

State Environment Impact Assessment Authority (SEIAA),
Haryana

Minutes of 153rd Meeting of State Environment Impact Assessment Authority (SEIAA), Haryana, held on 15.02.2023 under the Chairmanship of Sh. Sameer Pal Srow, IAS (Retd.), Chairman, SEIAA, Haryana at Bay's No. 55-58, 1st Floor, Paryatan Bhawan, Sector-2, Panchkula, Haryana.

List of Participants

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

(Attended the 153rd Meeting through “Virtual Mode/ Video Conference”)

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

At the outset, the Chairman SEIAA (hereinafter refer to as; The Authority) welcomed the Members and requested the Member Secretary to give a brief background of the Items, listed as the Agenda of 153rd meeting.

“Minutes of the 152nd Meeting of SEIAA held on 24.01.2023 & 25.01.2023 are confirmed as part of the proceedings of 153rd Meeting”.

Agenda Items as listed in 153rd Meeting of SEIAA were discussed and the following decisions were taken:

Item No. 153.01: Amendment in EC for Group Housing Colony located at Village Mewaka, Sector-91, Gurugram, Haryana by M/s Jubilant Software Services Ltd.

1.	Project Proponent	M/s Jubilant Software Services Ltd.
2.	Project Consultant	M/s Perfect Enviro solutions Pvt. Ltd.
3.	NABET, ACCREDITATION	(No. <u>NABET/EIA/1922/SA 0143</u> <u>Valid upto : 01-06-2023</u>)
4.	Applied Category of the Project	8 (b)

The instant Proposal was submitted to the Authority vide online **Proposal No. SIA/HR/MIS/181227/2020 dated 16.11.2020** and the case was considered during the 206th meeting of SEAC (State Expert Appraisal Committee) held on 26.11.2020 and recommended to the Authority for the amendment in the Environment Clearance letter dated 29.05.2014.

In compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021, a scrutiny fee of ₹ 2,00,000/- has been deposited by the Project Proponent vide DD No. 001689 dated 01.12.2021.

The said case was listed before the Authority on different dates and thereafter, during the course of ongoing proceedings it was observed that a communication dated 17.12.2014 issued from Authority in response to a letter dated 08.10.2014 (received from the Regional Officer, MOEF & CC, GOI, Chandigarh), reflected, mismatching, variations and manipulations in the contents. While going through the relevant record, the Authority gathered that an attempt has been made by the Project Proponent to assume suo moto / deemed Environment Clearance for the (unauthorized) construction of **60029 Sqmtr** carried out beyond the permissible limit.

1. **Construction limit, (permissible) as per EC dated 29.05.2014** : 112843 Sqmtr
(Tower A, B, C, D, E, F, and P, Q, R along with
EWS, Club, School and Community Centre)

2. Actual construction carried out & admitted on the ground : 172872 Sqmtr
3. **Construction carried out beyond permissible limit** : **60029 Sqmtr**
(to be termed as Violation)
(Towers G, H, J, K, L and M)

To ascertain the factual position & to derive more clarity on various issues pertaining to the case, a Sub-committee of the Officers / Officials of the Authority was constituted :

1. Sh. Vinay Gautam, Joint Director (Technical),
2. Dr. Priya (SSA, SEIAA),
3. Sh. Sandeep Kumar (Assistant, SEIAA)

The above Committee was to look into the authenticity of the documents stated to be issued under the stamp of Member Secretary, SEIAA and to go through the “Half-yearly Compliance Reports” submitted by the Project Proponent, besides any other relevant issue, reflecting mismatching & variations etc.

The above mentioned Sub-committee vide letter dated 24.11.2021 conveyed & confirmed that all facts pertaining to the case were not correctly reflected & expressed to explain the factual position on the ground.

The Authority after having gone through the report of the Sub-committee, arrived at a conclusion that facts have been twisted & moulded to the convenience & comforts of the Project Proponent. For the prima facie, manipulation / tempering, engineered in the contents of a communication dated 17.12.2014 (expressing the consent of Authority), needs to be enquired by the Member Secretary, SEIAA.

Claim for the suo moto / deemed clearance / assessment, failed to sustain & support the plea of Project Proponent as same has been made to conceal the unauthorized construction (**60029 Sqmtr**), which was not permissible as per the terms & conditions of EC dated 29.05.2014.

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| 1. <u>Project Cost as disclosed by the PP</u>
<u>at the time of Grant of EC</u> | : | <u>Amount</u>
<u>₹ 260 Crore</u> |
| 2. <u>Project Cost as disclosed by the PP</u>
<u>At the time of Presentation before the</u>
<u>Appraisal Committee (SEAC)</u> | : | <u>₹ 285 Crore</u> |

3. Project Cost as disclosed by PP : ₹ 413 Crore
To the HSPCB for obtaining
Consent to Operate (dated 29.09.2020)

In addition to the above, the Authority deemed it appropriate to place it on record that issue regarding 60029 Sqmtr construction (without EC), beyond permissible limit & issue of revenue rasta and variation in the cost / size of the Project was never highlighted and brought on record by the Expert Committee at any point of time.

Findings and Decision / Direction of THE AUTHORITY (SEIAA):

The said Proposal was again taken up during **153rd Meeting of SEIAA held on 15.02.2023.** The Authority after having gone through the recommendation of SEAC, Sub-committee's Report dated 24.11.2021 along with details emanating from the record, placed on the file, observed as under:

1. That the Project Proponent initially submitted application dated 03.01.2011 for grant of Environment Clearance to the project 1,72,872 Sq. Meter under Category 8(b) EIA Notification dated 14.09.2006. Thereafter, the Project Proponent vide letter dated 28.03.2014 requested to the Authority to grant of Environment Clearance for Towers A,B,C,D,E,F and P,Q,R along with EWS, Club, School and Community Centre area spread over an area of approx 1,12,843 Sqm Meter.
2. Subsequently, the Project Proponent submitted Revised Form-1 and 1A on 07.05.2014 (considering the area for project for 1,12,843 Sq. Meter instead of initial 1,72,872 Sqm from category 8(b) to 8(a).

Accordingly, Environment Clearance, was grant to the Project Proponent vide letter dated 29.05.2014 for the built up area of 1,12,843 Sqm with the following stipulations that :

[45] The Project Proponent shall seek separate Environment Clearance under Expansion for the Towers G, H, J, K, L and M having proposed built up area of 60029 Sqm after obtaining permission of the competent Authority for lying services under Revenue Rasta passing through the area.

[46] *The Project Proponent shall implement all the plans submitted on 09.05.2014 for construction of Tower A, B, C, D, E, F, and P, Q, R along with EWS, Club, School and Community Centre having built up area of 1,12,843 Sq Meter.*

3. **Thereafter, the Project Proponent has submitted an application for seeking Amendment on 06.11.2020 wherein, it has been observed by the Authority that PP has constructed area of 60029 Sqmtrs (646147 Sqfts) Area, without having obtained Environment Clearance as per the condition No. 45 & 46 of the EC dated 29.05.2014.**

In view of the above, it is more than clear that EC dated 29.05.2014 was granted for construction of Built up area 1,12,843 Sqmtr; whereas admittedly as of now the constructed built up area of the Project is 1,72,872 Sqmtr (facts are adequately reflected / corroborated from the “Consent to Operate” dated 29.09.2020 issued by Haryana State Pollution Control Board to the Project Proponent). Therefore, any construction raised after 1,12,843 Sqmtr is without EC is to be considered invalid.

This act of the Project Proponent clearly amounts to a violation of the conditions of EC dated 29.05.2014; therefore, this calls for action within the scope of Section 5 of Environment (Protection) Act, 1986 and EIA Notification dated 14.09.2006 and further in the light of the **observations made by the Hon’ble Courts in the below mentioned Cases:**

1. **Hon’ble Supreme Court of India in Civil Appeal No. 10854 of 2016 titled as M/s Goel Ganga Developers India Pvt. Ltd Versus Union of India alongwith Civil Appeal No. 10901 of 2016 & Civil Appeal No. 5157-5158 of 2018.**
2. **Hon’ble Supreme Court of India in Civil Appeal No. 5016 of 2016 titled as Mantri Technozone Pvt. Ltd Versus Forward Foundation & Ors.**
3. **Hon’ble Supreme Court of India in Civil Appeal No. 2435 of 2019 titled as Keystone Realtors Pvt. Ltd Versus Shri Anil V Tharthare & Ors.**
4. **Hon’ble NGT in Appeal No. 122/2018 titled as Anil Tharthare Versus The Secretary, Env’t. Dept. Govt. of Maharashtra & Ors.**
5. **Original Application No. 1017/2018 titled as Shashikat Vithal Kamble Versus Union of India & Ors.**
6. **Hon’ble NGT in Appeal No. 54 of 2018 titled as H.P. Ranjanna Versus Union of India & Ors.**

7. *Hon'ble NGT in Original Application No. 661 of 2018 titled as Mr. Praveen Kakkar Versus Ministry of Environment, Forest & Climate Change & Ors.*
8. *Hon'ble NGT in Appeal No. 2 of 2023 titled as VSR Infratech Pvt. Ltd Versus State of Haryana & Ors.*

In the light of above, the Authority intend to impose Compensation for Damage to Environment on the Cost of the Project. Whereas, Project Proponent has failed to share & disclosed correct Project Cost to the Authority.

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|---|---|--|
| 1. <u>Project Cost as disclosed by the PP at the time of Grant of EC</u> | : | <u>Amount</u>
<u>₹ 260.00 Crore</u> |
| 2. <u>Project Cost as disclosed by the PP At the time of Presentation before the Appraisal Committee (SEAC)</u> | : | <u>₹ 285.00 Crore</u> |
| 3. <u>Project Cost as disclosed by PP To the HSPCB for obtaining Consent to Operate (dated 29.09.2020)</u> | : | <u>₹ 413.00 Crore</u> |

Therefore, the Authority decided to consider ₹ 413.00 Crore as the total correct Project Cost as disclosed by the PP to Haryana State Pollution Control Board (while making submissions for obtaining Consent to Operate & same is confirmed from the details as reflected in the Consent to Operate dated 29.09.2020). It is beyond doubt that while making unauthorized construction beyond the permissible limit, Project Proponent has not only violated the terms & conditions of the Environment Clearance dated 29.05.2014, but also caused substantive damage & loss to the Environment. Therefore, this act of the Project Proponent can not be overlooked and ignored.

In view of the above, Environment Compensation Cost is calculated by keeping in mind the observations & directions made by the Hon'ble Supreme Court of India & Hon'ble National Green Tribunal in the cases, mentioned below.

1. *Hon'ble Supreme Court of India in Civil Appeal No. 10854 of 2016 titled as M/s Goel Ganga Developers India Pvt. Ltd Versus Union of India alongwith Civil Appeal No. 10901 of 2016 & Civil Appeal No. 5157-5158 of 2018).*

2. Hon'ble Supreme Court of India in Civil Appeal No. 5016 of 2016 titled as Mantri Technozone Pvt. Ltd Versus Forward Foundation & Ors.
3. Hon'ble NGT in Appeal No. 2 of 2023 titled as VSR Infratech Pvt. Ltd Versus State of Haryana & Ors.
4. Hon'ble NGT in Appeal No. 54 of 2018 titled as H.P. Ranjanna Versus Union of India & Ors.

Accordingly, the above referred Cases are applied for calculation of Environment Damage Compensation Cost & Penalty in the instant Case for the violations / non-compliances of the conditions of Environment Clearance & other related aspects observed from the record / material available on file.

TABLE-1

Sr. No.	<u>(in Sqmtr)</u> Total Built Up Area permissible as per EC dated 29.05.2014	<u>(in Sqmtr)</u> Total Built up area reported	<u>(in Sqmtr)</u> Unauthorized Built Up Area	<u>(₹ In Crore)</u> Total Project Cost (as indicated in Consent to Operate dated 29.09.2020)	<u>(₹ In Crore)</u> Total Environmental Compensation Cost imposed @ 5 % of the Total Project cost i.e. 413 Crore
1.	1,12,843	1,72,872	60029	413.00	20.65 Crore

The Authority, impose Environment Compensation Cost & Penalty as under:

Sr. No.	Project Cost	Environmental Compensation Cost imposed	Penalty @1% on the Project Cost
1	₹413 Crore	₹ 20.65 Crore	₹ 4.13 Crore
Total		(₹ 20.65 Crore + ₹ 4.13 Crore) = ₹ 24.78 Crore	

In view of the above, Authority deemed it appropriate to direct the Project Proponent to deposit Compensation for Damage to Environment & Penalty, so imposed i.e. **₹ 24.78 Crore in this case, within 30 days** from the receipt of the Order in accordance with the directions issued by MOEF & CC, GOI vide Office Memorandum No. F. No. IA3-22/30/2022-IA.III(182415) dated 28.07.2022.

Accordingly, the Present Proposal No. SIA/HR/MIS/181227/2020 dated 16.11.2020 applied for “Amendment in Environment Clearance dated 29.05.2014” is hereby, Rejected / Declined.

The Authority directs the Project Proponent to submit a fresh proposal for approval of TOR for the said Project. The Authority further clarifies that a fresh application for grant of TOR / Environment Clearance will be considered only, after deposit of the Environmental Compensation Cost of ₹ 24.78 Crore, imposed in this case.

In case of failure to comply with the above directions, the Authority may contemplate to initiate action under Section 5 of the Environment (Protection) Act, 1986 to issue directions against the unauthorized construction made by the Project Proponent by asking the Competent Authority to take up the demolition of the structure (as may be required on the risk & cost of the Project Proponent). Besides withdrawing / suspending the Environment Clearance (EC) dated 29.05.2014, Granted to the Project.

Accordingly, case is disposed of.

Item No. 153.02: Environment Clearance 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.

1.	Project Proponent	M/s Commander Realtors Private Limited and others
2.	Project Consultant	M/s Ind Tech House Consult
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0174 Valid upto : 29-04-2023)
4.	Applied Category of the Project	8 (b)

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/NCP/57972/2020 on 07.06.2022** for grant of Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited Scrutiny fee of ₹ 2,00,000/- vide DD No. 701380 dated 06.04.2022 (in compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project as disclosed by the PP in the APPLICATION FORM is ₹ 466 Crore.

Appraisal & Recommendations of SEAC:

The said case was taken up during 256th meeting of SEAC held on 01.12.2022 and SEAC recommended the Project to SEIAA for grant of Environment Clearance for Expansion.

Findings and Decision of THE AUTHORITY (SEIAA):

Earlier, the matter was considered during 152nd meeting of SEIAA held on 24.01.2023 and the case was deferred for want of information.

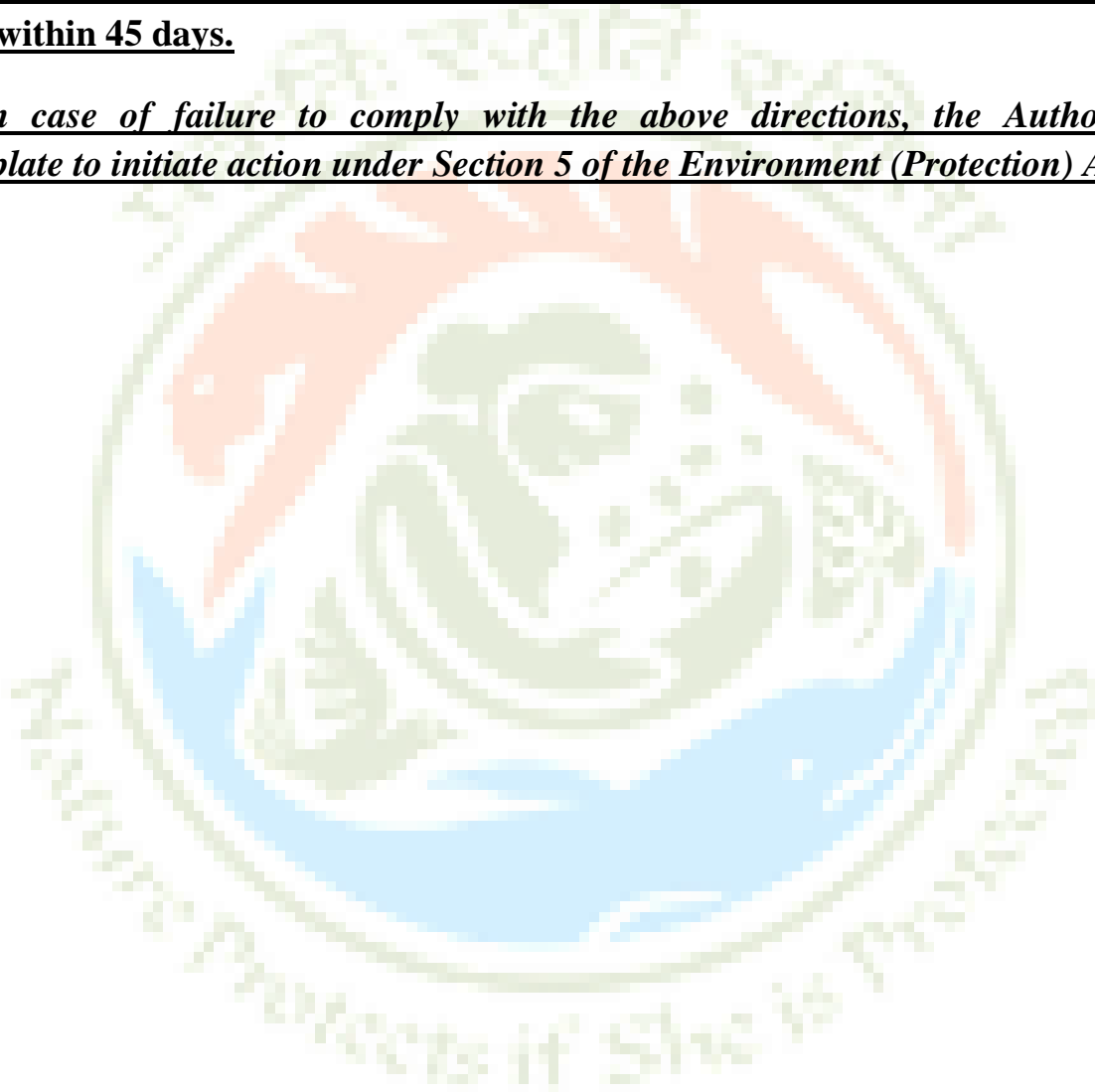
Now, the matter has been taken up, again during 153rd meeting of SEIAA held on 15.02.2023.

After having gone through the details & record placed on the file along with considering the recommendations of SEAC, the Authority observed that the Project Proponent has submitted a letter dated 08.02.2023 vide which it has been intimated that they have deposited an amount of Rs. 3,00,000/- in Favour of Municipal Corporation

Gurugram vide Demand Draft No. 514236 dated 08.02.2023 towards construction of culverts (10.0 meter wide) along-with services crossing through MCG Land.

After due deliberations, the Authority decided to Grant Environment Clearance (EC) to the project under Category 8(b) within the scope & meaning of EIA Notification dated 14.09.2006 with the directions to submit an Affidavit that except laying Culvert Services, the Project Proponent shall not use Revenue Rasta for any other purposes; if so, the Project Proponent shall obtain permission for Right of Way (RoW) from the Competent Authority and inform to the Authority, in this regard within 45 days.

In case of failure to comply with the above directions, the Authority may contemplate to initiate action under Section 5 of the Environment (Protection) Act, 1986



Item No. 153.03: Environment Clearance for Proposed Expansion of Godowns/ Warehouse for other than Agriculture Produce Ware House at Land Measuring 328454.874 sqm. located at Village Pathredi & Bhudka, Tehsil Manesar, Distt. Gurugram, Haryana by M/s Embassy Industrial Parks Private Limited.

1.	Project Proponent	M/s Embassy Industrial Parks Private Limited
2.	Project Consultant	M/s Ind Tech House Consult
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0174 Valid upto : 29-04-2023)
4.	Applied Category of the Project	8 (b)

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/MIS/72822/2022 dated 02.03.2022** for grant of Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited Scrutiny fee of ₹ 2,00,000/- vide DD No. 158642 dated 25.02.2022 (in compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project as disclosed by the PP in the APPLICATION FORM is ₹ 431.5 Crore.

Appraisal & Recommendations of SEAC:

The said case was taken up during 251st meeting of SEAC held on 10.10.2022 and SEAC recommended the Project to SEIAA for Grant of Expansion in existing EC (Environment Clearance) dated 07.12.2021.

The recommendations of SEAC were taken up in the 149th meeting of SEIAA held on 08.11.2022.

After having gone through the details & record placed on the file and upon considering the recommendations of SEAC, the Authority observed the followings:

1. **That Green area details provided by the Project Proponent are not at harmony as the Project Proponent has mentioned in the plan that Green Area is achieved @18.50% i.e. 60,764.45 Sqmtrs, whereas in the application PP has proposed that Green area will be provided 58560.13 Sqmtr. This is quite contradictory / ambiguous and devoid of factual position. This needs clarity and clarification.**

2. **In view of the Govt. Notification No. 08/04/2021-ICI dated 01.06.2021 issued by Department of Urban Local Bodies, Haryana and subsequently Notification No. 391-ARIC-I-2021/6273 dated 25.11.2021 issued by Revenue & Disaster Management Department, Haryana; RoW is required to be obtained by the PP from the Competent Authority. Whereas, status of revenue rasta in the instant case requires clarity. Permission of RoW from Competent Authority is required.**
3. **Having seen the Plan and location of the Project site, Land parcel of other entity appearing in the middle of the Project, needs clarity.**
4. **Status of Sewerage Permission is not clarified.**

After due deliberations, the Authority decided to constitute a Sub-committee consisting of Shri V.K. Gupta, Chairman, SEIAA, Shri Prabhaker Kumar Verma, Member SEAC and concerned Regional Officer, HSPCB (to assist the Sub-committee) to carryout site inspection and to submit its report before the Appraisal Committee under intimation to SEIAA.

Accordingly, the case is referred back to SEAC with the directions to re-look into all the aspects including aforesaid observations raised by SEIAA at Sr. No. 1 to 4.

The case was again taken up in 258th meeting of SEAC held on 04.01.2023 and again recommended this case to SEIAA for grant of Environment Clearance.

Findings and Decision of THE AUTHORITY (SEIAA):

Earlier, the matter was considered during 152nd meeting of SEIAA held on 24.01.2023 and the case was deferred for want of information.

Now, the matter has been taken up, again, during **153rd Meeting of SEIAA held on 15.02.2023.**

After having gone through the details & record placed on the file; the Authority gathered that the Project Proponent vide letter dated 08.02.2023, has requested for adjournment in this Case.

In view of the above, the Authority considered the request and decided to provide, a Last, but Final Opportunity to the Project Proponent, in this case.

Accordingly, the case is deferred.

Item No. 153.04: Environment Clearance for Project Proposed Development of Industrial Model Township (Phase-V) at Village Lakhnoula, Naharpur Kasan, Tehsil Manesar, Gurgaon, Haryana by HSIIDC.

1.	Project Proponent	HSIIDC
2.	Project Consultant	M/s Vardan Environet
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0158 Valid upto : 05-05-2023)
4.	Applied Category of the Project	8 (b)

The Project was submitted to the SEIAA vide online Proposal No. SIA/HR/MIS/68309/2021 dated 07.12.2021 for grant of Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited Scrutiny fee of ₹ 2,00,000/- vide DD No. 403614 dated 08.11.2021 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project disclosed by the PP in the APPLICATION FORM is ₹ **1024.63 Crore.**

Appraisal & Recommendations of SEAC:

The said case was taken up during 231st, 235th, 242nd, 245th & 259th meetings of SEAC held on 28.12.2021, 26.03.2022, 24.06.2022, 25.07.2022 & 19.01.2023 and SEAC recommended the Project to SEIAA for Grant of Environment Clearance.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd Meeting of SEIAA held on 15.02.2023.**

After having gone through the details & record placed on the file along with considering the recommendations of SEAC, the Authority observed that the State Expert Appraisal Committee has recommended this project under Category 8(a) instead of Category 8(b).

The Appraisal Committee which is august body & galaxy of learned & experienced people is expected and should make necessary verification / examination of facts, minutely in each and every Project before, making recommendations to the Authority, so that distinction between the Categories / Nature of the Project like 8(a) / 8(b) can be clearly made at the level of this Authority.

After due deliberations, the Authority decided to Grant Environment Clearance (EC) to the Project under Category 8(b) within the scope & meaning of EIA Notification dated 14.09.2006 with the following additional Stipulations:

1. PP shall impose conditions, in the Allotment letter that the Individual Plot Owner shall obtain Environment Clearance from the competent Authority, if the proposed project falls within the scope and ambit of EIA Notification dated 14.09.2006 or the construction of the project exceeded the prescribed limit of 20,000 Sqm.
2. That PP shall not allow any Industries/Activities relating to Category A and Category B within the project area/site. At later stage, if any, Category A and Category B industries are allow to be included in the project then Individual Environment Clearance as applicable for the Project shall be obtained, separately.

Accordingly, the case is disposed of.

Item No. 153.05: Environment Clearance for Revision & Expansion of “Residential Plotted Colony” project located at Sector 102 & 102A, Village Dhankot & Kherkimajra Gurugram, Haryana by M/s Countrywide Promoters Pvt. Ltd.

1.	Project Proponent	M/s Countrywide Promoters Pvt. Ltd.
2.	Project Consultant	M/s Oceao Enviro Management Solutions India Pvt. Ltd.
3.	NABET, ACCREDITATION	(No. NABET/EIA/2124/RA 0217 Valid upto : 08-04-2024)
4.	Applied Category of the Project	8 (b)

The Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/MIS/281054/2022 dated 04.07.2022** for Grant of Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 2,00,000/- vide DD No. 861455 dated 13.06.2022** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

After having gone Cost of the Project disclosed by the PP in the **APPLICATION FORM is ₹ 595 Crore.**

Appraisal & Recommendations of SEAC:

The said case was taken up during 245th, 246th, 251st & 259th meetings of SEAC held on 25.07.2022, 22.08.2022, 10.10.2022 & 19.01.2023 and **SEAC recommended the Project to SEIAA for Grant of Environment Clearance for Revision & Expansion.**

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd Meeting of SEIAA held on 15.02.2023.**

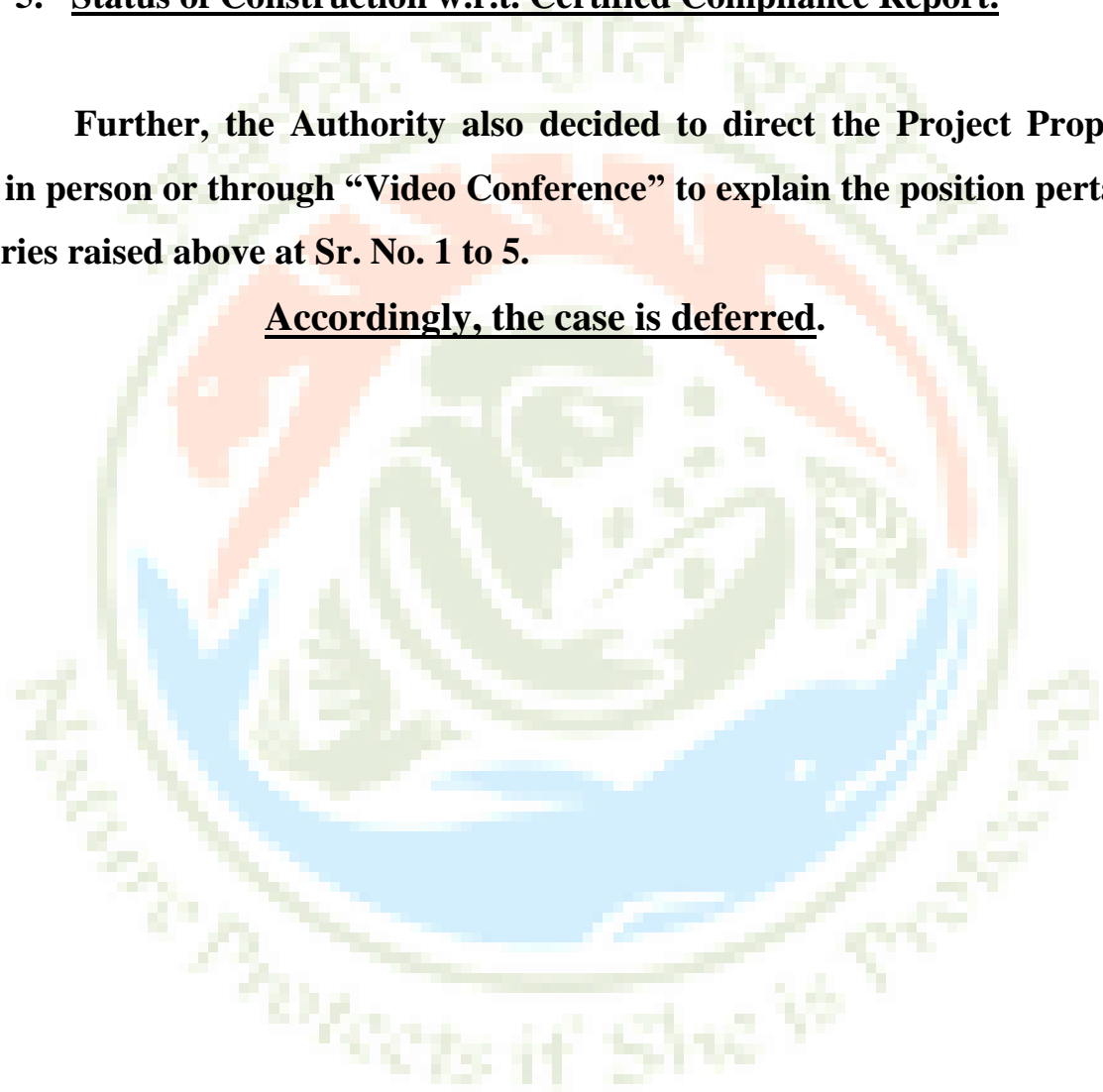
After having gone through the details & record placed on the file along with considering the recommendations of SEAC, **the Authority decided to defer this case till**

next meeting for want of information & certain clarifications with regard to the following:

- 1. Green Area**
- 2. Revenue Rasta**
- 3. Sewerage Permission**
- 4. Water Requirement**
- 5. Status of Construction w.r.t. Certified Compliance Report.**

Further, the Authority also decided to direct the Project Proponent to appear in person or through “Video Conference” to explain the position pertaining to the queries raised above at Sr. No. 1 to 5.

Accordingly, the case is deferred.



Item No. 153.06: Environment Clearance for Commercial Cum Residential Colony (Mix Land Use), at Sector 79, Omaxe City Centre, Faridabad, Haryana by M/s Robust Buildwell Pvt. Ltd.

1.	Project Proponent	M/s Robust Buildwell Pvt. Ltd.
2.	Project Consultant	M/s Grass Roots Research & Creation India (P) Ltd.
3.	NABET, ACCREDITATION	(No. NABET/EIA/2124/RA 0213 Valid upto : 15-02-2024)
4.	Applied Category of the Project	8 (a)

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/NCP/121687/2019 on 31.10.2019** for grant of Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited Scrutiny fee of ₹ 2,00,000/- is deposited vide DD No. 011246 dated 04.12.2021 (in compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project disclosed by the PP in the APPLICATION FORM is at ₹ 102.78 Crore.

Appraisal and Recommendation of SEAC:

1. That, the project was earlier granted Environment Clearance by SEIAA, Haryana vide letter no. SEIAA/HR/2016/904 dated 26.10.2016 for Plot area = 43,133.351 sqm and Built-up area 95,202.63 sqm which was valid upto 25.10.2023.
2. Thereafter, project had gone under expansion and constructed additional built-up area at site i.e. 31,403 sqm, (***Details: Built-up Area Constructed at Site in Phase-II area 12030.49 Sqm, Any other Structure (Raft, water tanks etc.) area 15910.49 Sqm and The excavated Area at Site area is 3461.72 Sqm***) Constructed at Site without prior Environment Clearance which attracts MoEF&CC Violation Notification dated 14th March 2017.
3. Subsequently, *Suo-moto* submitted an application to SEIAA, Haryana on 13.04.2018 under violation window as per the Notification dated 8th March, 2018 issued by MoEFCC.
4. Thereafter, project was taken up for consideration of Terms of Reference (ToR) in 181st SEAC meeting held on 30.05.2019 and case was recommended to SEIAA for grant of TOR.
5. Furthermore, The Project was taken up in 119th SEIAA meeting held on 02.08.2019; wherein, TOR was granted and ToR letter vide letter no. SEIAA/HR/2019/337 dated 11.09.2019 was issued (**Copy of ToR is enclosed as Annexure I**).

6. Parallely, Prosecution was initiated in the Special Environment Court Faridabad between Central Government/Union of India, Through Smt. Smita Kanodia, Environmental Engineer, Regional Officer, Haryana State Pollution Control Board, Faridabad and M/s Robust Buildwell Private Limited and its Director against EC Violation matter
7. Project got recommended for the grant of Environment Clearance 5 times under violation category as per the chronology given below:
- i. Project was taken up for consideration in 210th SEAC (Haryana) meeting dated 18.02.2021 and **recommended to SEIAA for grant of EC** with an amount of Rs 1.8 cr. towards Damage Assessment, Remediation plan and Natural and Community Resource Augmentation plan to be spent within a span of three years (**Copy of MoM is enclosed as Annexure II**).
 - ii. Thereafter, case was considered in 128th SEIAA meeting dated 26.05.2021; case got deferred and few observations were raised.
 - iii. Then, case was considered in 129th SEIAA meeting dated 14.10.2021; case was referred back to SEAC for clarification of two points.
 - iv. Thereafter, case was considered in 228th SEAC meeting dated 03.12.2021; case was **again recommended to SEIAA (Copy of MoM is enclosed as Annexure III)**.
 - v. Then, the project was taken up in the 132nd SEIAA meeting held on 20.12.2021; case was referred back to in light of order of Hon'ble Supreme Court order dated 9th December, 2021 in Civil Appeal No. 7576-7577 of 2021. Reply for the same was submitted to SEAC.
 - vi. Then, case was considered in 234th SEAC meeting dated 10.03.2022; case was **again recommended to SEIAA for grant of EC** with compensation of amount 51.4 Lakhs as per the SOP in addition to already recommended amount of Rs 1.8 Cr for Damage Assessment (**Copy of MoM is enclosed as Annexure IV**).
 - vii. Infact this compensation should have not been levied upon us as this was already in the damage assessment appraised by SEAC. However, we have agreed to pay this additional compensation in the interest of public to deliver the project to the allottees after getting EC.
 - viii. Then, the project was taken up in the 137th SEIAA meeting held on 24.03.2022; the Authority decided to refer back this case to SEAC with an advice to relook into this aspect and recalculate amount strictly with reference to guidelines provided in SOP vide F.No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF& CC, GoI being a case of violation. Reply for the same was submitted to SEAC.
 - ix. Then, case was considered in 241st SEAC meeting dated 26.04.2022; case was **again recommended to SEIAA for EC (Copy of MoM is enclosed as Annexure V)**.
 - x. Then, the project was taken up in the 147th SEIAA meeting held on 10.10.2022; case was referred back to in light of with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in

the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh &Ors V/s Union of India &Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI. The Authority further directs the SEAC to hold a special meeting during this month to appraise all such pending cases, applied under the Violation Category within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021.

- xi. The case has been taken up in 254th SEAC Meeting dated 31.10.2022; case was **again recommended to SEIAA for EC (Copy of MoM is enclosed as Annexure VI).**
- xii. Then, case was considered in 150th SEIAA meeting dated 25.11.2021; case was referred back to SEAC for clarification of two points regarding cost of project and green area.

For Point No. 1:- For Green Area, we would like to inform that the green area approved as per the earlier granted EC was 10,969.40 sqm i.e. 25.4% of the plot area and now after expansion we have revised proposed green area 22,918.32 sqm i.e. 25.4% of the plot area).

We assure that we will maintain the green area as per the earlier granted EC in the expansion part as well. Affidavit in this regard along with Landscape plan is enclosed as **Annexure VII.**

For Point No. 2:- The project cost as per the table below:

Project Cost as per earlier granted EC for Plot area = 43,133.351 sqm and Built-up area 95,202.63 sqm	Actual Project cost for additional Built-up 31,403 sqm under violation. The CA certificate for the same is attached	Remarks
168.40 Cr	102.78 Cr	It is also clarified that out of earlier granted EC part OC for 64,392.124 sqm area has been already obtained from DTCP, Chandigarh (Copy attached) and for remaining area 30.810.506 sqm OC has been applied to DTCP, Chandigarh and is under consideration (copy attached) CA certificate is enclosed as Annexure VIII.

After a detailed discussion on the reply submitted by the PP, the Committee unanimously decided to send the case to SEIAA and also reiterated the recommendations conveyed vide 254th MoM to grant EC to the project under violation category.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd Meeting of SEIAA held on 15.02.2023.**

After having gone through the details & record placed on the file along with considering the recommendations of SEAC, the Authority observed that 31403 Sqmtrs (338019.08 Sqfts) recommended for penalty for the excess construction i.e. beyond the prescribed limit of EC has been calculated to ₹ 102 Crore as construction cost of the project. Proposed Penalty on the same @ 0.50 % has been recommended as ₹ 51.4 lakh. This appears to be highly un-realistic and apparently erroneous as cost of construction for the Commercial –cum- Residential Complex in Gurugram at the current Market rate may be far more higher and greater than the recommendations made by the Appraisal Committee. May be the Appraisal Committee erred in judgment by working out the cost of construction by taking into consideration, only, the bare structures & ignoring the finishing cost to be incurred on the project (latest amenities & support systems like escalators / lifts / air conditioning / security & safety features & customer friendly fancy infrastructure).

Upon taking into consideration all the details discussed above, the Authority decided to **Revise the cost of the construction** of the area involved into violation to **₹ 167.31 Crore from ₹ 102 Crore** for the purpose of invoking penalty provisions as available under SOPs dated 07.07.2021. Accordingly, the Authority deemed it appropriate to re-calculate the penalty as under:

i. Construction beyond permissible limit	: 31403 Sqmtrs (3,38,019.08 Sqfts)
ii. Estimated Cost of Construction (Commercial –cum- Residential Complex)	: ₹ 167.31 Crore
Penalty @ 0.50%	: ₹ 83.66 Lakh
Additional Penalty @ 0.25%	: ₹ 41.83 Lakh
<hr/> Total	: ₹ 125.49 Lakh

In view of the discussions made above, the Authority decided to proceed to take further necessary action regarding Penalty and Environmental Compensation within the scope & meaning of EIA Notification dated 14.09.2006 & SOPs dated 07.07.2021 (by exercising powers under the scope and meaning of Section 5 of Environment (Protection), Act 1986 i.e. to make, directions) along with the observations made by the Hon'ble Courts in the below mentioned Cases:

1. **Hon'ble Supreme Court of India in Civil Appeal No. 2435 of 2019 titled as Keystone Realtors Pvt. Ltd Versus Shri Anil V Tharthare & Ors.**
2. **Hon'ble NGT in Appeal No. 122/2018 titled as Anil Tharthare Versus The Secretary, Env't. Dept. Govt. of Maharashtra & Ors.**
3. **Original Application No. 1017/2018 titled as Shashikat Vithal Kamble Versus Union of India & Ors.**

“It is pertinent to clarify that since the Project Proponent has applied **(on 13.04.2018)** under Violation Category within the scope of the **Notification dated 14.03.2017 & 08.03.2018**, therefore, the Penalty & Environmental Compensation Cost has been calculated / worked out & imposed within the scope & meaning of **SOPs dated 07.07.2021**, issued by the MOEF & CC, GOI. Penalty & Environmental Compensation Cost for the violations is hereby calculated as under”:

Sr. No.	Particular	Cost in Rs. In (lacs)	% age
1	Project Construction Cost of the area involved under violation i.e. 31403 Sqmtrs (338019.08 Sqfts x ₹ 4950 i.e. average construction cost per Sqft). <u>(₹ 4950 per Sqft includes, Cost of the land & licensing fee / EDC/IDC and other such components / etc.)</u>	₹ 167.31 Crore approx. (Revised**)	
2	0.50% Penalty as per SOP 7 th July 2021, Clause No 12.a (ii) on Rs 167.31 Crore <u>(being eligible for half rate of Penalty, due to voluntarily disclosure)</u>	₹ 83.66	0.50 %

3	0.25% Penalty as per SOP 7 th July 2021, Clause No 12.a (ii) on Rs 167.31 Crore (<u>Deemed to have Occupation Certificate for the Project</u>)	₹ 41.83	0.25%
4	Environmental Compensation Cost	₹ 334.62	2 %
	Total Amount	₹ 460.11	

The Project Proponent to pay :

- (a) Penalty : ₹ 125.49 Lakh
(b) Environmental Compensation Cost : ₹ 334.62 Lakh

Total : ₹ 460.11 Lakh

It is relevant to mention that Hon'ble NGT vide Order dated 21.10.2022 in OA No. 976/2019 & M.A. No. 74/2022 (Gurinder Singh & Ors Versus Union of India & Ors.) and Order dated 11.11.2022 in OA No. 10 of 2021 & I.A. No. 282 of 2022 (Sanjay Kumar Versus Union of India & Ors.), made directions that PENALTY & ENVIRONMENTAL COMPENSATION COST recovered from Project Proponent on account of Violations / Non-compliances "is to be utilized for RESTORATION, PROTECTION & CONSERVATION of Environment through State/ District Environment Plans".

In view of the above, the Authority may direct the Project Proponent to deposit the PENALTY & ENVIRONMENTAL COMPENSATION COST, so assessed in the said case i.e. **₹ 460.11 Lakh within 30 days** from the date of Order in accordance with the directions issued by MOEF & CC, GOI vide Office Memorandum No. F.No. IA3-22/30/2022-IA.III(182415) dated 28.07.2022.

The Authority upon considering all the facts & details discussed above, deemed it fair & appropriate to Grant Environment Clearance to the Project **subject to the condition** that above mentioned Revised PENALTY & ENVIRONMENTAL COMPENSATION COST, so assessed i.e. **₹ 460.11 Lakh** by this Authority, shall be deposited by the Project Proponent **within 30 days**, from the date of Grant of Environment Clearance.

Item No. 153.07: Environment Clearance for expansion of Group Housing Project “Lavanya Apartments” at Sector-81, Village Nawada Fatehpur, Gurgaon, Haryana under violation notification dated 14.03.2017 by M/s Graphic Research Consultants (I) Pvt. Ltd.

1.	Project Proponent	M/s Graphic Research Consultants (I) Pvt. Ltd.
2.	Project Consultant	M/s Ind Tech House Consult
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0174 Valid upto : 29-04-2023)
4.	Applied Category of the Project	8 (a)

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/MIS/123774/2019** for grant of Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of ₹ 2,00,000/- is deposited vide DD No. 979052 dated 24.11.2021 (in compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project disclosed by the PP in the APPLICATION FORM is at ₹ 176.62 Crore.

Appraisal and Recommendations of SEAC

- This is a Category, 8(a) building and construction
- Type of project- EC for expansion of Group Housing Project “Lavanya Apartments” at Sector-81, Village Nawada Fatehpur, Gurgaon, Haryana under violation notification dated 14.03.2017
- The requisite fee is deposited vide DD No.979052 dated 24.11.2021 for Rs.2,00,000/-
- ToR granted under violation category on 07.08.2018
- The case recommended to SEIAA in 199th meeting of SEAC for grant of EC under violation.
- The case was taken up in 124th and 128th meeting of SEIAA but was deferred.
- The case was taken up in 129th meeting of SEIAA and decided to refer back the case to SEAC for further verification of document submitted by PP.
- The case recommended to SEIAA in 226th meeting of SEAC for grant of EC under violation.
- The case was taken up in 131st meeting of SEIAA but was deferred.
- The case was taken up 137th meeting of SEIAA held on 24.03.2022 and decided to refer back this case to SEAC with an advice to relook into this aspect and

recalculate amount strictly with reference to guidelines provided in SOP vide F. No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF&CC , GoI being case of violation.

- The case was taken up 241st meeting of SEAC and committee decided to forward the case to SEIAA in view of request of PP.
- The case was taken up 141st meeting of SEIAA held on 26.05.2022 and authority decided to call a report from concerned RO, HSPCB to verify the latest construction status and the case was deferred
- The case was taken up 143rd meeting of SEIAA held on 14.07.2022 and authority decided to refer the case to LR Haryana for seeking legal opinion and guidance as to whether the SOP guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs". (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not).

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

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

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

The case was taken up in 254th meeting held on 31.10.2022. However, the case was deferred on request of PP.

The case was taken up in 258th meeting held on 03.01.2023. However, PP requested vide letter dated 29.12.2022 received through email, to defer the case as they

could not attend the presentation due to some unavoidable circumstances. The committee acceded with the request of PP and deferred the case.

The case was taken up in 259th meeting held on 20.01.2023. The PP and consultant presented the case before the committee. The PP has submitted an affidavit dated 20.01.2023 and explained the background of the case as under:

1. That the above cited case was considered in the 199th SEAC, Haryana and 241st meeting of SEAC, Haryana and the committee, after due deliberation, appraised and forwarded the same to SEIAA for grant of EC under violation category.
2. A detailed project chronology with respect to the acceptance and consideration of our project for **Environment Clearance under Violation category as follows:**
 - (i) Applied for expansion of EC dated **08.02.2017** to SEIAA, Haryana and on 16.02.2017, case was accepted. Hard copy of the documents was submitted on 22.02.2017. Hard copy submission receiving is enclosed as **Annexure 1**.
 - (ii) SEAC took up the case in 150th Meeting held on dated 06.04.2017. **During the meeting, the committee highlighted that the construction has already started without obtaining prior EC which amounts to violation of EIA Notification dated 14.09.2006.**
 - (iii) **In compliance of the Notification dated 14.03.2017, we applied for EC under violation category within stipulated time frame i.e. within six months of window period of violation.**
 - (iv) The proposal was considered by SEAC in 170th Meeting dated 07.06.2018 for approval of ToR under violation category. After due deliberation and discussion, the committee unanimously **recommended for grant of TOR** with one of the recommendation that "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 HPCB 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". Copy of TOR is enclosed as **Annexure 2**.
 - (v) We applied for EC as per the TOR granted.
 - (vi) The case was further considered in 192nd Meeting of SEAC dated 04.12.2019 and during the discussion, certain observations were raised and replies were submitted. MOM Copy of 192nd Meeting of SEAC dated 04.12.2019 is enclosed as **Annexure 3**.
 - (vii) The case was again taken up in 199th meeting of SEAC dated 22.06.2020. Extensive discussion was held regarding remediation plan and augmentation plan to be submitted for **Rs. 25.30 lac and committee gave us certain suggestions and asked us to recalculate & resubmit the Budget for "Remediation & Resource Augmentation plan"**. The suggestions of SEAC were accepted, implemented and a revised Budget of **Rs. 38. 70**

lac was submitted, that be spent within a span of five years on the cited activities.

- (viii) The revised budget was accepted by SEAC in 199th meeting and the case was appraised & recommended to SEIAA for grant of EC with following specific conditions:
- (a) SEAC recommended for an amount of Rs.38.70 lakhs-towards Remediation plan and Natural and Community Resource Augmentation plan to be spent within a Span of five years.
 - (b) The project proponent shall be required to submit a bank guarantee of an amount of Rupees 38.70 lacs towards Remediation plan and Natural and Community Resource Augmentation plan with the Haryana State Pollution Control Board prior to the grant of EC.
 - (c) Remediation plan shall be completed in 5 years whereas bank guarantee shall be for 7 years. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC and approval of the regulatory authority /SEIAA Copy of MOM is enclosed as **Annexure 4**.
- (ix) The recommendations of SEAC were considered in 124th meeting of SEIAA held on 22.07.2020, the authority deferred the case till the submission of proof of Bank Guarantee. Copy of MOM is enclosed as **Annexure 5**.
- (x) **In compliance to the condition of committee, and direction of SEIAA, Haryana, a bank guarantee of Rs. 38.70 lacs in the favour of HSPCB dated 26.02.2021 with validity up to 25.02.2028 (7 years) was submitted. Copy of submission of bank guarantee is attached as Annexure-6.**
- (xi) The authority in its 127th meeting held on 17/03/21 accepted that we have submitted the proof of Bank guarantee. Further, the authority directed to explain and submit the following documents:
- (a) Latest Status Report of the Project duly verified by the RO, MoEF& CC/ RO, HSPCB
 - (b) Confirmation of the land use as per the 'Master-Plan' of the area from DTCP. Copy of MOM is enclosed as **Annexure 7**. Latest Site inspection report verified by RO, HSPCB South and Proof of Confirmation of land use by DTCP (Final Development plan of Gurugram – Manesar urban complex 2031(AD)) was submitted by us on 08th July 2021. Receiving copy of reply is enclosed as **Annexure 8**.
- (xii) The SEIAA again considered the case in 128th meeting of SEIAA held on 26.05.2021 and deferred the case. The case was again considered in 129th meeting of SEIAA held on 14.10.2021 and authority referred back the case to SEAC. MOM copy of in 128th meeting of SEIAA held on 26.05.2021 and 129th meeting of SEIAA held on 14.10.2021 is enclosed as **Annexure 9 & 10**.

The case was again taken up in **226th meeting** of SEAC held on 18.11.2021 and after satisfaction, SEAC re-recommended the case to

SEIAA for EC under violation category. Copy of MOM is enclosed as **Annexure 11.**

- (xiii) The case was again considered in 131st meeting of SEIAA, Haryana held on 02.12.2021 and the authority decided to defer the case till the legal opinion from Ld. LR, Haryana is received. Copy of MOM is enclosed as **Annexure 12.**
- (xiv) Again the case was take in 137th meeting of SEIAA held on 25.03.2022 and the authority MOM is as below:
The case was taken up in the 137th meeting of SEIAA held on 25.03.2022 and the Authority after due deliberations decided to refer back case to SEAC for appraisal in the Light of SoP vide F.No.22-21/2020-IA.UI dated 07.07.2021 issued by MoEF& CC, Gol being a case of violation. Copy of MOM is enclosed as **Annexure13.**
- (xv) On 22.04.2022 we submitted to SEIAA to that our case has been decided on account of “Budgetary Provisions for Remedial & Resource Augmentation Plan”, quite evident from the MoM of SEAC 124th meeting dtd.26.06.2022. The recommendations of SEAC were admitted in 124th SEIAA meeting held on 22.07.2020 and even the proof of submitted “BG dtd. 26/02/21” was provided in the 127th meeting of SEIAA held on 17.03.2021.
- (xvi) In view of the facts cited under point no. 17, we submitted to SEAC that the case has been decided well before the publishing of SoP and even the BG was deposited with the concerned Authority, therefore, our case should be considered as the earlier cases were decided. The mandate to follow SoP dtd. 07.07.2021 was much later then the decision pronounced in our case.
- (xvii) Our submission to SEAC in its 241st meeting was considered & was forwarded to SEIAA. Copy of MOM is enclosed as **Annexure 14.**
- (xviii) The SEIAA vide its letter No. SEIAA/HR/2022/704 dated 07.04.2022 again referred back the case to the SEAC for appraisal in light of SOP dated 07.07.2021. Copy of letter is enclosed as **Annexure 15.**

The case was taken up 143rd meeting of SEIAA held on 14.07.2022 and authority decided to refer the case to LR Haryana for seeking legal opinion an guidance as to whether the SOP guidelines dated 07.07.2021, issued by the MoEF & CC, Government of India, shall apply on the proposals, applied for grant of EC under the violation window, prior to the issue of the said SOPs”. (Meaning thereby, whether violation cases, pending prior to 07.07.2021 will attract SOPs dated 07.07.2021 or not). Vide 147th meeting of SEIAA, the case was referred back to SEAC with opinion of LR which were received on 04.10.2022.

The PP submitted that their case is different from G. P. Realtors and also in this case the final remediation budget has already been decided by SEIAA in the month of

October 2020 much before the SoP dated 07.07.2021 issued by MoEF&CC and EC has also been approved in principle subject to submission of Bank Guarantee of Rs.38.70 Lakh which has also been deposited with HSPCB on dated 26.02.2021.

The Committee held a discussion on the submission made by the PP. After due deliberation, it was decided that since required Bank Guarantee has been deposited by PP in this case, therefore, the case shall be recommended to SEIAA for further consideration to grant EC under violation category.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd meeting of SEIAA held on 15.02.2023.**

Further, the Authority after perusal of relevant record placed on the file, observes that certain more clarifications are required to arrive at the final conclusion. Therefore, the Authority decided to defer this case.

Item No. 153.08: Terms of Reference for Warehouse for storage of Non-Agricultural Produce (Logistics) at Revenue Estate of Village Mohri, Tehsil Shahabad, District Kurukshetra, Hayrana by M/s Rising Sun Warehousing.

1.	Project Proponent	M/s Rising Sun Warehousing.
2.	Project Consultant	M/s Amlink Solutions & Technologies Pvt. Ltd.
3.	NABET, ACCREDITATION	(No. NABET/EIA/2225/RA 0261_Rev 02 Valid upto : 20-05-2025)
4.	Applied Category of the Project	8 (a)

The Project was submitted to the SEIAA vide online Proposal No. SIA/HR/MIS/81614/2022 dated 04.08.2022 for obtaining Terms of Reference (under Violation Category) w.r.t. SOP dated 07.07.2021 issued by MOEF & CC, GOI under Category 8(a) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 1,50,000/- vide DD No. 260492 dated 06.08.2022** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project disclosed by the PP in the APPLICATION FORM is ₹ 39.90 Crore.

Appraisal & Recommendations of SEAC:

The case was taken up during 248th meeting of SEAC, Haryana held on 06.09.2022. The Committee discussed the case under violation category and after detailed deliberations on the information presented by the project proponent, unanimously decided to **recommend** the case to SEIAA for Grant of Terms of Reference (under violation) for undertaking EIA and preparation of Environment Management Plan (EMP).

Thereafter, the recommendation of SEAC was considered in 145th meeting of SEIAA held on 09.09.2022. The Authority after detailed discussions and perusal of facts placed on record, decided to constitute a Sub-committee comprising of the following to verify and submit the current status of the project and defer this case:

1. Sh. V.K. Gupta, Chairman, SEAC
2. Sh. Rajbir Singh Bondwal, IFS(Retd.), Member, SEAC.
3. Regional Officer, HSPCB Kurukshetra will assist the sub-committee

The matter was taken up during 259th meeting held on 20.01.2023. The sub-committee of above mentioned members visited the site on 05.01.2023 and submitted the site visit report (attached in original alongwith relevant annexures). The report was deliberated and discussed. Keeping in view MoEF & CC notification dated 04.10.2022, it is recommended that PP can be exempted from obtaining EC.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd meeting of SEIAA held on 15.02.2023.**

The Authority after due deliberations; decided to agree with the recommendations of SEAC to **de-list this proposal** in accordance with Office Memorandum dated 04.10.2022 issued by MoEF & CC (Impact Assessment Division) with the directions to the Project Proponent for strict compliance of the guidelines issued by MoEF & CC, GoI vide OM dated 09.06.2015.

Accordingly, case is disposed of.

Item No. 153.09: Terms of Reference (ToR) under Violation for 3 MLD Common Effluent Treatment Plant, Kutana Located at Village Kutana, Tehsil & District Rohtak Haryana by M/s HSIIDC CETP Kutana.

1.	Project Proponent	M/s HSIIDC CETP Kutana
2.	Project Consultant	M/s Shivalik Solid Waste Management Limited.
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0169 Valid upto : 16-08-2023)
4.	Applied Category of the Project	7 (h)

The Project was submitted to the SEIAA vide online Proposal No. SIA/HR/INFRA2/410597/2022 dated 14.12.2022 for obtaining Terms of Reference (under Violation Category) w.r.t. SOP dated 07.07.2021 issued by MOEF & CC, GOI under Category 7(h) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 1,00,000/- vide DD No. 554248 dated 19.12.2022** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project disclosed by the PP in the APPLICATION FORM is ₹ 10.22 Crore.

Appraisal & Recommendations of SEAC:

The case was taken up during 259th meeting held on 20.01.2023 and recommended to SEIAA for approval of Terms of Reference (under Violation Category) along with additional Terms of Reference.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd meeting of SEIAA held on 15.02.2023.**

After having gone through the details & record placed on the file along with perusal of recommendations of SEAC, the Authority decided to agree with the recommendations made in this case i.e. to “**Grant TOR under Violation Category**”.

The Authority further deemed it appropriate to send this proposal back to SEAC for working out the quantum of Penalty and Environmental Compensation Cost as may be applicable, in the light of Order dated 22.02.2023 passed by the Hon’ble NGT in the below mentioned Case :

“Hon’ble NGT in Appeal No. 2 of 2023 titled as VSR Infratech Pvt. Ltd Versus State of Haryana & Ors.”

Further, the Authority directs the SEAC to look into this case in the light of observations made by the Hon’ble Court in the below mentioned Cases as reference:

1. **Hon’ble Supreme Court of India in Civil Appeal No. 10854 of 2016 titled as M/s Goel Ganga Developers India Pvt. Ltd Versus Union of India alongwith Civil Appeal No. 10901 of 2016 & Civil Appeal No. 5157-5158 of 2018.**
2. **Hon’ble Supreme Court of India in Civil Appeal No. 5016 of 2016 titled as Mantri Technozone Pvt. Ltd Versus Forward Foundation & Ors.**
3. **Hon’ble Supreme Court of India in Civil Appeal No. 2435 of 2019 titled as Keystone Realtors Pvt. Ltd Versus Shri Anil V Tharthare & Ors.**
4. **Hon’ble NGT in Appeal No. 122/2018 titled as Anil Tharthare Versus The Secretary, Env’t. Dept. Govt. of Maharashtra & Ors.**
5. **Original Application No. 1017/2018 titled as Shashikat Vithal Kamble Versus Union of India & Ors.**
6. **Hon’ble NGT in Appeal No. 54 of 2018 titled as H.P. Ranjanna Versus Union of India & Ors.**
7. **Hon’ble NGT in Original Application No. 661 of 2018 titled as Mr. Praveen Kakkar Versus Ministry of Environment, Forest & Climate Change & Ors.**

Item No. 153.10: Terms of Reference under Violation for Commercial Project “Picasso Centre” under TOD zone Village Ghata, Sector 61, Gurgaon Manesar Under Complex, Gurugram, Haryana in a violation having built up area 28999.412 sqm by M/s ERA Resorts Private Limited.

1.	Project Proponent	M/s ERA Resorts Private Limited.
2.	Project Consultant	M/s Ocea Enviro Management Solutions India Pvt. Ltd.
3.	NABET, ACCREDITATION	(No. NABET/EIA/2124/RA 0217 which is Valid upto : 08-04-2024)
4.	Applied Category of the Project	8(a)

The Project was submitted to the SEIAA vide online Proposal No. SIA/HR/INFRA2/411269/2022 dated 23.12.2022 for obtaining Terms of Reference (under Violation Category) w.r.t. SOP dated 07.07.2021 issued by MOEF & CC, GOI under Category 8(a) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 2,00,000/- vide DD No. 038478 dated 09.12.2022** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project disclosed by the PP in the APPLICATION FORM is ₹ 142.82 Crore.

Appraisal & Recommendations of SEAC:

The case was taken up during 259th meeting held on 20.01.2023 and recommended to SEIAA for approval of Terms of Reference (**under Violation Category**) along with additional Terms of Reference.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd meeting of SEIAA held on 15.02.2023.**

After having gone through the details & record placed on the file along with perusal of recommendations of SEAC, the Authority decided to agree with the recommendations made in this case i.e. to **“Grant TOR under Violation Category”**.

The Authority further deemed it appropriate to send this proposal back to SEAC for working out the quantum of Penalty and Environmental Compensation Cost as may be applicable, in the light of Order dated 22.02.2023 passed by the Hon’ble NGT in the below mentioned Case :

“Hon’ble NGT in Appeal No. 2 of 2023 titled as VSR Infratech Pvt. Ltd Versus State of Haryana & Ors.”

Further, the Authority directs the SEAC to look into this case in the light of observations made by the Hon’ble Court in the below mentioned Cases as reference:

1. **Hon’ble Supreme Court of India in Civil Appeal No. 10854 of 2016 titled as M/s Goel Ganga Developers India Pvt. Ltd Versus Union of India alongwith Civil Appeal No. 10901 of 2016 & Civil Appeal No. 5157-5158 of 2018.**
2. **Hon’ble Supreme Court of India in Civil Appeal No. 5016 of 2016 titled as Mantri Technozone Pvt. Ltd Versus Forward Foundation & Ors.**
3. **Hon’ble Supreme Court of India in Civil Appeal No. 2435 of 2019 titled as Keystone Realtors Pvt. Ltd Versus Shri Anil V Tharthare & Ors.**
4. **Hon’ble NGT in Appeal No. 122/2018 titled as Anil Tharthare Versus The Secretary, Env’t. Dept. Govt. of Maharashtra & Ors.**
5. **Original Application No. 1017/2018 titled as Shashikat Vithal Kamble Versus Union of India & Ors.**
6. **Hon’ble NGT in Appeal No. 54 of 2018 titled as H.P. Ranjanna Versus Union of India & Ors.**
7. **Hon’ble NGT in Original Application No. 661 of 2018 titled as Mr. Praveen Kakkar Versus Ministry of Environment, Forest & Climate Change & Ors.**

Item No. 153.11: Environment Clearance for Common Bio-Medical Treatment Facility (CBWTF) at Village Shahpur, District Jind, Haryana by M/s Divya Waste Management Company.

1.	Project Proponent	M/s Divya Waste Management Company.
2.	Project Consultant	M/s Ind Tech House Consult
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0174 Valid upto : 29-04-2023)
4.	Applied Category of the Project	7(d) (a)

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/INFRA2/413174/2023 dated 04.01.2023** for grant of Environmental Clearance under Category 7(d) (a) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 50,000/- vide DD No.111876 dated 20.04.2022** (in compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project as disclosed by the PP in the APPLICATION FORM is ₹ 1.10 Crore.

Appraisal & Recommendations of SEAC:

The said case was taken up during 259th meeting held on 19.01.2023 and SEAC recommended the Project to SEIAA for grant of Environment Clearance.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd meeting of SEIAA held on 15.02.2023.**

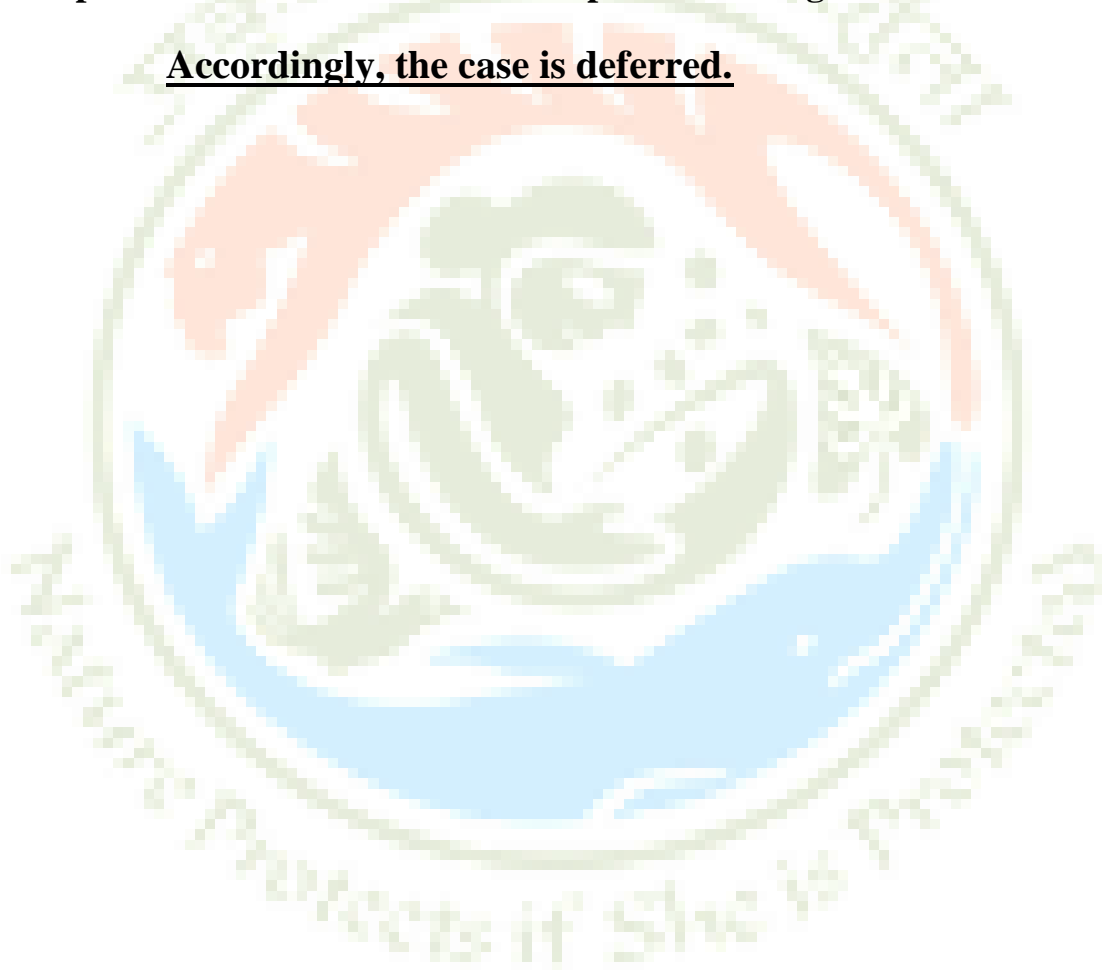
After having gone through the details & record placed on the file along with considering the recommendations of SEAC, the Authority gathered that Haryana State Pollution Control Board vide its communication dated 14.02.2023 intimated that the final Evaluation report of BMW generation, GAP analysis with respect to coverage area has

been received from Department of Community Medicine & School of Public Health Postgraduate Institute of Medical Education & Research (PGIMER) Chandigarh, wherein it is conveyed as under:

“The current CBWTFs in Haryana have enough capacity to manage the BMW in upcoming years. Hence, there is no need to install a new CBWTF or no need to increase the capacity of any CBWTF as they have enough capacity w.r.t. current generation of BMW”

After due deliberations, the Authority decided that Member Secretary, SEIAA shall request the Member Secretary, Haryana State Pollution Control Board (HSPCB) to constitute a Sub-committee having a representative from HSPCB, Head quarter and the Concerned Regional Officer, HSPCB to carry out the Site Inspection and submit a detailed report in this regard.

Accordingly, the case is deferred.



Item No. 153.12: Environment Clearance for Proposed “Residential Plotted Colony” (Under DDJAY-2016) over an area measuring 14.20625 in the revenue estate of Village Rathdhana, Sector-33, Sonipat, Haryana by M/s ELDECO Green Park Infrastructure Limited.

1.	Project Proponent	M/s ELDECO Green Park Infrastructure Limited
2.	Project Consultant	M/s Vardan Environet
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0158 Valid upto : 05-05-2023)
4.	Applied Category of the Project	8(a)

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/INFRA2/413182/2023 dated 04.01.2023** for grant of Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of ₹ 2,00,000/- vide DD No. 516043 dated 30.12.2022 (in compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project as disclosed by the PP in the APPLICATION FORM is ₹ 120.464 Crore.

Appraisal & Recommendations of SEAC:

The said case was taken up during 259th meeting of SEAC held on 19.01.2023 and SEAC recommended the Project to SEIAA for Grant of Environment Clearance.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd meeting of SEIAA held on 15.02.2023.**

After having gone through the details & record placed on the file along with considering the recommendations of SEAC, the Authority gathered that Revenue Rasta passing through the Project Site / location requires permission for the **Right of Way (RoW)** from the Competent Authority.

Further, the Authority observed that valid License required for the Project (to be issued by the Director General, Town & Country Planning Department, Haryana) is not placed on the record.

After due deliberations, the Authority decided to refer back this case to SEAC with the directions to look into the observations raised above along with the other relevant aspects to be appraised & taken into consideration.



Item No. 153.13: Environment Clearance for Modernization of existing Common Bio-Medical Waste Treatment Facility (CBWTF) located at Khasra No. 43/114-15/1672 Village & Post Hetampura, District Bhiwani, Haryana by M/s Maruti Bio Medical Waste Plant.

1.	Project Proponent	M/s Maruti Bio Medical Waste Plant.
2.	Project Consultant	M/s Gaurang Environmental Solutions Pvt. Ltd.
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/RA 0192 (Rev.02) Valid upto : 07-12-2023)
4.	Applied Category of the Project	7 (d) (a)

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/INFRA2/412187/2022 dated 27.12.2022** for grant of Environmental Clearance under Category 7 (d) (a) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of ₹ 50,000/- vide DD No.185258 dated 28.10.2022 (in compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project as disclosed by the PP in the APPLICATION FORM is ₹ 43.24 lakh.

Appraisal & Recommendations of SEAC:

The said case was taken up during 259th meeting of SEAC held on 19.01.2023 and SEAC recommended the Project to SEIAA for Grant of Environment Clearance.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd meeting of SEIAA held on 15.02.2023.**

After having gone through the details & record placed on the file along with considering the recommendations of SEAC, the Authority gathered that a communication from the Haryana State Pollution Control Board has been received vide which it has been intimated that the final Evaluation report of BMW generation, GAP analysis with respect to coverage area has been received from Department of Community Medicine & School

of Public Health Postgraduate Institute of Medical Education & Research (PGIMER) Chandigarh wherein it is conveyed as under:

“The current CBWTFs in Haryana have enough capacity to manage the BMW in upcoming years. Hence, there is no need to install a new CBWTF or no need to increase the capacity of any CBWTF as they have enough capacity w.r.t. current generation of BMW”

After due deliberations, the Authority decided that Member Secretary, SEIAA shall request the Member Secretary, Haryana State Pollution Control Board (HSPCB) to constitute a Sub-committee having a representative from HSPCB, Head quarter and the Concerned Regional Officer, HSPCB to carry out the Site Inspection and submit a detailed report in this regard.

Accordingly, the case is deferred.



Item No. 153.14: Environment Clearance for proposed expansion of Affordable Residential Plotted Colony Project under DDJAY-2016 located at Village Dhunela, Sector-33, Tehsil Sohna & District Gurugram Haryana by M/s Global Horizon Holdings Private Limited.

1.	Project Proponent	M/s Global Horizon Holdings Private Limited.
2.	Project Consultant	M/s Oceao Enviro Management Solutions India Pvt. Ltd.
3.	NABET, ACCREDITATION	(No. NABET/EIA/2124/RA 0217 Valid upto : 08-04-2024)
4.	Applied Category of the Project	8 (a)

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/MIS/279337/2022 dated 22.06.2022** for grant of Environmental Clearance under Category 8 (a) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of ₹ 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).

Cost of the Project as disclosed by the PP in the APPLICATION FORM is ₹ 168 Crore.

Appraisal & Recommendations of SEAC:

The said case was taken up during 259th meeting of SEAC held on 19.01.2023 and decided to send the case to SEIAA alongwith site visit report in original and also reiterated the recommendations conveyed vide 244th and 256th MoM.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd meeting of SEIAA held on 15.02.2023.**

After having gone through the details & record placed on the file along with considering the recommendations of SEAC as well as Site inspection Report carried out by

the Sub-committee, the Authority felt it appropriate that there is a need to conduct a fresh Inspection, to verify the actual status of construction at Project Site.

After due deliberations, the Authority decided to constitute a Sub-committee comprising of Member Secretary, SEIAA, Member Secretary, HSPCB through his representative and Concerned Regional Officer, HSPCB (to assist the Sub-committee) to carry out site inspection and submit a detailed report before the Authority.

Accordingly, the case is deferred.



Item No. 153.15: Environment Clearance for Expansion of Proposed Group Housing Project at Sector 36A, Gurgaon Manesar Urban Complex, Haryana by M/s Krisumi Corporation Private Limited.

1.	Project Proponent	M/s Krisumi Corporation Private Limited.
2.	Project Consultant	M/s Ind Tech House Consult
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0174 Valid upto : 29-04-2023)
4.	Applied Category of the Project	8 (b)

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/INFRA2/402959/2022 dated 12.10.2022** for grant of Environmental Clearance under Category 8 (b) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of ₹ 1,50,000/- vide DD No. 907042 dated 26.05.2022 (in compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project as disclosed by the PP in the APPLICATION FORM is ₹ 275.24 Crore.

Appraisal & Recommendations of SEAC:

The said case was taken up during 259th meeting of SEAC held on 20.01.2023 and Committee unanimously decided to send the case to SEIAA and also reiterated the recommendations conveyed vide 253rd and 256th MoM.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during 153rd meeting of SEIAA held on 15.02.2023.

After having gone through the details & record placed on the file along with considering the recommendations of SEAC; the Authority decided to agree with the recommendations of SEAC to Grant Environment Clearance to the Project under

Category 8(b) of the EIA Notification dated 14.09.2006 with the following Additional Stipulation.

1. That the Project Proponent shall maintain 28.19% of the Gross Plot Area as Green Area i.e. **30,078.40 Sqm** (as committed, at the time of presentation, before the Appraisal Committee, without any deviation). The **30,078.40 Sqm** (28.19%) Green Area, shall not be reduced/ modified or put to use for any other use / purposes.

Accordingly, the case is disposed of.



Item No. 153.16: ToR (under violation category) for Expansion of Five Star Project at Village Ghamroj, Sohna Road, Tehsil Sohna, District Gurgaon, Haryana M/s Creative Buildwell Private Limited.

1.	Project Proponent	M/s Creative Buildwell Private Limited.
2.	Project Consultant	M/s Eco Paryavaran Laboratories and Consultants Pvt. Ltd.
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/RA 0211 Valid upto : 17-12-2023)
4.	Applied Category of the Project	8 (a)

On perusal of office record, it is gathered that the instant case / proposal was listed during 152nd Meeting of the Authority held on 24.01.2023 and already decided thereto.

Probably this case got listed inadvertently / by mistake again during 153rd Meeting of the Authority held on 15.02.2023.

Now, the said Proposal, requires no further action at this stage.

Item No. 153.17: ToR for Project Commercial Colony at Village Fazilpur Jharsa, Sector 48, Gurgaon, Haryana by M/s Victory Infraedge Pvt. Ltd.

1.	Project Proponent	M/s Victory Infraedge Pvt. Ltd.
2.	Project Consultant	M/s Perfact Enviro solutions Pvt. Ltd.
3.	NABET, ACCREDITATION	(No. NABET/EIA/1922/SA 0143 Valid upto : 01-06-2023)
4.	Applied Category of the Project	8 (a)

On perusal of office record, it is gathered that the instant case / proposal was listed during 151st Meeting of the Authority held on 16.12.2022 and already decided thereto.

Probably this case got listed inadvertently / by mistake again during 153rd Meeting of the Authority held on 15.02.2023.

Now, the said Proposal, requires no further action at this stage.

Item No. 153.18: ToR (under violation) for IT Building on Plot No.412-415, Udyog Vihar Phase IV, Gurgaon, Haryana by M/s Interpress Publishers Private Limited.

1.	Project Proponent	M/s Interpress Publishers Private Limited.
2.	Project Consultant	M/s Ind Tech House Consult
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0174 Valid upto : 29-04-2023)
4.	Applied Category of the Project	8 (a)

On perusal of office record, it is gathered that the instant case / proposal was listed during 152nd Meeting of the Authority held on 25.01.2023 and already decided thereto.

Probably this case got listed inadvertently / by mistake again during 153rd Meeting of the Authority held on 15.02.2023.

Now, the said Proposal, requires no further action at this stage.

Item No. 153.19: Environment Clearance 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. & Others.

1.	Project Proponent	M/s Union Buildmart Pvt. Ltd. & Others.
2.	Project Consultant	M/s Ind Tech House Consult
3.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0174 Valid upto : 29-04-2023)
4.	Applied Category of the Project	8 (b)

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/MIS/75100/2018 dated 14.04.2022** for grant of Environmental Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of ₹ 2,00,000/- vide DD No. 500411 dated 25.01.2022 (in compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021).

Cost of the Project as disclosed by the PP in the APPLICATION FORM is ₹ 1099.51 Cr.

Appraisal & Recommendations of SEAC:

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 raised 03 observations and referred back the case to SEAC:

- (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.*

The case was taken up during 247th meeting. The PP submitted the reply of observations raised by SEIAA as below:

Sr. No.	Observation of SEIAA	Reply
1.	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.	PP will not use revenue rasta for any purpose and has proposed their services in a way that revenue rasta is not affected (services provided without using revenue rasta). The affidavit is also attached herewith as Annexure 1. In future if any scenario arises that the services lines need to cross the revenue rasta then permission to cross the revenue rasta from competent authority will be obtained, EC shall be amended accordingly.
2.	The authority further observed that the capacity of the STP proposed is inadequate and deems it appropriate to enhance to 1,550 KLD. SEAC may examine/appraise and make recommendations, accordingly.	TOR has been approved by EAC infra 2, MoEF&CC for STP capacity of 1480 KLD and same is taken up in the EIA study. The total waste water generation was 1234 KLD for which proposed STP was 1480 KLD i.e. 120 % of the total waste water generation. Now as suggested by SEIAA, Haryana we have increased capacity of STP from 120 % to 125 % i.e. 1480 KLD to 1550 KLD.
3.	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	Keeping in the view of conservation of water EAC/ SEAC/ SEIAA directs all the project proponents to reuse the treated water generated in their project under landscaping, flushing, DG cooling as much as possible to reduce the fresh water requirement. Hence we have also given the proposal to reuse the treated

<p>sewer connections and the same shall be verified by SEAC before recommending the case.</p>	<p>water within the above said heads to conserve the fresh water to the extent possible. Total treated water generation for the project will be 1111 KLD and recycled treated water will be 901 KLD. Surplus treated water i.e. 210 KLD will be discharged in public sewer. PP submitted assurance for discharge of treated effluent dated 23.12.2021.</p>
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The committee discussed the reply and after deliberation, decided to recommend the case to SEIAA for granting EC to the project after incorporating the reply of observations of SEIAA on the relevant conditions. The rest of the conditions shall remain same as conveyed earlier vide 244th meeting of SEAC, Haryana held on 09.07.2022.

The recommendations of SEAC were considered during **146th meeting held on 20.09.2022**. After detailed discussions and examination of facts on record; it reveals that the excavation has been done on the REVENUE RASTA AND EXPANSION PART ALSO by the project proponent.

Therefore, Authority decided to constitute a sub-committee consisting of Sh. V.K. Gupta, Chairman, SEAC and Shri R. Bhaskar, Expert Member of SEIAA to visit the site and submit report in regard to actual status of the construction/project. Regional Officer, Gurugram (South) will assist the committee. The Sub-Committee will submit report within 15 days, positively.

The sub-committee visited the project site and submitted its report.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **153rd Meeting of SEIAA held on 15.02.2023**.

The Authority after having gone through the relevant records, recommendation of the Appraisal Committee and further considering the Site inspection

Report; the Authority gathered that there are 2 Environment Clearances issued to the Project Proponent; for which the Status of Land is not clear as well the Status of Revenue Rasta is also not clear; whether, ROW has been obtained or yet to be obtained from the Competent Authority.

After due deliberations, the Authority decided to refer back this case to SEAC; with the directions as under:

1. That SEAC to make comments on the status of Revenue Rasta with reference to observation made at Sr. No. 7 of the Sub-committee's Report dated 07.02.2023.
2. That a clear cut point wise recommendation be made to the Authority on the "Site Inspection Report" dated 07.02.2023.
3. Riddle, regarding Two Environment Clearances issued to the Project Proponent also needs clarification.
4. Clear cut status of Green Area to be developed by the Project Proponent in this Case, requires relevant elucidation.

The meeting ended with a vote of thanks.
