Minutes of 142nd meeting of State Environment Impact Assessment Authority, Haryana held through VC on 07.06.2022 under the Chairmanship of Sh. Sameer Pal Srow, IAS (Retd.), Chairman, SEIAA, Haryana.

All the Items of 141st meeting are confirmed. The Project Proposals as recommended by SEAC for Environmental Clearance or otherwise and listed in the Agenda were discussed and following decisions were taken:-

Item No.[1] EC for Affordable Plotted Colony under Deen Dayal Jan Awas Yojna (DDJAY) 2016 over an area measuring 5.00 acres in the revenue estate of Village Maidawas, Sector 65, Gurugram, Haryana by M/s Country Side Properties Private limited.

The Project Proponent submitted the case to the SEIAA vide online Proposal No. SIA/HR/MIS/261858/2022 dated 14.03.2022 as per check list approved by the SEIAA/SEAC for obtaining EC under category 8(a) of EIA Notification dated 14.09.2006.

The case was considered in 237th meeting of SEAC held on 11.04.2022 recommended case to SEIAA for grant of EC. PP submitted the scrutiny fee amounting to Rs. 1,50,00/- vide DD No. 001384 dated 07.03.2022.

The recommendation of SEAC was taken up 141st meeting of SEIAA held on 24.05.2022and after having gone through the record as per Google Imaginary some construction has been seen at the project site. PP has shown vacant land in form 1A which needs to be verified.

After due deliberations; Authority decided to seek a report from concerned RO, HSPCB through Member Secretary, HSPCB to the verify construction status and till then case is deferred.

Report from the Regional officer has been received on 06.06.2022 with remarks that "Inspection conducted to check status of Construction onsite. No construction Activity found on site. Temporary structure existed on site.

The case was taken up in the 142nd meeting of SEIAA held on 07.06.2022 and after due deliberations: Authority decided to agree with recommendation of SEAC to grant EC to this project.

Item No. [2] EC for proposed Clinker Grinding Unit with Cement production capacity of 5.0 MTPA at village Jhanswa Tehsil MatanhailDistt. Jhajjar, Haryana by M/s Wonder Cement Ltd.

The case was lastly taken up in the 139th meeting of SEIAA held on 19.04.2022 and the Authority discussed the case and the Notifications dated 14.09.2006 and

subsequent Amendment dated 25.06.2014. After examination, it was decided that since the EC was granted with conditions to obtain necessary wildlife clearance from NBWL or other authorities concerned, and that the PP has now informed the progress in the case. However, it is not clear whether the PP started his work before the notification of ESZ for the sanctuary (which would amount to violation) and the PP may be directed to submit the details of CTE, CTO and the commencement of the operations, to decide the further course of action in this matter.

The project proponent submitted his reply stating the following:

- 1. They have applied for NBWL clearance online vide proposal No. FP/HR/Others/4300/2019 dated 06.07.2019.
- 2. They have prepared and submitted Wildlife Conservation Plan for to the PCCF Panchkula on 16.07.2019.
- 3. With reference to their NBWL application and further communication received from DWLO, Gurugram and site inspection by concerned Authority, we have submitted Part-I and Part-II on 22.12.2020.
- 4. With reference to granted dated 09.12.2019 vide letter No. SEIAA/HR/2019-460 and applied for consent to establish vide application No. 7009697 dated 17.12.2019 and CTE was issued by HSPCB on dated 26.12.2019 vide letter No. HSPCB/Consent-313098019JHACTE7009697.
- 5. They have started construction of the project and after completion of the project, we submitted application for obtaining Consent to Operate vide application No. 8677052 dated 27.01.2021 and obtained vide No. HSPCB/Consent31309802JHACTO0I677052 dated 26.02.2021
- 6. Plant operation was started on dated 07.03.2021.
- 7. They also intimated to the Authority that they are regularly complying with all the conditions mentioned in EC.

The case was taken up in the 142nd meeting of SEIAA held on 07.06.2022 and it was observed that PP has not submitted complete details as asked vide Show Cause Notice issued to PP.

After due deliberations, Authority decided to ask PP to submit status of construction prior to notification of ESZ and the reply will be examined and decided on the concerned file.

Item No.[3] Extension in Validity of EC of Commercial complex "KLJ Square" Village Shikohpur, Sector 83, NH-8, Gurugram, Haryana by M/s KLJ Realtech Pvt. Ltd.

The Authority deliberated on EIA Notification dated 12.04.2022 and observed that validity of the Environmental Clearance shall be 10 years.

After due deliberations; Authority decided to call a report from concerned RO, HSPCB to be nominated by Member Secretary, HSPCB whether the conditions stipulated in the original EC stands complied with or not; hence, the case is deferred till next meeting.

Report from the Regional officer has been received on 06.06.2022 and no violation has been reported.

The case was taken up in the 142nd meeting of SEIAA held on 07.06.202. After having gone through the details and relevant records pertaining to the case it is gathered that project proponent has moved an application dated 16.11.2021 (applied well within time) for extension of validity of EC granted on 05.02.2015. As per the earlier Govt. instruction EC granted in such cases was to be valid for a period of 07 years.

On 12.04.2022 Government vide Notification No. S.O. 1807 (E) dated 12.04.2022 issued & made modifications in this regard vide which validity of EC in such cases will now valid for a period of 10 years (from the date of grant.)

After due deliberations; Authority concluded that the request of project proponent for extension of validity of EC is squarely covered within the scope of Notification dated 12.04.2022 i.e. for a period of 10 years from the date of grant of EC i.e. now EC stands valid upto 04.02.2025. Accordingly, the case is de-listed.

Item No.[4] Extension in Validity of EC for Residential Plotted Colony Project located at Village Nangli, Umarpur, Maidawas and Kadarpur in Gurgaon - Manesar Complex, Haryana by M/s Brahma City Pvt. Ltd.

The recommendation of SEAC was taken up in the 139th meeting of SEIAA held on 18.04.2022; the Authority deliberated on EIA Notification dated 12.04.2022 and observed that validity of the Environmental Clearance shall be 10 years.

After due deliberations; Authority decided to call a report from concerned RO, HSPCB to be nominated by Member Secretary, HSPCB whether the conditions stipulated in the original EC stands complied with or not; hence, the case is deferred till next meeting.

The case was taken up in the 142nd meeting of SEIAA held on 07.06.202. After having gone through the details and relevant records pertaining to the case it is gathered that project proponent has moved an application dated 18.11.2021 (applied well within time) for extension of validity of EC granted on 03.09.2014. As per the

earlier Govt. instruction EC granted in such cases was to be valid for a period of 07 years.

On 12.04.2022 Government vide Notification No. S.O. 1807 (E) dated 12.04.2022 issued & made modifications in this regard vide which validity of EC in such cases will now valid for a period of 10 years (from the date of grant.)

After due deliberations; Authority concluded that the request of project proponent for extension of validity of EC is squarely covered within the scope of Notification dated 12.04.2022 i.e. for a period of 10 years from the date of grant of EC i.e. now EC stands valid upto 02.09.2024. Accordingly, the case is de-listed.

Item No.[5]:Environmental Clearance for Revision & Expansion of the Group Housing Project located at Sector-68, Badshahpur, Gurgaon by M/s Soni Infrastructure Pvt. Ltd.

The project was submitted to the SEIAA, Haryana on 09.07.2018. The Project Proponent submitted the case to the SEIAA. Thereafter, the case was taken up for appraisal in the 174th meeting of the SEAC held on 08.08.2018. The case was again taken up for appraisal in the 184th, 187th & 188th meeting of SEAC held on 15.07.2019, 30.08.2019 & 16.09.2019 and recommended the case to SEIAA for the grant of Environment Clearance.

The recommendations of SEAC were considered by SEIAA in its 121st/ 122nd meeting held on 25.11.2019 & 22.01.2020 and found that the Project Proponent failed to circulate & submit the required documents each and every time; therefore, the case was deferred.

The case was again taken up in the 127th meeting held on 17.03.2021 and the Authority observed that despite repeated opportunities; the PP has not submitted the authenticated documents; hence, it seems that the Project Proponent is not interested to get Environment Clearance.

After due deliberations; the Authority decided to de-list this case; in the meanwhile the Authority further decided to get a factual report of the Project Site from concerned Deputy Commissioner-cum-Chairperson of District Level Monitoring Committee.

The matter was taken up in the 129th meeting of SEIAA held on 13.10.2021after detailed deliberations, the Authority decided to send a request to concerned Deputy Commissioner-cum-Chairperson of District Level Monitoring Committee to send the report at the earliest.

The case was taken up in the 137th meeting of SEIAA held on 26.03.2022 and the Authority decided to request Member Secretary, HSPCB to nominate concerned RO, HSPCB (RO will assist sub-committee members) along with Dr. Sandeep Gupta, Member SEAC to carry out the spot inspection to get the current status of project & submit report at the earliest.

Site Visit report from the sub-committee has been received on 16.05.2022 stating therein that "There is no building structure in the proposed expansion part of the project area for which application for EC was filed by the project proponent."

The case was taken up in the 142nd meeting of SEIAA held on 07.06.2022 and keeping in view of site visit report, the Authority decided to delist the case finally.

Item No.[6]:Environment Clearance for the IT Complex " Prime Tower of our company PCI Ltd. at Plot No. 287-288, Udyog Vihar Phase-II, Gurugram Haryana by M/s PCI Limited.

Earlier the application was submitted to SEIAA on 30.11.2012 which was considered by the Appraisal Committee and observed that the PP has already started construction activity without having valid Environment Clearance and recommended to SEIAA for initiate prosecution action against the PP.

Thereafter, the case was taken up in 73rd meeting of SEIAA held on 18.07.2014 and decided to initiate legal action against the project proponent. However, the Project proponent filed application before the Hon'ble Punjab and Haryana High Court vide CRM-M-30394 of 2013. Thereafter, SEIAA has returned the file to SEAC to decide application for EC within 03 months. SEAC considered the application in its 121st meeting held on 19.11.2015 and recommended to SEIAA.

Thereafter, the recommendation of SEAC was considered in 86th meeting of SEIAA held on 12.01.2016 and it was observed that Hon'ble NGT quashed the MoEF & CC OM No. J-11013/41/2006-IAII (I) dated 12.12.2012 and no fresh guidelines have been issued by MoEF & CC, GoI regarding procedure for appraisal of violation case.

Thereafter, the case was transferred to MoEF & CC, GoI with reference to Notification dated 14.03.2017 to consider under this case under violation category but the same was returned back to SEIAA on 13.06.2018 by the MoEF & CC, GoI w.r.t. Notification dated 08.03.2018 and the same was forwarded to SEAC.

Thereafter, the case was considered by the Appraisal Committee in its 172nd meeting for Approval of ToR under violation category and it was observed that PP neither appeared before the Committee nor requested for adjournment; hence show-cause notice was issued to PP. The PP submitted his reply vide letter dated 23.07.2018 and they have intimated to the Authority that they have not applied under violation category and

the file was returned to SEIAA for taking further action under notification dated 14.03.2017.

Thereafter, this case was considered in 119th meeting of SEIAA held on 02.08.2019 wherein the reply of the project proponent was considered in which the project proponent has admitted that the construction was raised more than 20,000 sq. meters. It was decided to initiate legal action being a violation case. It is pertinent to mention here that Prosecution Action has already been recommended Vide letter dated 06.08.2014; hence latest status was sought from HSPCB vide letter dated 20.12.2019 (CP-33) and Director Town & Country Planning Department was also requested vide letter dated 20.12.2019 9CP-34)not to issue Occupation Certificate or renewed if granted.

The matter was under proceedings in the Hon'ble High Court Punjab and Haryana vide CRM No. 30394- 2013 in the matter of M/s PCI Limited and Other Vs State of Haryana & Others. The Hon'ble High Court vide order dated 10.02.2020 (CP-32) passed the following Directions:

"Learned State counsel was directed to inform this Court regarding the status of the application which is pending before the environmental authorities since long. Learned State counsel has submitted that the matter has been brought to the notice of the Advocate General and the needful will be done within two weeks.

On the request of learned State counsel, adjourned to 13.03.2020."

Thereafter, the matter was with the Hon'ble Chairman, SEIAA on 11.02.2020 and it was decided to provide latest status to the Ld. Advocate General Haryana, accordingly a letter dated 13.02.2022 was addressed to Ld. Advocate General, Haryana and submitted the same on 14.02.2000 (CP-35-36).

Now, the project proponent has again submitted a request to re-open their case for grant of Environment Clearance.

The case was taken up in the 142nd meeting of SEIAA held on 07.06.2022; the Authority considered the request of the project proponent and record of the concerned project available in the office of SEIAA and the Authority observed that PP has already violated the norms of EIA Notification 2006 and did not apply under violation category during the violation window with reference to notification dated 14.03.2017, 08.03.2018 as well as SOP vide F.No.22-21/2020-IA.III dated 07.07.2021.

After due deliberations, the Authority decided to decline the request of PP and advised the PP to apply online as per the current guidelines issued vide letter F. No 22-37/2018-IA.III dated 19.04.2021 by MOEF & CC, GOI, under violation category as per SOP vide F.No.22-21/2020-IA.III dated 07.07.2021 issued by MoEF & CC, GoI being a case of violation.

Item No.[7]:Environmental Clearance for proposed common Biomedical Waste Treatment Facility (CBWTF) at plot No. 2, Sector-27 C Faridabad Haryana by M/s Cosmic Waste Solutions LLP.

A show cause notice issued by SEIAA Haryana vide letter no. SEIAA/HR/2022/175 dated 17th Jan 2022 referring to the order passed by Department of Environment Govt. of Haryana vide order No. 16/17/2016-3 Env dated 18.07.2016 against appeal filed under section 16(1) of the Bio medical waste Management Rules 2016 for regulating the biomedical waste management in the State of Haryana and asked for clarification.

In conclusive remark of said order it was stated that "Presently no additional CBWTF shall be issued authorization by SPCB till the existing CBWTFs are operating within the coverage area norms specified by CPCB in the BMW treatment facility Guidelines. Further no request for issue of authorization in this regards shall be entertained and allowed by the SPCB till the time of existing CBWTF, which would be affected by issue of such additional authorization do not attain a capacity utilization of at least 75%. This is being done keeping in view the maintaining of the techno-economic viability and feasible operation of the Existing CBWTFs.

Meanwhile they have secured clarification from HSPCB, Panchkula on status of number of beds catered by every common Bio- Medical Waste Treatment Facility in the State of Haryana against an RTI application no. HSPCB/RTI/434/2020/2021 dated 04.01.2021.

As per clarification, Faridabad is already having more than 9667 beds and a 2000 bedded hospital has also been started during covid-19 Pandemic. There is only one facility available in the Faridabad in the name of M/s Golden Eagle which is covering Faridabad, Mewat and Palwal area. Total 9667 beds are available as on 31.12.2020 which has been crossed beyond 10000 beds after establishing the new hospitals during covid-19. There is clear gap between quantity of BMW generation and available CBWTF in the area and establishment of New CBWTF is need of current situation.

We would like to convey you that the order passed by department of Environment Govt. of Haryana on 18th July 2016 almost 6 years ago but now there are number of health care facilities have been increased since 2016 and a rapid growth has been observed in the since first covid-19 wave in the year of 2019 in the State of Haryana as well as worldwide.

In reply if Point No. 2 We would like to inform you that they have earlier submitted the application of approved of ToR under category 7(d) CTWTSDF" vide proposal No. SIA/HR/MIS/67164/2021 dated 1st September 2021. Further they have withdrawn the same proposal and submitted the proposal under 7d(a)

category Biomedical Waste Treatment Facilities for approval of ToR vide Proposal No. SIA/HR/MIS/67241/2021 for which ToR has been granted and Final EIA report is submitted.

In reply of point No.3 we would like to convey you that there is not such representation is enclosed along with the show cause notice, hence we are unable to reply on the point no.3 at this stage due to unavailability of representation submitted by M/s Golden Eagle Waste Management Company.

The above clarification and supporting documents are being submitted to Hon'ble SEIAA Haryana for kind consideration and acceptance. Looking forward for the positive response in this matter and further consideration of proposal for Environmental Clearance.

The matter is related to new establishment of Biomedical Waste Treatment Facility (CBWTF) at plot No. 2, Sector-27 C Faridabad Haryana by M/s Cosmic Waste Solutions LLP.

The case was taken up in the 142nd meeting of SEIAA held on 07.06.2022; and the Authority decided to reject the case in view of the orders passed by State Government, Environment Department bearing no. 16/17/2016-3Env dated 18.07.2016. Further, Authority decided to withdraw the auto ToR granted to the PP issued on 08.11.2021.

Item No.[8] :EC for Gravel and Sand mining project at Shamtoo-1 Block/PKL B 11" over an area of 46.5 ha for a peak production of 4,00,000 TPA at Village- Village- Shamtoo & Rattewali, District—Panchkula, Haryana by M/s Starex Minerals.

The Project was submitted to the SEIAA vide online Proposal No. SIA/HR/MIN/73813/2018 on dated 15.03.2022 for obtaining Environmental Clearance under Category 1(a) of EIA Notification 14.09.2006.

The case was considered in 241st meeting of SEAC, Haryana held on 26.04.2022. The PP presented the case before the committee and After detailed deliberations on the 1 meter depth of mining, capacity of 400,000 TPA, the Committee was of the unanimous view that this case be recommended to SEIAA for granting Environmental Clearance for one year and upto one meter under EIA Notification under category B1, 1(a) dated 14.09.2006 issued by the Ministry of Environment and Forest, Government of India should be recommended to the SEIAA for with the following specific and general stipulations:

PP submitted the scrutiny fee amounting to Rs. 1,50,000/- vide DD No. 710114 dated 28.03.2022.

The case was taken up 141st meeting of SEIAA held on 26.05.2022 and after due deliberations; Authority decided to refer back the case to SEAC to submit Page 8 of 11

recommendations in view of orders dated 24.05.2022 passed by Hon'ble NGT in Appeal No. 19/2022 titled as JunaidAyubi&Anr. Vs State of Haryana &Ors.

The case was taken up 142nd meeting of SEIAA held on 07.06.2022; for deliberation and discussion on the directions passed by Hon' ble NGT vide order dated 24.05.2022 in Appeal No. 19/2022 titled as Junaid Ayubi &Anr. Vs State of Haryana &Ors and order dated 31.05.2022 in OA No. 423/2022 titled as Mohinder Pal &Anr.

After detailed deliberations on the requirement of replenishment study in compliance with directions passed by the Hon'ble NGT, the Authority decided to direct SEAC to make its recommendations w.r.t the directions passed by the Hon'ble Tribunal.

Item No.[9]:EC under violation notification dated 14.03.2017 for Group Housing Project "EDGE TOWER" at Ramprastha City, Sector-37 D, District-Gurgaon, Haryana by M/s Ramprastha Promoters & Developers Pvt Ltd.

The case was considered in 129th meeting of SEIAA held on 12.10.2021 wherein, it was noticed that the recommendation of SEAC was considered by SEIAA and it was decided to grant EC under violation category subject to submission of Bank Guarantee. Accordingly, a show-cause notice was served to PP vide letter dated 29.10.2021 for submission of Bank Guarantee.

The Project Proponent submitted his reply vide letter dated 25.11.2021 in response to the show-cause notice and seek 02 months more time to submit desired bank Guarantee.

The matter was taken up in the 132nd meeting of SEIAA held on 21.12.2021 and the Authority decided to refer the case to SEAC stating that the case pertains to violation andsame may be viewed in light of recent Hon'ble Supreme Court Judgment dated 09.12.2021 inCivil Appeal No. 7576-7577. The Authority further asked SEAC to look into the aspect of NBWL Clearance too.

Thereafter, the case was taken up in 234th meeting of SEAC held on 10.03.2022 but the PP requested in writing vide letter dated 10.03.2022 for the deferment of the case which was considered and acceded by the SEAC.

Thereafter, the case was taken up in 241st meeting of SEAC Haryana held on 25.04.2022. The discussion was held on self-contained note to be submitted by the PP.

The PP submitted the self-contained note as following:-

• The case was recommended twice for EC clearance by SEAC in its meetings as 197th and 202nd with Augmentation and remedial plan of Rs. 2.98 crores but the SEIAA approved in principle the EC with a revised plan of 3.80 crores and we agreed for same.

- Our case was again considered by SEIAA in its 129th meeting held on 12.10.2021 wherein it was noticed that the recommendation of SEAC was considered by SEIAA and it was decided to grant EC under violation category subject to submission of Bank Guarantee.
- Meanwhile SEIAA issued a notice to submit BG vide letter dated 29.10.2021 (received on dated 23.11.2021) in response we sought two months' time to submit the BG
- But SEIAA referred the case back to SEAC for viewing as per Supreme court decision dated 09.12.2021
- The amount of BG was huge and we faced many problems in arranging the funds in Covid period and after lot of effort we got prepared the bank guarantee of Rs. 3.8 crores on 09.02.2022 and due to some technical issue in the Bank, The BG was submitted with HSBCB in the first week of March 2022.
- We have already requested SEIAA through our letter dated 21.03.2022 that the same amount of Rs.3.80 crores be kept as Augmentation and remedial plan budget.
- We hereby again request SEAC to forward our file to SEIAA so that final decision on the project may be taken.

The PP submitted a written request vide letter dated 05.04.2022 vide which it is submitted that PP had represented to SEIAA on 21.03.2022 to consider their Augmentation & remediation budget of Rs. 3,80,00,000/- as reiterated by SEIAA in its 129th meeting held on 12.10.2021. Further, PP requested to SEAC to forward their case to SEIAA so that appropriate action can be taken. The request was placed before the committee and committee deliberated on the request of PP that as the cost of Augmentation & remediation budget was already finalized by SEIAA. The request is considered by the committee and decided to forward the case to SEIAA for taking further action on the representation of PP.

The recommendation of SEAC was taken up 141st meeting of SEIAA held on 25.05.2022 and The PP has submitted Scrutiny Fee amounting to 2,00,000/- vide DD. No. 009591 dated 25.05.2022 in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE & CCH/3060 dated 14.10.2022 and further pp was submit the bank guarantee of Rs. 3.8 crores with HSBCB in the first week of March 2022 and after due deliberations; Authority decided to call a report from concerned RO, HSPCB to verify the latest construction status w.r.t Construction status till the period of violation window & to submit the report at the earliest possible till then case is deferred.

Accordingly, the report of R.O. was received from HSPCB vide Lr. No. HSPCB/GRS/2022/173-174 dated 07.06.2022, wherein, it has been indicated that after filing the complaint in Special Environment Court, Faridabad for violation committed by unit, no construction activity conducted by the project proponent as committed by the project proponent at the time of inspection. Further, no additional construction activity has been observed at site during inspection on dated 06.06.2022.

The case was taken up in the 142nd meeting of SEIAA held on 07.06.2022 and after due deliberations: Authority decided to defer this case till next meeting to evolve and arrive more clarity on the issue.

Item No.[10]:Transfer of Environment Clearance (EC) for proposed Group Housing Project at sector-36A, Gurugram Urban Manesar Complex, Haryana in the name of M/s Krisumi Corporation Pvt. Ltd. From M/s Bluejays Realtech Pvt. Ltd.

The Project Proponent has applied for obtaining Corrigendum in Environment Clearance (EC) under EIA Notification dated 14.09.2006 issued by MoEF& CC, GoI to the SEIAA, Haryana through PARIVESH Web Portal vide online Proposal No. SIA/HR/MIS/275280/2022 dated 28.05.2022 to SEIAA. The details of the aforesaid Project are as under:

1.	Online Proposal No:	SIA/HR/MIS/275280/2022
2.	Name of Company/Organization	M/S Bluejays Realtech Private Limited Address: 3rd Floor, Central Plaza Mall, Sector 53, Gurgaon Haryana 122002.
3.	Nature & Type of the project:	Group Housing Project (Corrigendum in EC).
4.	Category of the proposal:	8 (a) Building and Construction Projects
5.	Total Plot Area of Project	111213.49 sq mt
6.	Total Built up Area of Project	114715.41 sq mt
7.	Documents uploaded/submitted by PP & his authorized Consultant	Form-7 filled by PP for application for transfer of Environmental Clearance (3 pages) & other related documents on Portal with Additional Document.

It is submitted that Environmental Clearance to the project was accorded vide letter dated 30.01.2018 in favour of M/s Bluejays Realtech Private Limited. Now the PP has requested to transfer his EC letter in favour of M/s Krisumi Corporation Pvt. Ltd.

The case was taken up 142nd meeting of SEIAA held on 07.06.2022; the Authority observed that the project proponent made a request to the Authority for transfer his EC letter in favour of M/s Krisumi Corporation Pvt. Ltd. **from M/s Bluejays Realtech Pvt.** Ltd.

Accordingly after due deliberations; Authority decided to accord approval for change of name as requested by PP.