and analysis of data for assessment of ecological damage, preparation of Remediation Plan and Natural & Community Resource Augmentation Plan shall be done by an environmental laboratory duly notified under Environment (Protection) Act, 1986, or an environmental laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of a Council of Scientific and Industrial Research institution working in the field of environment.

### **3.0 Deliberations during 240<sup>th</sup> meeting of SEIAA held on 02.03.2022.**

The case was considered by SEIAA in its 240<sup>th</sup> meeting which was attended by the following:

- i) Ms. Hridul Sharma, Senior Manager of the Promoter Company;
- ii) Mr. Sital Singh and Sh. Sandeep Singh, Consultants from CPTL EIA Mohali.

Environmental Consultant presented the salient features of the project. A copy of the presentation submitted by project proponent was taken on record.

SEIAA noted that as per the recommendations of SEAC, the case falls under the violation category and further action needs to be taken as per OM dated 07.07.2021 issued by the MoEF&CC regarding identification and handling of violation cases under EIA notification, 2006.

During discussions, the representative of the promoter company agreed to take action with respect to specific TORs proposed by SEAC. As such, SEIAA decided to accept the recommendation made by SEAC.

To a query by SEIAA, Environmental Consultant of the project proponent informed that a separate chapter to define the role and responsibilities of different stakeholders for implementation of the Environmental Management Plan as well as to comply with the conditions of Environmental Clearance to be granted shall be prepared. SEIAA was satisfied with the reply and decided to impose an additional TOR in this regard.



SEIAA, therefore, concluded that the case is required to be dealt with as per the provisions of MoEF&CC Notification dated 07.07.2021 which prescribe the SoPs for dealing with violation cases. As per the said Notification, action has to be taken against the violator by Punjab Pollution Control Board under the provisions of Sections 15 and 16 read with Section 19 of the Environment (Protection) Act, 1986.

After detailed deliberations, SEIAA decided as under:

- a) Directions u/s 5 of the Environment (Protection) Act, 1986 be issued to PPCB to initiate action against the responsible persons under the provisions of Sections 15 and 16 read with Section 19 of the Environment (Protection) Act, 1986 and send the action taken report to SEIAA, Punjab, within 30 days.
- b) Directions u/s 5 of the Environment (Protection) Act, 1986 be issued to the project proponent as under:
  - (i) That the project proponent shall not undertake any further construction activity under the project or create any further third-party interest in the project till the grant of Environmental Clearance under EIA Notification dated 14.09.2006.
  - (ii) That the project proponent shall pay penalty equivalent to the amount as may be determined based upon MOEF&CC notification dated 07.07.2021 at the time of submission of EIA/EMP report.
- c) Terms of reference be issued to the project proponent as recommended by SEAC for carrying out detailed EIA & EMP with additional TORs as under:
  - (i) Project proponent shall submit a separate chapter defining the role and responsibilities of all stakeholders in the implementation of the proposed Environmental Management Plan as well as for assuring proper compliance of the conditions of Environmental Clearance in case it is granted.
  - (ii) Environmental Consultant shall prepare EIA report keeping in view Office Memorandum dated 07.07.2021 issued by the MoEF&CC, New Delhi.

Meeting ended with a vote of thanks of the Chair.

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